

Waltham City Council
Minutes of the Meeting of
March 8, 2021

President Brasco called the meeting to order at 7:30 p.m.

Present: Councillors Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley, Vidal and Brasco.

Absent: None.

City Clerk Waddick recited the Council Prayer followed by President Brasco leading all present in the Pledge of Allegiance. Councillor Durkee asked for a moment of silence for all military that have served past and present.

Councillor McMenimen moved approval of the minutes from the 2/22/2021 Special Meeting of City Council. The motion was adopted on a voice vote and the minutes were approved.

Councillor McMenimen moved approval of the minutes from the 2/22/2021 Regular Meeting of City Council. The motion was adopted on a voice vote and the minutes were approved.

Communications from the Mayor

1. The Mayor respectfully requests an appropriation in the amount of \$1,585,484 from Unreserved Fund Balance to numerous Snow Accounts within the CPW Department. Referred to the Finance Committee.

2. The Mayor respectfully requests an appropriation in the amount of \$16,950 to conduct a survey of existing conditions along a portion of Elson Road of approximately 820 linear feet and a boundary survey of approximately 2,500 linear feet. Councillor Durkee moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Durkee moved approval of the matter. Roll call. In favor: Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: LeBlanc.

Presiding: Brasco.

Matter was approved 13-1.

3. The Mayor respectfully requests the acceptance of a grant in the amount of \$2,730 from the Max McCormick Memorial Foundation to purchase a new 3M Scott V320 Thermal Imager for the Fire Department. Referred to the Finance Committee.

4. The Mayor respectfully requests acceptance of the donation from David Breton of Waltham, MA, of an electronic wall clock made by the United Clock Corporation to be displayed in the City Hall Museum Room. Referred to the Finance Committee.

5. The Mayor respectfully requests your review of a communication relating to 1273 Main Street. Referred to the Committee of the Whole.

6. The Mayor respectfully requests an appropriation in the amount of \$75,000 for the acquisition of a portion of the property located at 1273 Main Street. Referred to the Committee of the Whole.

7. The Mayor respectfully requests your review of a communication relating to 1335 Main Street. Referred to the Committee of the Whole.

8. The Mayor respectfully requests an appropriation in the amount of \$104,000 for the acquisition of a portion of the property located at 1335 Main Street. Referred to the Committee of the Whole.

9. The Mayor respectfully requests an opportunity for Good Energy to address the City Council on March 15, 2021 regarding the Waltham Community Electricity Program. Referred to the Committee of the Whole.

10. Councillor McMenimen moved to suspend the rules to accept a late-filed confidential communication from the Mayor. The motion was adopted on a voice vote and the matter was approved. Councillor McMenimen moved to table the matter until the end of this meeting. The motion was adopted on a voice vote and the matter was tabled.

Applications and Licenses

Orders, Ordinances & Resolutions

- Eagle Scout Recognition Resolution for Cameron Erwin

City Clerk Waddick read the Resolution. Councillor Durkee spoke on the Resolution. Cameron is his nephew of whom he is most proud. Councillor Durkee moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Durkee moved approval on the well-deserved Resolution. The motion was adopted on a voice vote and the Resolution was approved.

- Motorcycle Safety Week Resolution

City Clerk Waddick read the Resolution. Councillor O'Brien spoke on the Resolution. Councillor O'Brien moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor O'Brien moved approval on the Resolution. The motion was adopted on a voice vote and the Resolution was approved.

- Parking Resolution

City Clerk Waddick read the Resolution. Councillor LeBlanc spoke on the Resolution. President Brasco referred the matter to the Public Works and Public Safety Committee.

Committee Reports

Licenses and Franchises

1. The Licenses and Franchises Committee recommends the grant of location for National Grid at Lexington Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

2. The Licenses and Franchises Committee recommends the secondhand dealer's renewal for Marcou Jewelers at 318 Moody Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

3. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street – HUD Tree Dorms be approved. Councilor Vidal moved to act on matters #3-12 collectively. The motion was adopted on a voice vote and the matter was approved. Councillor Vidal moved approval of #3-12. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

4. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street – Castle Hall Upper be approved.

5. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street –Stratton House Beaver be approved.

6. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street – Slade Hall Upper be approved.

7. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street –Nathan R. Miller Hall Upper be approved.

8. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street – Kresge Hall Upper be approved.

9. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street –Fenway Hall be approved.

10. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street – Forest Hall Upper be approved.

11. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street – Copley Hall South be approved.

12. The Licenses and Franchises Committee recommends the lodging house renewal for Bentley University at 175 Forest Street – Copley Hall North be approved.

Finance

1. The Finance Committee recommends the acceptance of a grant in the amount of \$7,680 for Student Awareness of Fire Education (S.A.F.E.) be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

2. The Finance Committee recommends acceptance of a grant in the amount of \$3,019 for Senior S.A.F.E. Councillor LaCava moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

3. The Finance Committee recommends acceptance of a \$1,000 grant from the Federal CARES Act through the Massachusetts Board of Library Commissioners to support increased public access to virtual library programs. Councillor LaCava moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

4. The Finance Committee recommends the appropriation in the amount of \$30,000 from the Library State Aid special revenue account to the library – educational Supplies to be used to meet the FY2021 materials budget requirement of the State be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

5. The Finance Committee recommends the appropriation in the amount of \$4,700 to purchase a copy machine for the Health Department be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

Committee of the Whole

1. The Committee of the Whole recommends the purchase and sale of the property located at 102 Trimount Ave. be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends the Café Zoning Resolution be filed. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was filed 14-0.

2. The Ordinances and Rules Committee recommends the Special Permit Modification for 275 Wyman LLC at 225 Wyman Street be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Presiding: Brasco.

Matter was approved 14-0.

Unfinished Business & Other Business

- Time extension for Order #34110 at 186-194, 214 Third Ave. & 95 Fourth Ave. for BP Third Avenue LLC

Councillor McLaughlin to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved for approval. Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.
Presiding: Brasco.
Matter was approved 14-0.

- Time extension for Special Permit application at 49-53 Linden Street
Councillor McLaughlin to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved for approval. Roll call.
In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.
Opposed: None.
Presiding: Brasco.
Matter was approved 14-0.

Tabled Items

- Public hearing continuance request for Waltham Cannabis, Inc. & Michael Polacco, Trustee of Full House Realty Trust at 1254-1256 Main Street
- Open Meeting Law Complaint

Councillor McMenimen moved to take the Mayor's late filed confidential communication from earlier this evening off of the table. The motion was adopted by a voice vote. Mayor McCarthy was invited into the Chamber. Councillor McMenimen moved to go into executive session to discuss a real estate matter and have the Mayor attend and have Assistant City Clerk Vizard clerk the meeting and for the Council to reconvene in open session after the executive session.
Roll call.

In favor: Darcy, Dunn, Durkee, Harris, LaFauci, LaCava, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.
Opposed: None.
Presiding: Brasco.
Matter was approved 14-0.

The City Council went into executive session at 8:10 p.m.

The City Council reconvened at 9:31 p.m.
Councillor McMenimen moved to adjourn. The motion was adopted by a voice vote. Council President Brasco declared the meeting adjourned at 9:31 p.m.

Respectfully submitted by:
Kara Wilson
Executive Assistant to the City Clerk
March 15, 2021