

March 14, 2011

President Brasco called the regular meeting of the Waltham City Council to order at 8:00 P.M. City Clerk Rosario C. Malone called the roll. Present at roll call were Councillors Brasco, Collura, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Waddick. (15)

Councillor Tarallo moved to accept the minutes of the February 28, 2011 Meeting. The motion was adopted on a voice vote. The minutes were accepted.

The Clerk read Rule 29 A

Public Hearing Conduit

Due notice having been given, President Brasco opened the Public Hearing on the petition by

NSTAR ELECTRIC COMPANY petitions for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

Hawthorne Road - Easterly @ pole 15/16 approximately 103' \pm feet south of Sartell Road. A distance of about 8' \pm feet – conduit

Speaking in favor was Ms. Crosby representative from Nstar. No one spoke or stood in opposition and that portion of the public hearing was declared closed. President Brasco opened the Public Hearing to questions from the Councillors. Councillor Romard had various questions. Councillor Romard moved to suspend the rules and act on approval without committee reference. Councillor Logan objected. On a voice vote, the motion was not adopted. The matter was referred to the License and Franchise Committee.

Public Hearing FUEL STORAGE

Due notice having been given, President Brasco opened the Public Hearing on the petition by

1486 Main LLC and TSA Properties, LLC, 1486 Main Street, Waltham, MA 02451 as Owner and European Auto Solutions, 1486 Main Street, Waltham, MA 02451 as operator of the facility, hereby petitions the City Council for an aboveground Fuel

Storage License for fifteen (15) vehicles, and 900 gallons of lubricating oil. Property located at 1486 Main Street.

Said property is shown on the City of Waltham Atlas as Map 56, Block 2, Lots 3, 5, and 7 and is in a Commercial Zoning District.

Speaking in favor was Mr. Timothy Allen of European Auto Sales, 1486 Main Street, Waltham and Mr. Steven Zeif, Weston. No one spoke or stood in opposition and that portion of the public hearing was declared closed. President Brasco opened the Public Hearing to questions from the Councillors. Councillor Giordano, Councillor Logan, Councillor Tarallo, Councillor Marchese, Councillor Darcy, Councillor McMenimen, and Councillor Waddick had questions. All responses to be forwarded to the Licenses and Franchises Committee.

President Brasco closed the Public Hearing and the matter was referred to the Licenses and Franchises Committee.

Communications from the Mayor

The Clerk read the following communications from the Mayor and each, in turn, was referred to the appropriate committee by President Brasco as indicated below:

1. Respectfully request the appointment of Douglas Glassman, 376 Crescent Street, Unit # 2, Waltham, as a permanent member of the Conservation Commission to fill the vacancy resulting from Mr. Maguire's retirement.

Referred to the Committee of the Whole

2. Respectfully request the reappointment of Alan D. Humbert, Esq., as a member of the Board of Trustees of the Waltham Public Library for a three-year term.

Referred to the Committee of the Whole

3. Respectfully request an appropriation in the amount of \$10,000.00 from Unreserved Fund balance to Account 001-151-5400-5760 Law Dept. – Claims and Damages.

Referred to the Finance Committee

4. Respectfully request acceptance of a gift from the North Bennet Street School for service relative to the restoration of the Wellington House.

Referred to the Finance Committee

New Business

Request for an extension of time to act on a Special Permit.

Clear Wireless, LLC, an affiliate of Sprint Wireless Broadband Company, LLC and Nextel Communications of the Mid-Atlantic, Inc., 303 Wyman Street, Waltham, MA 02451; American Tower, 10 Presidential Way, Woburn, MA 01801, and Hilltop 110 Bear Hill LLC, 34 Bear Hill Road, Weston, MA 02493 hereby petition the Waltham City Council for an extension of time to act on a special permit until June 29, 2011. Councillor Tarallo moved to suspend the rules and act on the time extension without committee reference. The motion was adopted on a voice vote. The roll was called. Voting yea were Councillors Brasco, Collura, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, McMenimen, Romard, Rourke, Stanley, Tarallo and Waddick. By a vote of 14 to 0, the order was adopted. (Order #31523)

Community Preservation recommends:

That the Community Preservation Committee (CPC) be allowed to pay the sum of fifty Thousand (\$50,000.00) that was appropriated under the 2008 CPC grant order #30850 but not distributed for the Charles River Museum of Industry and Innovation, Inc.

Referred to the Long Term Debt Committee

The Community Preservation Committee (CPC) recommendation of Approval of a Waltham Historical Commission (WHC) Application to Upgrade the Waltham Historical Building Survey in the amount of \$10,000.00.

Referred to the Long Term Debt Committee

Committee Reports

Licenses and Franchises Committee

The Licenses and Franchises Committee recommended that Nstar Electric Company be granted permission to install conduit.

Hawthorne Road - Southeasterly @ pole 15/17 approximately 220' ± feet southwest of

Sartell Road. A distance of about 8' ± feet - conduit

Councillor Logan moved the action of the committee be the action of the council. On a voice vote the order was adopted. Order # 31522

Economic and Community Development

The Economic and Community Development Committee recommended that the 2011-2012 Community Development Block Grant Budget be adopted as submitted.

Councillor Tarallo moved the action of the committee be the action of the council. On a voice vote, the order was adopted. Order # 31519

Finance Committee

The Finance Committee recommended that an appropriation in the amount of \$180,000.00 from Unreserved Fund Balance to Account #001-912-5100 Personnel – Worker's Compensation be approved.

Councillor Curtin moved the action of the committee be the action of the council. On a voice vote, the order was adopted. Order # 31520

Finance Committee meeting 3-14-11

The Finance Committee recommended that an appropriation in the amount of \$50,000.00 from Unreserved Fund Balance to account # 001-210-5200-5306 Police-Medical Services. These funds will be used to pay current and projected medical expenses for the treatment of police officers injured in the line of duty.

Councillor Curtin moved the action of the committee be the action of the council. On a voice vote, the order was adopted. (Order # 31521)

E-Committee recommends:

The E-Committee recommended that the letter to Mr. Joseph Pedulla be forwarded.

Councillor Rourke moved the action of the committee be the action of the council. On a voice vote, the matter was forwarded.

The E-Committee recommended that the letter addressed to the City Council President be forwarded to the various departments.

Councillor Rourke moved to have the matter recommitted. On a voice vote, the motion carried.

Councillor Tarallo moved to adjourn. The motion was adopted. On a voice vote and the City Council adjourned at 9:10 PM