

Waltham City Council
Minutes of the Meeting of
March 13, 2023

President McMenimen called the meeting to order at 7:30 p.m.

Present: Councillors Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Vidal, Stanley and President McMenimen.

Absent: Paz.

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

Councillor McLaughlin moved approval of the regular meeting minutes of 2/27/2023. The motion was adopted by a voice vote and the matter was approved.

Councillor LaFauci moved to suspend Rule 8 to take the Mackenzy Bernadeau Resolution out of order. The motion was approved by a voice vote. Councillor LaFauci moved to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillor LaFauci moved to suspend Rule 9 to hear from off-committee members. The motion was approved by a voice vote. Clerk Vizard read the Resolution. Councillors LaFauci and LaCava spoke on the Resolution. Mayor McCarthy presented the Resolution to Mr. Bernadeau who thanked everyone for the recognition. Councillor LaFauci moved approval of the Resolution. The motion was adopted by a voice vote and the Resolution was approved.

Communications from the Mayor

1. The Mayor respectfully requested a financing transaction totaling \$876,000.00 to fund the first year of a three-year collective bargaining agreement between the City and Police Patrol Officer's Union for the period July 1, 2022 to June 30, 2025. Referred to the Finance Committee.
2. The Mayor respectfully requested acceptance of various Waltham photographs from Paul Gisbourne for the Waltham City Hall Museum Room. Referred to the Finance Committee.
3. The Mayor respectfully requested an appropriation in the amount of \$130,145.00 to fund the purchase and conversion of a surplus fire truck from the Town of Weston to be used as an Air Supply Unit for the City's Emergency Management Services (EMS) Department. Referred to the Finance Committee.
4. The Mayor respectfully requested a financing transaction totaling \$232,200.00 to fund the first year of a three-year collective bargaining agreement between the City and Manager's Union for the period July 1, 2022 to June 30, 2025. Referred to the Finance Committee.
5. The Mayor respectfully requested a transfer of funds in the amount of \$2,843.60 for the purchase of two laptop computers for the two Junior Civil Engineers positions in the Engineering Department. Referred to the Finance Committee.

6. The Mayor respectfully requested acceptance of a Grover Cronin Creative Easter Bunny Contest Letter from an anonymous donor for the Waltham City Hall Museum Room. Referred to the Finance Committee.
7. The Mayor respectfully requested acceptance of two Santa photographs with the original cards taken at Grover Cronin from John Antonellis for the Waltham City Hall Museum Room. Referred to the Finance Committee.
8. The Mayor respectfully requested acceptance of art services in the amount of \$250.00 from Donna Laswell representing the cost of the drawing that she did for the Council on Aging, William F. Stanley Building. Referred to the Finance Committee.
9. The Mayor respectfully requested the City Council's opinion relating to the request from Baltazar Contractors Inc. to use 1-2 acres of land at the Fernald School to store equipment. Referred to the Public Works and Public Safety Committee.
10. The Mayor respectfully requested the use of American Rescue Plan Act (ARPA) funds in the amount of \$115,345.77 for the upgrade of a portion of Piety Corner Road sewer. Referred to the Finance Committee.
11. The Mayor respectfully requested an appropriation in the amount \$20,000.00 to fund the projected deficit in the Unemployment Insurance account for FY2023. Referred to the Finance Committee.
12. The Mayor respectfully requested an appropriation in the amount of \$20,000.00 to fund the projected deficit in the Pre-Employment Services account for FY2023. Referred to the Finance Committee.
13. The Mayor respectfully requested an appropriation in the amount of \$255,000.00 to fund the Owner's Project Manager (OPM) services for the 120-month feasibility study of the current Waltham High School building. Referred to the Finance Committee.
14. The Mayor respectfully requested the appointment of Debra Vautour of 257 Ash Street, Waltham as a member of the Board of Cemetery Commissioners to fill Nancy Caruso's vacancy. Referred to the Committee of the Whole.
15. The Mayor respectfully requested the use of the American Rescue Plan Act (ARPA) funds in the amount of \$2,268,000.00 for the reconstruction of the Wimbledon Circle Sewer Pump Station and Force Main Project. Referred to the Finance Committee.
16. The Mayor respectfully requested the acceptance of the gift of services from Gary Thurston to offer free community CPT training for Waltham residents. Referred to the Finance Committee.

17. The Mayor respectfully requested approval of the enclosed Year 49 Community Development Block Grant Program (CDBG). Referred to the Economic and Community Development Committee.
18. The Mayor respectfully requested approval of a first reading without committee reference of the loan authorization for the acquisition of the property located at 101 School Street and 63-65 Lexington Street in the amount of \$2,960,000.00. Councillor O'Brien moved to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillor O'Brien moved approval of the first reading. The motion was approved by a voice vote. President McMenimen referred the matter to the Long Term Debt and Capital Planning Committee.

Applications and Licenses

All Applications and Licenses referred to the Licenses and Franchises Committee.

- Second Hand Dealers Renewal — 318 Moody Street – Quality Desigz LLC
- Second Hand Dealers Renewal — 108-C River Street – Mint Condition Sports LLC
- Lodging House Renewal – 21-23 Pine Street – 21-23 Pine Street LLC Max Horn

Resolutions, Orders and Ordinances

- Mackenzy Bernadeau Resolution. (This matter was taken out of order and approved earlier in the meeting.)
- Rodenticide Resolution. Clerk Vizard read the Resolution. Councillor Harris spoke on the Resolution. President McMenimen referred the Resolution to the Ordinances and Rules Committee.

Committee Reports

Licenses and Franchises

1. The Licenses and Franchises Committee recommended the renewal of the Class 2 license at 215 Lexington Street – JBM Properties LLC be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Councillor Vidal made a motion to act collectively on the 7 Lodging House Renewals for Brandeis University. The motion was approved by a voice vote. Councillor Vidal moved that the action of the committee be the action of the Council for #s 2-8 collectively. The motion was approved by a voice vote and numbers 2–8 were approved.

2. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street – Brandeis University – Ridgewood be approved.
3. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street – Brandeis University – Rosenthal Dorms be approved.
4. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street – Brandeis University – Sky Line be approved.

5. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street – Brandeis University – The Village be approved.
6. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street – Brandeis University – Massell Quad) be approved.
7. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street – Brandeis University – North Quad be approved.
8. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street – Brandeis University – East Quad be approved.
9. The Licenses and Franchises Committee recommended the Grant of Location at Chestnut Street west of Stearns Street for Nstar dba Eversource be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
10. The Licenses and Franchises Committee recommended the Grant of Location at Stearns Street south of Chestnut Street for Nstar dba Eversource be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
11. The Licenses and Franchises Committee recommended the Grant of Location at Waverley Oaks Road east of Beaver Street for Nstar dba Eversource be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
12. The Licenses and Franchises Committee recommended a Grant of Location at/near Main Street and Bank Square for Verizon be approved with conditions. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Finance

1. The Finance Committee recommended an appropriation in the amount of \$447,000.00 to award the low and reasonable bid and provide a contingency amount for unforeseen condition for the environmental remediation of the property located at 240 Beaver Street be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
2. The Finance Committee recommended an appropriation in the amount of \$4,000.00 for the additional Pay-By-Phone expense resulting from the increase in the amount of people using the Pay-By-Phone app to pay parking fees in municipal parking lots be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

3. The Finance Committee recommended the use of the American Rescue Plan Act (ARPA) funds in the amount of \$2,090,000.00 for the Lincoln Street Extension Reconstruction Project be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
4. The Finance Committee recommended the use of the American Rescue Plan Act (ARPA) funds in the amount of \$1,950,000.00 for the Glen Circle and Lincoln Terrace Improvement's Projects be approved. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Long Term Debt and Capital Planning

1. The Long Term Debt and Capital Planning Committee recommended the loan authorization in the amount of \$3,115,000.00 for renovations to the four (4) synthetic turf fields including walking path improvements and tree work at the Veterans Memorial Athletic Field Complex be approved for a first reading. Councillor O'Brien moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved. Councillor O'Brien moved to table the matter on the Council floor. The motion was approved by a voice vote and the matter was tabled.
2. The Long Term Debt and Capital Planning Committee recommended that the FY2022 state match surplus of \$285,610.00 be allocated to the CPA Undesignated Budget Reserve account be approved. Councillor O'Brien moved that the action of the Committee be the action of the Council. Roll Call required.
In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Stanley and Vidal.
Opposed: None.
Absent: Paz.
Presiding: McMenimen.
Matter was approved 13-0-1.
3. The Long Term Debt and Capital Planning Committee recommended that the sum of \$4,012,000.00 be allocated for the acquisition of 0 Prospect Hill Road/Lot 1A Willard Street be approved. Councillor O'Brien rose to speak on the matter and thanked the Mayor, the Law Department, the Long Term Debt Committee and Councillor LaFauci for their work in getting this to the approval. Councillor LaFauci rose to speak and thanked the neighbors. Councillor O'Brien moved that the action of the Committee be the action of the Council. Roll Call required.
In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Stanley, Vidal and President McMenimen.
Opposed: None.
Absent: Paz.
Matter was approved 14-0-1.

Economic and Community Development

1. The Economic and Community Development Committee recommended a request to the Mayor to fund \$25,500.00 for ContraPest Rodent Control and stop using rodenticide on City Buildings be approved. Councillor Harris moved to amend the request to be sent to the Health Department and not the Mayor. The motion was approved by a voice vote. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
2. The Economic and Community Development Committee recommended a request to the Mayor to fund \$111,000.00 for a Grade 12 Code Enforcement Officer for the Consolidated Public Works Department be approved. Councillor LaFauci moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

With no further matters Councillor Harris moved to adjourn. The motion was approved by a voice vote. President McMenimen declared the meeting adjourned at 8:06 p.m.

Respectfully submitted by:

Cathy Magliarditi

Executive Assistant to the City Clerk

March 21, 2023