

Waltham City Council
Minutes of the Meeting of
September 23, 2019

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

Call of the Roll:

City Council

Present: Councillors Darcy, Fowler, Harris, LaCava, LeBlanc, Diane, LeBlanc, Randall, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley, Vidal and Brasco.

Absent: None

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

Councillor Mackin rose and mentioned the incident that happened in her Ward last night and asked for people to be respectful of everyone involved.

Councillor Logan moved approval of the minutes from the City Council meeting on 9/9/2019. The motion was adopted on a voice vote and the matter was approved.

Councillor Randy LeBlanc moved to suspend the rules and take a matter out of order. The motion was adopted on a voice vote and the matter was approved. Councillor Randy LeBlanc moved to hear from off Council member. The motion was adopted on a voice vote and the matter was approved. Councillor LeBlanc and Bill Hanley, candidate for Ward 2 in Waltham, thanked everyone for the great response they had for the 135th Anniversary Waltham Parade and thanked the Mayor and presented her with a few mementos from the Parade. The Mayor thanked the Parade Committee and everyone for having such a successful event in the City.

The City Clerk read Rule 86.

The City Clerk read the first public hearing: Grant of Location at Winter Street

The petitioner, NSTAR dba Eversource Energy, submitted a letter to withdraw their petition without prejudice. Roll call required.

In favor: Darcy, Fowler, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal

Opposed: None

Presiding: Brasco

Matter was approved by a 14-0 vote.

The City Clerk read the second public hearing: Fuel Storage Application at 46 Bear Hill Road Michael Dangora, 100 Apollo Road, Chelmsford, MA representing the petitioner, American Tower, spoke in favor of the petition. Joseph Hamel, 100 Apollo Road, Chelmsford, MA representing the petitioner, American Tower, spoke in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Romard and Vidal asked questions of the petitioner. With no additional Councillors asking questions and no one speaking in rebuttal, President Brasco closed the public hearing and referred the matter to the Licenses and Franchises Committee.

The City Clerk read the third public hearing: Fuel Storage Application at 135 Lura Lane Philip McCourt, 15 Church Street, Waltham, representing the petitioner, James Martorilli, spoke in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Romard asked questions of the petitioner. With no additional Councillors asking questions and no one speaking in rebuttal, President Brasco closed the public hearing and referred the matter to the Licenses and Franchise Committee.

Communications from the Mayor

1. The Mayor respectfully requests the acceptance of a grant in the amount of \$250,000 for the Green Communities Competitive Grant from the Commonwealth of Massachusetts Department of Energy Resources (DOER) to continue the implementation of the City's Energy Action Plan. Referred to the Finance Committee.

2. The Mayor respectfully requests a transfer of funds totaling \$150,850 to fund the Illicit Discharge Detection Elimination (IDDE) program coordinator for the year five work package. Referred to the Finance Committee.

Applications & Licenses

Orders, Ordinances & Resolutions

Citywide Calendar Resolution

The Clerk read the Resolution. Councillor Randy LeBlanc spoke on the Resolution. Councillor Harris spoke on the Resolution. President Brasco referred the matter to the Economic and Community Development Committee.

Graffiti Resolution

The Clerk read the Resolution. Councillor Logan spoke on the Resolution. Councillor Logan submitted a request to have the Chief of Police attend the next Ordinances and Rules Committee. On the request Councillor McMenimen asked for copies of both the Resolution and the request. Councillor Harris spoke on the request. The request was adopted on a voice vote and the matter was approved. President Brasco referred the matter to the Ordinances and Rules Committee.

Committee Reports

Licenses and Franchises

1. The Licenses and Franchises Committee recommends the Fuel Storage License Amendment for 200 Smith Street be approved. Councillor Vidal moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

2. The Licenses and Franchises Committee recommends the Grant of Location on Smith Street across from Wingate Road be approved. Councillor Vidal moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

3. The Licenses and Franchises Committee recommends the Fuel Storage application at 300 Third Ave. for LPC North East LLC be approved. Councillor Vidal moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

Committee of the Whole

1. The Committee of the Whole recommends the confirmation of the appointment of Thomas Creonte as a member of the Waltham Biosafety Committee for a term expiring December 31, 2019. Councillor Logan moved that the action of the committee be the action of the Council. Roll call required.

In favor: Darcy, Fowler, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley, Vidal

Opposed: None

Presiding: Brasco

Matter was approved by a 14-0 vote.

Councillor Logan moved to discharge the Hazardous Mitigation Plan out of the Committee of the Whole. The motion was adopted on a voice vote and the matter was approved. Councillor Logan spoke briefly on the matter and moved approval of the Plan. The motion was adopted on a voice vote and the matter was approved.

Finance

1. The Finance Committee recommends the acceptance of a donations in the amount of \$5,000 from Digital Federal Credit Union to the Waltham Fire Department to put towards community programs. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

2. The Finance Committee recommends the acceptance of a donations in the amount of \$5,000 from Digital Federal Credit Union to the Waltham Police Department to put towards in school or after school programs for children. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

3. The Finance Committee recommends the acceptance of a donations in the amount of \$5,000 from the Mt. Auburn Hospital for suicide prevention training, bilingual training and transportation assistance to the Waltham Health Department. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

4. The Finance Committee recommends a transfer in the amount of \$110,732.03 to purchase a SUV vehicle and a pickup truck for the Waltham Fire Department be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

5. The Finance Committee recommends approval of an appropriation in the amount of \$17,506 for the Disability Services Commission to fund numerous handicap projects. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

6. The Finance Committee recommends a transfer in the amount of \$3,333.33 for the membership dues to the Watertown Transportation Management Association, Inc. for the remainder of the year be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

7. The Finance Committee recommends a transfer in the amount of \$88,860 for a new air compressor unit for the Fire Department be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

8. The Finance Committee recommends acceptance of a grant requiring a ten percent matching of funds totaling \$656,505 for 74 SCBA units for the Fire Department. Councillor McMenimen spoke on the matter praising the Chief and the Fire Department on receiving such a significant grant. Councillor McMenimen moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

Councillor McLaughlin moved to accept a late filed communication from Attorney Jack Mula regarding the special permit application for Anchor Line Partners at 140 Fourth Ave. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved to suspend the rules to act on a matter without Committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved to approve the time extension for the Special Permit petition for 140 Fourth Avenue. Roll call required.

In favor: Darcy, Fowler, Harris, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal

Opposed: None

Absent: LaCava

Presiding: Brasco

Matter was approved by a 13-0 vote.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends the reallocation of positions within the Clerk's Office be approved. Councillor McLaughlin moved that the action of the committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

2. The Ordinances and Rules Committee recommends the time extension for the Special Permit application at 1560 Trapelo Road be approved. Councillor McLaughlin moved that the action of the committee be the action of the Council. Roll call required.

In favor: Darcy, Fowler, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal

Opposed: None

Presiding: Brasco

Matter was approved by a 14-0 vote.

Unfinished Business & Other Business

- CPC application for an appropriation in the amount of \$79,750 for the Historic Restoration at the MetFern Cemetery.

Referred to the Long Term Debt and Capital Planning Committee

- Affordable Housing LIP application for The Edison Apartments at 20 Cooper Street and 135 Elm Street.

Referred to the Ordinances and Rules Committee.

Councillor Diane LeBlanc moved to discharge Protecting Youth From Dangers of Vaping Resolution from the Public Works and Public Safety Committee. The motion was adopted on a voice vote and the matter was approved. Councillor Diane LeBlanc spoke on the Resolution and made a request to

have the Director of Public Health submit a written update on the matter and to attend the next Committee meeting to discuss. The motion was adopted on a voice vote and the matter was approved. Councillor Diane LeBlanc moved to recommit the matter to the Public Works and Public Safety Committee. The motion was adopted on a voice vote and the matter was approved.

Councillor Nabulime moved to discharge the Ward 6 Sidewalk Resolution from the Public Works and Public Safety Committee. The motion was adopted on a voice vote and the matter was approved. Councillor McMenimen asked for a copy of this Resolution. Councillor Nabulime spoke on the Resolution and made a request to have the CPW give an update on all sidewalks inventory and for all Councillors to go through their Wards to see what sidewalks are in need of fixing. The motion was adopted on a voice vote and the matter was approved. Councillor Nabulime moved to recommit the matter to the Public Works and Public Safety Committee. The motion was adopted on a voice vote and the matter was approved.

President Brasco wished Councillor McLaughlin a Happy Birthday.

Tabled Items

- Mayor's veto on Order Nos. #34291, 34292, 34295
- Installation of a guard rail on the backside of Beal Road sidewalk

Councillor Logan moved to adjourn. The motion was adopted on a voice vote and President Brasco declared the meeting adjourned at 8:25 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

October 2, 2019

Approved by the City Council: _____