

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

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

James Krikeles of 19 Gorham Street, Waltham was recognized as recording the meeting.

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

Absent: None.

President McMenimen recognized Councillor Elect Ward 3, Bill Hanley and returning Councillor Elect Ward 9, Robert Logan in the Chambers.

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 LeBlanc spoke about the passing of two Waltham residents. A moment of silence was observed for Ronald J. Pomerleau and Robert G. LeBlanc.

Councillor McLaughlin moved approval of the Regular Meeting minutes of 10/23/2023. The motion was adopted by a voice vote and the matter was approved.

First Public Hearing: Fuel Storage License at 305 Winter Street.

Clerk Vizard read the petition. Sean Henry, 184 High Street, Boston, MA, representing the petitioner spoke on the matter. With no one else in support, no one in opposition and no one in a neutral position of the petition President McMenimen closed that part of the public hearing and opened up the hearing to questions from Councillors. Councillor Dunn asked questions about the location of the fuel tank. Mr. Henry provided answers. With no further questions President McMenimen closed the public hearing and referred the matter to the Licenses and Franchises Committee.

Second Public Hearing: 17-25 Street Opening at 69-71 Porter Road.

Clerk Vizard read the petition. Cal McCarthy, 71 Marlboro Road, Waltham, MA, the petitioner explained that he was building a one story home at the address and the street was recently paved. With no one else in support, no one in opposition and no one in a neutral position of the petition President McMenimen closed that part of the public hearing and opened up the hearing to questions from Councillors. Councillor Darcy asked questions about the time frame. Mr. McCarthy provided answers. Councillor Vidal asked about the about two numbers at the address. Mr. McCarthy explained that the Building Department is aware of the addresses and it will most likely change. Councillors LaFauci and Dunn asked additional questions with Mr. McCarthy providing answers. Councillor Darcy moved to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillor Darcy made a motion for approval. The motion was approved by a voice vote and a matter was approved.

Communications from the Mayor

1. The Mayor respectfully requested the acceptance of pictures from the Waltham High School Class of 1927 donated by Garry Richards for the Waltham City Hall Museum room. Referred to the Finance Committee.

2. The Mayor respectfully requested the acceptance of a Certificate of Achievement for Excellence in Financial Reporting for the fiscal year June 30, 2022. Referred to the Finance Committee.
3. The Mayor respectfully requested a transfer of traffic funds of \$9,700.00 to purchase a Rectangular Rapid Flashing Beacon to be installed at the intersection of Lake Street and Princeton Avenue. Referred to the Finance Committee.
4. The Mayor respectfully requested approval of a loan authorization in the amount of \$1,037,894.00 to be used for intersection improvements at Beaver Street, Warren Street and Pelham Road. Referred to the Long Term Debt and Capital Planning Committee.
5. The Mayor respectfully requested approval of a loan order in the amount of \$9,500,000.00 for recreation improvements in the Universal and Memorial areas of the property located at 190 Trapelo Road. President McMenimen relinquished the chair to Vice President McLaughlin in order to recuse herself from the matter. Councillor LaCava made a motion to suspend Rule 39 to act on this matter without Committee reference. Roll call requested. In favor: Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Stanley and Vidal.

Opposed: Bradley-MacArthur, Darcy, Katz and Paz.

Absent: None.

Recused: McMenimen.

The matter was approved 10-4-0-1.

Councillor LaCava spoke on the matter giving a brief background. Councillor Darcy voiced concerns on the plan referencing several Resolutions he had submitted from 2016 to present to protect the area. Councillor Darcy invoked Ch. 2.9 of the Charter. The Clerk read Ch. 2.9 of the Charter. President Pro Tem McLaughlin explained that this section of the Charter does not apply. Councillor LaCava explained more about the plan and the open fields. Councillor Darcy expressed concern that the neighbors had not been given the opportunity to weigh-in. Councillor Bradley-MacArthur asked about the conservation status if the plan does not move forward. Councillor Dunn asked if the plans were fluid. Councillor LaCava stated the plans are final and the construction has been sent out for bid. Councillor LaFauci spoke on the conservation report from Phil Moser. Councillor LaCava moved approval for a 1st reading. Roll Call requested.

In favor: Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Stanley and Vidal.

Opposed: Bradley-MacArthur, Darcy, Katz and Paz.

Absent: None.

Recused: McMenimen.

The matter was approved 10-4-0-1.

President Pro Tem McLaughlin relinquished the chair to President McMenimen.

6. The Mayor respectfully requested that the City Council schedule a date for a site visit to view the 101 School Street building, preferably prior to a City Council meeting on a Monday night. Referred to the Committee of the Whole.

Applications and Licenses

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

- Lodging House Renewal — 49-51 Brown Street –MST Realty Associates, LLC.
- Lodging House Renewal — 104 Adams Street –SMT Realty Associates, LLC.
- Lodging House Renewal — 74 Adams Street –SMT Realty Associates LLC.
- Class 2 Renewal — 97R Linden Street – ABKO Auto Body and Paint, Inc.
- Class 2 Renewal — 477 Main Street – Chrislins Auto, Inc.
- Class 2 Renewal — 196 High Street – JJJ Auto Retailers, Inc.
- Class 2 Renewal — 251 Lexington Street – Boston Muffler and Brake Co. Inc.
- Extended Retail Hours Renewal — 591 Moody Street – 7-Eleven #37504A
- Extended Retail Hours Renewal — 12 Harvard Street – CVS Pharmacy #114

Councillor Durkee moved to suspend Rule 8 to take the Veterans Municipal Parking Resolution out of order. The motion was approved by a voice vote. Councillor Durkee made a motion that was approved by a voice vote to hear from off committee members. The motion was approved by a voice vote. Director of Veterans Services, Michael Russo spoke on the Resolution. Councillor Durkee spoke on the Resolution as amended in Committee making sure that in the Resolution it states that they include Waltham Veterans who don't have special plates be allowed to get the free parking pass. Councillor Durkee made a motion to have the Resolution and request sent to the Traffic Commission. The motion was approved by a voice vote. Clerk Vizard asked if all Councillors should be included on Resolution. Councillor Durkee agreed. Councillor Durkee moved approval of the Resolution. The motion was adopted by a voice vote and the Resolution was approved.

Resolutions, Orders and Ordinances

- Resolution Addressing Speeding in Waltham
Clerk Vizard read the Resolution. Councillor Katz spoke on the Resolution making reference to the Brandeis bus accident in 2022. Councillor Katz made a request to have the Waltham Traffic Engineer and a representative from the Weston Traffic and Sidewalk Commission attend the next Public Works and Public Safety Committee meeting. The request was approved by a voice vote. President McMenimen referred the Resolution to the Public Works and Public Safety Committee.
- Shop Small Business Saturday 2023 Resolution
Clerk Vizard read the Resolution. Councillor Harris spoke on the Resolution. Councillor Harris made a motion to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillor Harris made a motion for approval. The motion was adopted by a voice vote and the Resolution was approved.
- Solar Compactable Trash Cans for Public Spaces/Streets Resolution
Clerk Vizard read the Resolution. Councillor Harris spoke on the Resolution. President McMenimen referred the Resolution to the Economic and Community Development Committee.

Committee Reports

Licenses and Franchises Committee

1. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Veronica's at 1074 Main Street 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.

2. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Samdough, Inc. at 591 Moody Street 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.
3. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Wendy's Properties, LLC at 806 Main Street 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.
4. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Morley Doughnuts, Inc. at 859 Main Street 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.
5. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Global Montello Group Corp #774 at 821 Main Street 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.
6. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Despensa Familiar, Inc. at 34-36 Elm Street 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.
7. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for MK and Company LLC – Dragon Chef at 677 Moody Street 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.
8. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Global Montello Group Corp #2762 at 1033 Trapelo Road 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.
9. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for Global Montello Group Corp #782 at 511 Totten Pond Road 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 Class 2 License renewal for Absolute Auto Sales at 50 River Street 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 Class 2 License renewal for P.P.A. Inc. dba Waltham Motor Co. at 44 Charles Street 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 the Class 2 License renewal for Hull Corporation, Inc. dba Little Foreign Car Garage at 50 Thayer Road 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.
13. The Licenses and Franchises Committee recommended the Class 2 License renewal for Prospect Automobile Sale & Service at 143 Prospect Street 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.
14. The Licenses and Franchises Committee recommended the Class 1 License renewal for Lotus Motorsports, Inc. at 85 Linden Street 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.

Veterans Services

1. The Veterans Services Committee recommended the Veterans Municipal Parking Resolution be approved. This matter was heard earlier in the meeting.

Long Term Debt and Capital Planning

1. The Long Term Debt & Capital Planning Committee recommended the Conservation Restriction regarding a 150-foot buffer, 5.97 acres 0 Chesterbrook Road, aka 605R Lexington Street be filed. 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 filed.
2. The Long Term Debt & Capital Planning Committee recommended the Conservation Restriction for 240 Beaver Street be filed. Councillor LeBlanc recused himself. 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 filed.
3. The Long Term Debt & Capital Planning Committee recommended the Conservation Restriction for 342-344 Warren Street be filed. 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 filed.
4. The Long Term Debt & Capital Planning Committee recommended the Conservation Restriction for 287AFT Grove Street be filed. 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 filed.
5. The Long Term Debt & Capital Planning Committee recommended the Resolution to Restore Embassy Parking Garage be filed without prejudice. 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 filed without prejudice.

6. The Long Term Debt & Capital Planning Committee recommended the CPC Recommendation for Allocation of CPA Funds in the amount of \$1,700,000.00 for renovation and creation of a group home 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, Paz, Stanley, Vidal and McMenimen.
Opposed: None.
Absent: None.
Matter was approved 15-0-0.

Finance

1. The Finance Committee recommended a transfer in the total amount of \$5,403.75 to purchase (3) new computers with monitors for the customer service teller window at the Treasurer's Office 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 the loan authorization in the amount of \$9,500,000.00 for the 190 Trapelo Road Memorial and Universal Areas be approved for a 1st reading. President McMenimen relinquished the chair to Vice President McLaughlin in order to recuse herself from the matter. 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. Councillor LaCava made a motion to combine this matter with the earlier matter (Mayor's Communication #5). The motion was approved by a voice vote. Councillor LaCava made a motion that was approved by a voice vote to table the matter on the Council floor.

President Pro Tem McLaughlin relinquished the chair to President McMenimen.

3. The Finance Committee recommended the transfer of \$1,696,431.50 for the Winter Street and Lincoln Street – water, sewer, drain and street/sidewalk improvements 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 loan authorization of \$6,462,197.00 for the Winter Street and Lincoln Street – water, sewer, drain and street/sidewalk improvements be approved for a 1st reading. 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. Councillor LaCava made a motion that was approved by a voice vote to table the matter on the Council Floor.

With no further matters Councillor McLaughlin moved to adjourn. The motion was approved by a voice vote. President McMenimen declared the meeting adjourned at 8:56 p.m.

Respectfully submitted by:

Cathy Magliarditi

Executive Assistant to the City Clerk

November 17, 2023