

COMMITTEE OF THE WHOLE

Minutes of the Meeting

October 1, 2018

1. Vice-President Logan called the meeting to Order at 8:00pm.
2. Vice-President Logan requested that a roll call be taken to record the attendance for the meeting. The Clerk called the roll – Councillors Darcy, Fowler, Harris, LaCava, D. Leblanc, R. LeBlanc, Mackin, McLaughlin, McMenimen, Romard, Stanley, Vidal and Logan were present. Councillor Brasco was absent.
3. President LeBlanc moved to approve the minutes of the COW meeting held on September 17, 2018. On the motion, Councillor Darcy requested the minutes be amended on Item 11 from “President LeBlanc moved to concur with the caretaker concept for the Arrigo Farm property as stated in the Mayor’s communication of September 6, 2018.” to “President LeBlanc moved to approve a caretaker concept for the Arrigo Farm including its historic structures and farmland.” The motion as amended was adopted on a voice vote and the minutes of September 17, 2018, as amended, were approved.
4. President LeBlanc moved to take the matter of the resolution concerning air conditioning at Waltham High School (9/10/2018) from the table. The motion was adopted on a voice vote. President LeBlanc moved to hear from the Superintendent of Schools, Dr. Drew Echelson and Facilities Director, John Pinzone. The motion was adopted on a voice vote. President LeBlanc spoke of the concerns for not providing A/C at WHS even if a new WHS is coming. President LeBlanc stated that it has been represented that the existing WHS would still be used so the need for A/C still exists. President LeBlanc asked what triggered the decision to cancel school or have an early dismissal. Mr. Pinzone described the methods that were used in the decision making process. Mr. Pinzone also stated that the level of humidity was the primary factor. President LeBlanc asked about other measures that could be used to provide temporary cooling. Mr. Pinzone stated that the electrical capacity of the building to install portable units was a problem. Superintendent Echelson stated he would put the A/C issue on the next School Committee agenda as a topic for discussion. Councillors Vidal, R. LeBlanc, Romard and Stanley asked several follow up questions about other solutions and the need for A/C at WHS. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the resolution concerning A/C at WHS was tabled.
5. President LeBlanc moved to take the matter of the School Committee request for 190 acres at Fernald (7/31/2017) from the table. The motion was adopted on a voice vote. Councillor McMenimen rose to recuse herself from the discussion. President LeBlanc

moved to file the matter. The motion was adopted on a roll call vote of 11 in favor (Darcy, Fowler, Harris, LaCava, D. Leblanc, R. LeBlanc, Mackin, McLaughlin, Romard, Stanley & Vidal), none opposed, 1 absent (Brasco), 1 recused (McMenimen) and Logan presiding and the matter was filed.

6. President LeBlanc moved to take the matter of the Stigmatine development rights (5/22/2017) from the table. The motion was adopted on a voice vote. President LeBlanc moved to request the COW Clerk provide copies of the minutes of the executive session meetings for this matter to all Councillors who were in attendance and that the minutes are marked "confidential". On the motion, Councillor Stanley requested that all Councillors should be provided with copies of the minutes, regardless if they were in attendance or not. President LeBlanc stated it was her belief the Law Department had previously opined that only those in attendance could receive the minutes prior to their approval and release. A motion to request the Law Department to opine if members not present at the executive session could be provided with a copy of the executive session minutes. On the motion, Councillor McMenimen raised a concern about the number of current Councillors who were present at the time of the executive sessions and if the Council could vote on the minutes if it is an ongoing matter. The motion to approve the request to the Law Department was adopted on a voice vote. The original motion to provide copies of the minutes was adopted on a roll call vote of 11 in favor (Darcy, Fowler, Harris, LaCava, D. Leblanc, R. LeBlanc, Mackin, McLaughlin, Romard, Stanley & Vidal), 1 opposed (McMenimen), 1 absent (Brasco) and Logan presiding. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the matter of the Stigmatine development rights was tabled.
7. President LeBlanc moved to take the matter of Arrigo Farm (1/27/2014) from the table. The motion was adopted on a voice vote. President LeBlanc moved to request the COW Clerk provide copies of the minutes of the executive session meetings for this matter to all Councillors who were in attendance and that the minutes are marked "confidential". The motion was adopted on a voice vote. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the matter of Arrigo Farm was tabled.
8. President LeBlanc moved to take the matter of the \$7,280,000 loan order for the Police Station (3/27/2017) from the table. The motion was adopted on a voice vote. President LeBlanc, Councillors Stanley, Harris and Fowler spoke about the condition of the existing building and the need for a new facility rather than a renovation. President LeBlanc moved to file the matter. The motion was adopted on a roll call vote of 13 in favor (Darcy, Fowler, Harris, LaCava, D. Leblanc, R. LeBlanc, Mackin, McLaughlin, McMenimen, Romard, Stanley, Vidal and Logan), none opposed and 1 absent (Brasco) and the matter was filed.

9. President LeBlanc moved to take the matter of the communication concerning the use of the Marquardt Building for a Police Station (3/27/2017) from the table. The motion was adopted on a voice vote. Councillor McMenimen rose to recuse herself from the discussion. President LeBlanc moved to file the matter. On the motion, Councillor Stanley spoke of the condition of the Fernald buildings, the lack of planning and the need for an environmental study. The motion was adopted on a roll call vote of 12 in favor (Darcy, Fowler, Harris, LaCava, D. Leblanc, R. LeBlanc, Mackin, McLaughlin, Romard, Stanley, Vidal & Logan), none opposed, 1 absent (Brasco) and 1 recused (McMenimen) and the matter was filed.
10. President LeBlanc moved to take the matter of the Mayor's appropriation request and zoning change for the Fernald property for a Police Station (11/27/2017) from the table. The motion was adopted on a voice vote. Councillor McMenimen rose to recuse herself from the discussion. President LeBlanc moved to file the matter. The motion was adopted on a roll call vote of 12 in favor (Darcy, Fowler, Harris, LaCava, D. Leblanc, R. LeBlanc, Mackin, McLaughlin, Romard, Stanley, Vidal & Logan), none opposed, 1 absent (Brasco) and 1 recused (McMenimen) and the matter was filed.
11. President LeBlanc to take the matter of filling vacancies–Assistant City Clerk (12/27/2016) from the table. The motion was adopted on a voice vote. President LeBlanc stated there were two outstanding requests to the Law Department to which a response had not been received. Both Councillor McMenimen and Councillor Romard stated the response to their request was no longer necessary and each moved to withdraw their request. The motion was adopted on a voice vote. President LeBlanc moved that the Law Department be informed of the withdrawal of the requests and to file the matter. The motion was adopted on a voice vote and the matter was filed.
12. President LeBlanc moved to take the matter of the resolution concerning Brandeis President Liebowitz (11/14/2016) from the table. The motion was adopted on a voice vote. President LeBlanc stated that numerous attempts had been made to contact the Brandeis President to appear before the Council but none were responded. Councillor Darcy asked that another attempt be made. President LeBlanc moved to request the COW Clerk to send another request to the Brandeis President. The motion was adopted on a voice vote. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the resolution concerning the Brandeis President was tabled.
13. President LeBlanc moved to take the matter of the resolution concerning the vacancy on the Office of the City Clerk (1/8/2018) from the table. The motion was adopted on a voice vote. President LeBlanc stated that a response to a request to the Law Department concerning the relationship between the City Clerk and the Mayor/City Council had not been received. President LeBlanc moved to request the COW Clerk follow up with the

Law Department on the information request. The motion was adopted on a voice vote. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the resolution concerning the vacancy on the Office of the City Clerk was tabled.

14. President LeBlanc moved to take the matter of the citywide energy aggregation plan from the table. The motion was adopted on a voice vote. President LeBlanc moved to request the Purchasing Agent provide the COW with a written update on the project. The motion was adopted on a voice vote. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the matter of the citywide energy aggregation plan was tabled.
15. President LeBlanc moved to take the matter of the resolution on security and safety for the Council Chamber (5/14/2018) from the table. The motion was adopted on a voice vote. President LeBlanc moved that the Mayor be provided with a copy of the confidential report dated 5/30/2018, including the Police Chief's comments. The motion was adopted on a voice vote. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the matter of the resolution on security and safety for the Council Chamber was tabled.
16. President LeBlanc moved to take the matter of Arrigo Farm (1/27/2014) from the table. The motion was adopted on a voice vote. A discussion ensued concerning the receipt and disposition of the minutes of executive session minutes. Councillor Darcy moved to request a list and status of the minutes of the executive sessions of the COW be provided to all Councillors. The motion was adopted on a voice vote. President LeBlanc moved to place the matter back on the table. The motion was adopted on a voice vote and the matter of Arrigo Farm was tabled.
17. A motion by President LeBlanc to adjourn was adopted on a voice vote, and the Chair declared the Committee adjourned at 9:50pm.

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