

Waltham City Council  
Minutes of the Meeting of  
September 24, 2018

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

The Clerk called the roll of the City Council.

**Call of the Roll:**

City Council

Present: Councillors Darcy, Logan, McMenimen, Fowler, Romard, LeBlanc, D., Mackin, LeBlanc, R., Stanley, Vidal, Harris, McLaughlin

Absent: Brasco, LaCava

Board of Survey & Planning:

Present: Barrett, Callahan, Creonte, Duffy, DeVito, Moroney, Tarallo

Absent: None

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

Councillor Logan moved to approve the minutes from the 9/10/2018 City Council meeting. All were in favor and minutes were approved by a voice vote.

Councillor Fowler moved to suspend the rules and take a matter out of order. All in favor. Councillor Fowler asked the Clerk to read the Resolution regarding National Grid. Councillor Fowler spoke on the Resolution. Councillor Fowler moved approval of the resolution. Councillor Romard asked for the amendments to the Resolution. Roll call requested. On the motion Councillor Logan and Stanley spoke on the matter.

In favor: Darcy, Logan, McMenimen, Fowler, Romard, LeBlanc, D., Mackin, LeBlanc, R., Stanley, Vidal, Harris, McLaughlin

Absent: Lacava, Brasco

Resolution approved.

The Clerk Pro Tem read Rule 86.

First Public Hearing: Zoning Amendment at 9 Hope Ave for CHB Properties, Inc. (Bridge)

Robert Connors, attorney representing the petitioner, 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 of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Logan, McMenimen, LeBlanc, R., asked questions to petitioners. With no further questions President LeBlanc closed the public hearing and referred the matter to the Ordinance and Rules Committee. Board of Survey and Planning will meet October 3, 2018 at Government Center.

Second Public Hearing: Zoning Amendment at 9 Hope Ave for CHB Properties, Inc. (Article III)

Robert Connors, attorney representing the petitioner, spoke in favor of the petition. Jim Wilson, 22 Bellevue Street, Waltham asked questions regarding Bellevue Street location. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Logan, McMenimen, Romard, Harris, LeBlanc, R. asked questions to the

petitioner. Mr. Duffy, Mr. Moroney asked questions to the petitioner. Councillor McMenimen asked by a show of hands how many members of the council have handled the matter relating to the address this amendment is referring to. Councillor McMenimen asked the petitioner to provide to the Council all related special permit matters related to this address. President LeBlanc stated she did not think this request was in the scope of relevance. Councillor McMenimen challenged the Chair on the comment. Roll call requested.

In favor: Fowler, Logan, McLaughlin, Romard, Stanley, Vidal, LeBlanc D.

Opposed: Darcy, Harris, LeBlanc, Mackin, McMenimen

Absent: Brasco, Lacava

The chairs request was not upheld.

Councilor Darcy asked the petitioner to provide copies to all members of the Council relative to anything having to do with this petition.

With no further questions President LeBlanc closed the public hearing and referred the matter to the Ordinances and Rules Committee.

Third Public Hearing: Grant of Location at 26 Seyon Street for Comcast Cable Communications Management, LLC

David Flewelling, Representative for petitioner, 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 of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors McLaughlin, Romard, Vidal and Darcy asked questions to petitioners. Councilor Darcy made a request to have the Clerk's Office confirm whether Seyon Street is a private or public way. All were in favor. Councilor Darcy moved to request that the Wires Dept. to provide the entire double pole database to the Council. All were in favor and matter was approved by a voice vote. With no further questions President LeBlanc closed the public hearing and referred the matter to the License & Franchise Committee

### **Communications from the Mayor**

1. The Mayor respectfully submits the communication regarding the withdrawal of Mr. Golden from the appointment for one of the Assessor positions. Councilor Logan moved to act on the matter without committee reference. All in favor. Councilor Logan moved approval of the withdrawal. All in favor. Matter approved by a voice vote.

2. The Mayor respectfully requests acceptance of a donation from Leraci Landscaping Inc. in the amount of \$500 for the Waltham Police Athletic League. Referred to the Finance Committee.

3. The Mayor respectfully requests approval of a loan authorization in the amount of \$280,000 for the purchase of a new front end loader for the CPW Department. Referred to the Long Term Debt Committee.

4. The Mayor respectfully requests a transfer of capital improvement funds in the amount of \$29,542.88 for three stander type lawn mowers and grounds keeping equipment for the Parks and Forestry Division. Referred to the Long Term Debt Committee.

### **Committee Reports**

#### **License and Franchise**

1. The License and Franchise Committee recommends the WHS Hall Gym dedication name communication be filed. Councilor Romard moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

## **Finance**

1. The Finance Committee recommends the acceptance of a gift in the amount of \$5,000 from the Digital Federal Credit Union to the Waltham Fire Department be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
2. The Finance Committee recommends the acceptance of a gift in the amount of \$5,000 from the Digital Federal Credit Union to the Waltham Police Department be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
3. The Finance Committee recommends a congratulatory acknowledgement of recognition to the Auditor and his entire office from the Government Finance Officers Association be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
4. The Finance Committee recommends approval of grant funding in the amount of \$10,000 for Library Services and Technology Act from the Massachusetts Board of Library Commissioners be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
5. The Finance Committee recommends approval of grant funding in the amount of \$10,000 ADA Self-Evaluation and Transition Plan from the Commonwealth of Massachusetts Executive Office of Administration & Finance be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
6. The Finance Committee recommends an additional \$5,000 of state grant funding to assist with local Hazard Mitigation under MVP be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
7. The Finance Committee recommends acceptance of the FY 2019 State 911 Department (PSAP) Support and Incentive Grant Program for E911 in the amount of \$152,176 be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
8. The Finance Committee recommends the acceptance of the State 911 Department Grant renewal for up to \$21,466 be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
9. The Finance Committee recommends the acceptance of a financial grant in the amount of \$2,000 from Mt. Auburn Hospital to provide social outreach and addiction counseling to the Health Dept. be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.
10. The Finance Committee recommends a transfer of \$11,000 from Account #001-163-5100-5111 Voter Registration Salaries to Account #001-161-5100-5111 City Clerk Salaries for the longevity payment to the City Clerk, Robert Waddick be approved. Councillor McMenimen moved that the

action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

11. The Finance Committee recommends a transfer in the amount of \$147,000 to the low bid contract to Hedlund Design Group for the improvements to be made at the Prospect Hill Park be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

### **Public Works**

1. The Public Works and Public Safety Committee recommends the 17-25 at 26 Brookfield Road be approved. Councillor Vidal moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

2. The Public Works and Public Safety Committee recommends the request for cost of converting Bemis Ave to a public Way be filed. Councillor Vidal moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

3. The Public Works and Public Safety Committee recommends the Resolution regarding Valley View Road be filed. Councillor Vidal moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

4. The Public Works and Public Safety Committee recommends the Resolution regarding Crosswalk Safety be filed. Councillor Vidal moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

### **Long Term Debt**

1. The Long Term Debt Committee recommends the CPA funding for Boiler House Windows of the Lowell Mill for \$300,000 be approved. Councillor Darcy moved that the action of the committee be the action of the Council. Councillors McMenimen and Darcy spoke on the matter. Roll call requested.

In favor: Darcy, Logan, McMenimen, Fowler, Romard, LeBlanc, D., Mackin, LeBlanc, R., Stanley, Vidal, Harris, McLaughlin

Opposed: None

Absent: Brasco, Lacava

2. The Long Term Debt Committee recommends CPA funding for \$800,000 for Affordable Housing vouchers at the Leland Home be approved. Councillor Darcy moved that the action of the committee be the action of the Council. Councillor Darcy spoke on the matter. Roll call requested.

In favor: Darcy, Logan, McMenimen, Fowler, Romard, LeBlanc, D., Mackin, LeBlanc, R., Stanley, Vidal, Harris, McLaughlin

Opposed: None

Absent: Brasco, Lacava

3. The Long Term Debt Committee recommends CPA funding for restoration of the Council Bowl and Cedar Hill Fountain at the Girl Scouts Camp totaling \$379,500 be approved. Councillor Darcy moved that the action of the committee be the action of the Council. Councillor Darcy spoke on the matter. Roll call required.

In favor: Darcy, Logan, McMenimen, Fowler, Romard, LeBlanc, D., Mackin, LeBlanc, R., Stanley, Vidal, Harris, McLaughlin

Opposed: None  
Absent: Brasco, Lacava

### **Committee of the Whole**

1. The Committee of the Whole recommends the transfer in the amount of \$4,500 to provide appraisal services for a land acquisition of 1273 Main Street to provide traffic improvements in the Route 117/Main Street Bridge/Stow Street/Third Avenue Signal be approved. Councillor Logan moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

2. The Committee of the Whole recommends the current Clerk's Office be switched to be in the care custody and control of the Council and the City Council Room be switched to be in the care custody and control of the City Clerk's Office be approved. Councillor Logan moved that the action of the committee be the action of the Council. Roll call required.

In favor: Logan, Fowler, Romard, LeBlanc, D., Stanley, Vidal, Harris, McLaughlin

Opposed: Darcy, LeBlanc, R, Mackin, McMenimen

Absent: Brasco, Lacava

3. The Committee of the Whole recommends the appointment of John B. Speidel, 32 Sweetwater Avenue, Bedford, MA as a City Assessor be approved for the remainder of a three year term.

In favor: Darcy, McMenimen, Fowler, Mackin, LeBlanc, R., McLaughlin

Opposed: Harris, Logan, Romard, Stanley, Vidal

Abstained: LeBlanc, D.

Absent: Brasco, Lacava

4. The Committee of the Whole recommends the re-appointment of Robert McGovern, 74 Bruce Road, Waltham, MA as a City Assessor be approved with his term ending on February 1, 2021.

In favor: Darcy, Logan, McMenimen, Fowler, Romard, LeBlanc, D., Mackin, LeBlanc, R., Stanley, Vidal, Harris, McLaughlin

Opposed: None

Absent: Brasco, Lacava

5. The Committee of the Whole recommends the appointment of Michael E. Golden, 12 Hampshire Road, Reading, MA as a City Assessor be approved for the remainder of a three year term.

(Mayors communication above)

6. The Committee of the Whole recommends the re-appointment of Paul G. Centofanti, 17 Wilton Street, Waltham, MA as a City Auditor be approved for the remainder of a five year term ending on February 28, 2021 and the Council authorize the Mayor to enter into an employment agreement between Paul G. Centofanti and the City of Waltham.

In favor: Darcy, Logan, McMenimen, Fowler, Romard, LeBlanc, D., Mackin, LeBlanc, R., Stanley, Vidal, Harris, McLaughlin

Opposed: None

Absent: Brasco, Lacava

7. The Committee of the Whole recommends the RFP for the Arrigo Farm property be approved. Councillor Logan moved that the action of the committee be the action of the Council. On the motion Councillor Darcy spoke on the matter. All were in favor and matter was approved by a voice vote.

8. The Committee of the Whole recommends the option of the caretaker concept for the Arrigo Farms property as stated in the Mayor's communication dated September 6, 2018 be approved. Councillor Logan moved that the action of the committee be the action of the Council. On the motion Councillor Darcy spoke on the matter. All were in favor and matter was approved by a voice vote.

9. The Committee of the Whole recommends the acceptance of the gift of traffic engineering services from 1265 Main Street, LLC for the Route 128 corridor traffic plan valued at approximately \$10,000 be approved. Councillor Logan moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

### **Economic and Community Development**

1. The Economic and Community Development Committee recommends the approval of the National Grid Resolution. (Above. Approved out of order.)

2. The Economic and Community Development Committee recommends the CDBG Program Loan for the Woerd Ave Landfill be approved. Councillor Fowler moved that the action of the committee be the action of the Council. All were in favor and matter was approved by a voice vote.

### **Ordinances and Rules**

1. The Ordinances and Rules Committee recommends the Special permit for 225 Waverly Oaks be denied. Councillor McMenimen recused herself. Councillor McLaughlin moved that the action of the committee be the action of the Council. Roll call required.

In favor: Logan, Fowler, Romard, LeBlanc, D., Stanley, Vidal, Harris, McLaughlin

Opposed: Darcy, LeBlanc, R, Mackin,

Absent: Brasco, Lacava

2. The Ordinances and Rules Committee recommends the general ordinance amendment regarding trash containers be approved for a first reading. Councillor McLaughlin moved that the action of the committee be the action of the Council. All were in favor. Matter was approved. Councillor McLaughlin moved to recommit matter to the Ordinances and Rules Committee. All were in favor and matter was recommitted.

3. The Ordinances and Rules Committee recommends the general ordinance amendment regarding trash containers fines be approved for a first reading. Councillor McLaughlin moved that the action of the committee be the action of the Council. All were in favor. Matter was approved. Councillor McLaughlin moved to recommit matter to the Ordinances and Rules Committee. All were in favor and matter was recommitted.

4. The Ordinances and Rules Committee recommends the Special Permit modification for Special Permit #33437 for Second Ave Hotels LLC at 250 Second Avenues be approved. . Councillor McLaughlin moved that the action of the committee be the action of the Council. Roll call required.

In favor: Logan, Fowler, Romard, LeBlanc, D., Stanley, Vidal, Harris, McLaughlin

Opposed: Darcy, LeBlanc, R, Mackin, McMenimen

Absent: Brasco, Lacava

### **Orders, Ordinances & Resolutions**

- Resolution Congratulating Ronald Arsenault

The Clerk read the Resolution. Councillor Romard spoke on the Resolution. Councillor Romard moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Romard moved approval of the resolution. All were in favor and matter was approved by a voice vote.

- Rosario C. Malone City Archives and Records Center Resolution

The Clerk read the Resolution. Councillor Vidal spoke on the Resolutions. Referred to the

- Resolution regarding City Council Related Legal Work

The clerk read the Resolution. Councillor Fowler spoke on the Resolution. Councillor Fowler submitted to request that were approved by a voice vote. Referred to the Committee of the Whole.

- Composting Resolution

The Clerk read the Resolution. Councillors Mackin and R. LeBlanc spoke on the Resolution.

Councillor Mackin made a motion to invite the DPW Director to the next Public Works meeting. All were in favor. Referred to the Public Works Committee.

- Rodent Infestation Resolution

The Clerk read the Resolution. Councillor Darcy spoke on the Resolution. Referred to the Public Works Committee

Councillor Vidal asked about a trash ordinance.

### **Unfinished Business & Other Business**

- Time extension for the Special Permit application at 265 Bear Hill Road, Waltham

Referred to the Ordinances and Rules Committee

- Minor Modification to Special Permit #31913 at 470, 494, & 500 Totten Pond Road

Referred to the Ordinances and Rules Committee

### **Tabled Items**

Councillor Logan moved to adjourn. President LeBlanc declared the meeting adjourned at 10:01p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

October 4, 2018

Approved by the City Council: \_\_\_\_\_