

Committee of the Whole
Minutes of the Meeting
April 4, 2022

1. Vice-President McLaughlin called the meeting to Order at 8:00pm in the City Council Chamber.
2. Vice-President McLaughlin requested that a roll call be taken to record the attendance for the meeting. The COW Clerk called the roll – Councillors Bradley–MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaFauci, LeBlanc, President McMenimen, O’Brien, Paz, Stanley, Vidal, and Vice-President McLaughlin were present. Councillors LaCava arrived at 8:25pm.
3. President McMenimen moved to table the minutes of the COW meeting held on March 21, 2022. The motion was adopted on a voice vote and the minutes of the March 21, 2022 meeting were tabled.
4. A request was received from the Mayor to approve a Section 10A permit for a temporary dock for Charles River Canoe & Kayak. After a brief discussion, Councillor Paz moved to approve the permit. The motion was adopted on a voice vote.
5. A request was received from the Mayor to confirm the re-appointment of Kristen Murphy, 39 Old Post Road, Walpole as the Human Resources Director and Worker’s Compensation Agent for a term expiring February 29, 2024. A motion to hear from Ms. Murphy was adopted on a voice vote. Councillor LeBlanc asked Ms. Murphy to give a summary of her background and experience for the position. Councillor LeBlanc moved to confirm the re-appointment of Ms. Murphy. On the motion, President McMenimen asked several questions about the interaction Ms. Murphy has with School personnel matters, including job descriptions, supervision and worker’s compensation. The motion of Councillor LeBlanc was adopted on a voice vote.
6. A request was received from the Mayor to confirm the appointment of Louis P. Andrews 58 Wilbur Street, Waltham as a member of Conservation Commission. A motion to hear from Mr. Andrews was adopted on a voice vote. Councillor LeBlanc asked Mr. Andrews to give a summary of his background and experience for the position. Councillor LeBlanc moved to confirm the appointment of Mr. Andrews. The motion was adopted on a voice vote.
7. A request was received from the Mayor to confirm the appointment of Jeffrey Monfette, 45 Clements Road, Waltham as a member of Board of Commissioners of Trust Funds. A motion to hear from Mr. Monfette was adopted on a voice vote. Councillor LaFauci asked Mr. Monfette to give a summary of his background and experience for the position. Councillor LaFauci moved to confirm the appointment of Mr. Monfette. The motion was adopted on a voice vote.
8. A request was received from the Mayor to approve a financing plan in the amount of \$4.5 million for the acquisition of the property located at 1 Balm Avenue, Waltham for horticulture,

agriculture, recreation and educational purposes. Councillor Dunn recused herself from discussion and vote on the matter as an abutter to the property. A motion to hear from the Mayor and Assistant City Solicitor Katie Laughman was adopted on a voice vote. Councillor Darcy expressed support for the acquisition but was concerned that a neighborhood meeting had not been conducted. Since the Ward 2 Councillor was recused, Councillor Darcy moved to hold a public input meeting on April 11. On the motion, Councillor Harris stated the residents were also represented by the six at-large Councillors including one who resided in Ward 2. President McMenimen moved to table the motion of Councillor Darcy. The motion was adopted on a roll call vote of 12 in favor (Bradley-MacArthur, Durkee, Harris, Katz, Lacava, LaFauci, LeBlanc, President McMenimen, O'Brien, Paz, Stanley, Vidal), 1 opposed (Darcy), 1 recused (Dunn) and McLaughlin presiding. The Mayor read the letter for the financing plan. The Mayor stated all of the various land acquisitions by the City during the past many years. Councillor Vidal asked if the City had any interest in the property in 2018. The Mayor responded with reasons it was able to be acquired. Councillor Bradley-MacArthur asked questions about its intended use. Councillor LaCava asked questions about the acquisition cost, including the appraised value and why it was originally sold to a private party. Councillor Vidal asked questions about the presence of any easement. President McMenimen asked if the City would retain the easement and the number of lots that could be developed. Attorney Laughman stated the easement would go to the owner of the property and there were 11 house lots. Councillor Darcy moved to approve the appropriation of \$4.5 million for the land acquisition of 1 Balm Avenue. The motion was adopted on a roll call vote of 12 in favor (Bradley-MacArthur, Darcy, Durkee, Harris, Katz, LaFauci, LeBlanc, President McMenimen, O'Brien, Paz, Stanley, Vidal), 1 opposed (LaCava), 1 recused (Dunn) and McLaughlin presiding. Councillor Darcy moved to give the loan authorization of \$4.5 million for the land acquisition of 1 Balm Avenue. The motion was adopted on a voice vote, with Councillor LaCava vocally opposed.

9. A request was received from the Mayor to approve the friendly taking of the property located at 1 Balm Avenue, Waltham for horticulture, agriculture, recreation and educational purposes. Councillor Dunn recused herself from discussion and vote on the matter as an abutter to the property. A motion to hear from the Mayor and Assistant City Solicitor Katie Laughman was adopted on a voice vote. Councillor Darcy stated the neighbors do not want the proposed uses and they are too broad. Councillor Darcy moved to modify the order and make the uses more restrictive so as to exclude stadiums and/or parking lots. The Mayor stated the order is restrictive as it does not say for any municipal purpose. The Mayor also stated that any proposed purposes would require funding approval of the City Council. The motion of Councillor Darcy did not pass on a roll call vote of 5 in favor (Bradley-MacArthur, Darcy, LaCava, O'Brien and Paz), 8 opposed (Durkee, Harris, Katz, LaFauci, LeBlanc, McMenimen, Stanley, and Vidal), Dunn recused and McLaughlin presiding. Councillor Darcy moved to approve the taking order as drafted. The motion was adopted on a roll call vote of 12 in favor (Bradley-MacArthur, Darcy, Durkee, Harris, Katz, LaFauci, LeBlanc, President McMenimen, O'Brien, Paz, Stanley, Vidal), 1 opposed (LaCava), Dunn recused and McLaughlin presiding.
10. A request was received from the Mayor to transfer the care, custody and control of 1 Balm Avenue to the Waltham School Department. A motion to hear from the Mayor and School

Superintendent Brian Reagan was adopted on a voice vote. Councillor LaCava asked if the Mayor approached the School Department about this matter. The Mayor stated it was addressed with the School Committee. Councillor LaCava asked questions about the School Department's intended use for the property and if additional staff would be needed. Dr. Reagan stated it would be used by the Science Department with its existing staff, but if an additional Chapter 74 program were considered, it would need additional staff. Councillor LaCava asked questions about the transitional plan once the current owner is no longer involved after two years. Councillor Vidal asked questions about its use as a farm, to which the Mayor stated the soil is prepared, but planting is needed. Councillor Vidal raised concerns about the lack of a plan in place. Councillor LeBlanc stated this acquisition is a great opportunity for students. Councillor Katz asked about the value to the School Department outside of farming. Councillor LaFauci asked if the farm operation is a school budget matter. Councillor LaFauci moved to approve the transfer of the care, custody and control of 1 Balm Avenue to the Waltham School Department. The motion was adopted on a roll call vote of 11 in favor (Bradley-MacArthur, Darcy, Durkee, Harris, Katz, LaFauci, LeBlanc, McMenimen, O'Brien, Paz and Stanley), 2 opposed (LaCava and Vidal), Dunn recused and McLaughlin presiding.

11. Councillor Darcy moved to take the matter of the neighborhood meeting for 1 Balm Avenue from the table. President McMenimen rose to state it was "out of order". Vice-President McLaughlin concurred and upheld the "out of order" statement.
12. A motion to adjourn by Councillor Paz was adopted on a voice vote, and the Chair declared the Committee adjourned at 9:55pm.

Paul G. Centofanti – Clerk to the Committee of the Whole