

Waltham City Council
Minutes of the Meeting of
November 27, 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, O'Brien, Paz, Stanley, Vidal, and President McMenimen.

Absent: McLaughlin.

Board of Survey & Planning

Present: Kathleen Callahan, William Creonte, Wayne Keefner, S. Anthony DeVito, Brian Moroney, Mila Taranto.

Absent: M. Justin Barrett.

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 LaFauci asked for a moment of silence for Ruislet Jean-Philippe.

Councillor LaCava moved approval of the Regular Meeting minutes of 11/13/2023. The motion was adopted by a voice vote and the matter was approved.

Clerk Vizard read Rule 86.

First Public Hearing: Zoning Ordinance Amendment - Body Art Establishments

Clerk Vizard read the petition. Due to a Scribner's error in the advertising of this meeting the Joint Public Hearing was rescheduled to December 11, 2023.

Second Public Hearing: Zoning Ordinance Amendments - Tandem Parking and Demolition Delay.

Clerk Vizard read the petition. Councillor Randy LeBlanc, 21 Linden Circle, Waltham spoke on the zone changes and work that has been done with the Building Department and the Board of Survey and Planning regarding on and off street parking. 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 Bradley-MacArthur asked about tandem parking and multi-family houses. Councillor LeBlanc provided answers. Councillor Katz spoke on demo delays. Councillor LeBlanc explained about mandatory and non-mandatory demo delays. Board of Survey and Planning members Mr. Creonte and Mr. Maroney asked questions with Councillor LeBlanc providing answers. With no further questions President McMenimen closed the public hearing and referred the matter to the Ordinances and Rules Committee. Mr. Creonte stated the next Board of Survey Planning Committee meeting will be January 3, 2024 where this matter will be discussed.

President McMenimen called a 2-minute recess to clear the Chambers at 7:58 p.m.
Council reconvened at 8:00 p.m.

Third Public Hearing: Street Opening 17-25 – Hammond Street and Lord Street

Clerk Vizard read the petition. NationalGrid representative, Mary Mulroney, 201 Rivermoor Street, West Roxbury, representing the petitioner, spoke on the matter. She explained that a 30-

foot trench of the newly paved street would have to be reopened. Also present from NationalGrid was Steve DiLorenzo, 160 Newton Street, Waltham. 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 LaFauci asked why this is being reopened after just being paved, about the timeline, equipment storage and repaving. Ms. Mulroney provided answers. Councillor Durkee asked about the consequences if they did not reopen the street. Mr. DiLorenzo explained about outages from leaks. With no further questions President McMenimen closed the public hearing. Councillor LaFauci made a motion to suspend Rule 39 to act on the matter without committee reference. The motion was approved by a voice vote. Councillor LaFauci moved approval of the 17-25. The motion as approved by a voice vote.

Fourth Public Hearing: Grant of Location – Hammond Street and Lord Street

Clerk Vizard read the petition. NationalGrid representative, Mary Mulroney, 201 Rivermoor Street, West Roxbury, representing the petitioner, spoke on the matter. Also present from NationalGrid was Steve DiLorenzo, 160 Newton Street, Waltham. 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. Councillors LaFauci spoke on the matter. With no further questions President McMenimen closed the public hearing. Councillor LaFauci made a motion which was approved by a voice vote to suspend Rule 39 to act on the matter without committee reference. Councillor LaFauci moved approval of the Grant of Location. The motion as approved by a voice vote.

Communications from the Mayor

1. The Mayor respectfully requested the acceptance of the submission of the ATC Asbestos Report for 240 Beaver Street. Councillor LeBlanc recused himself.

Councillor Durkee moved to suspend Rule 9 to hear from off-committee members Mayor Jeannette A. McCarthy and Assistant Solicitor Luke Stanton. The motion was approved by a voice vote. Councillors Durkee and Harris escorted the Mayor into the Chamber. Councillor Durkee asked questions about the ATC Asbestos report for 240 Beaver Street. The Mayor provided answers. Councillor Bradley-MacArthur asked questions. Mayor McCarthy provided answers. Councillor Harris asked which buildings were under discussion. Mayor McCarthy described the buildings. Councillor LaFauci asked about the age of the report and when the plan specs of the bid will be available. The Mayor explained there is no timeframe right now. With no further questions President McMenimen closed the public hearing and referred the matter to the Committee of the Whole to be added to the item dated (2/13/2023 Acceptance of proposal for Cornelia Warren Farm and Field House Admin Building).

2. The Mayor respectfully requested the acceptance License Agreement for Green Rows of Waltham Inc. Councillor LeBlanc recused himself.

Mayor McCarthy spoke on the matter referring to communications from 11/8/2023. The Mayor read the communications. Assistant Solicitor Luke Stanton, 138 Ellison Park, Waltham spoke on the property, tenants and licenses and notice to quit leases. Councillor Vidal spoke on leases versus licenses asking questions about the lease for Green Rows of Waltham. Attorney Stanton provided answers. Councillors Durkee, Bradley-MacArthur and Paz all spoke on the matter. Councillor Stanley asked if the Council moved approval, would it interfere with the procedures planned. Mayor McCarthy replied no, as long as the notice to quit was returned. Councillor LaFauci moved to suspend Rule 39 to act on the matter without committee reference. The

motion was approved by a voice vote. Councillor Paz moved approval with the conditions of the acceptance of the notice to quit. Roll Call requested.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: McLaughlin.

Recused: LeBlanc.

Presiding: McMenimen.

The matter was approved 12-0-1-1.

3. The Mayor respectfully requested acceptance of the License Agreement for Community Farms Outreach, Inc. d/b/a Waltham Fields Community Farm. Councillor LeBlanc recused himself.

Mayor McCarthy spoke on the matter. The Mayor read the lease. Councillors Durkee, Vidal, Dunn, LaFauci and Bradley-MacArthur asked questions with the Mayor providing answers. Councillors Paz and Harris voiced their approval. Councillor Darcy thanked Mayor McCarthy and Attorney Stanton for all their hard work on this project. Councillor Durkee moved to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillor Durkee moved approval of the matter with the conditions of the acceptance of the notice to quit. Roll Call requested.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: McLaughlin.

Recused: LeBlanc.

Presiding: McMenimen.

The matter was approved 12-0-1-1.

4. The Mayor respectfully requested the appointment of David L. Levinson, Ph.D., 70 Hawthorne Road, Waltham as a member of the Board of Library Trustees. Referred to the Committee of the Whole.

Applications and Licenses

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

- Lodging House Renewal — 24-26 High Street –High Street W, LLC.
- Lodging House Renewal — 107 Adams Street –Dennis Dyer
- Lodging House Renewal — 403 River Street –Gilbrae Inn LLC.
- Lodging House Renewal — 124-126 Ash Street – Ash Street Lodging, LLC.
- Extended Retail Hours Renewal — 573 Main Street – J&T Shun Lai, Inc.

Resolutions, Orders and Ordinances

- Resolution Honoring Gildo Oresto "John" Piantedosi
The Clerk read the Resolution. Councillor LaCava spoke on the Resolution. President McMenimen referred the Resolution to the Licenses and Franchises Committee.
- Resolution Relocating the City's Consolidated Public Works Facility to an Appropriately Zoned Location in Either a Commercial or Industrial District
President McMenimen relinquished the chair to Councillor LaCava in order to recuse herself from the matter. The Clerk read the Resolution. Councillor Darcy spoke on the Resolution.

Councillor LaFauci rose to a point of information and asked if this was conservation land. President Pro Tem LaCava referred the Resolution to the Public Works and Public Safety Committee.

President Pro Tem LaCava relinquished the chair to President McMenimen.

Committee Reports

Committee of the Whole

1. The Committee of the Whole recommended the Resolution Concerning Alerting All Waltham Residents to be on High Alert for Potential Fraud & Scams from Itinerant Contractors be filed. 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 filed.

Licenses and Franchises Committee

1. The Licenses and Franchises Committee recommended the Fuel Storage License for 305 Winter Street Investors at 305 Winter 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.

Councillor Vidal made a motion to act collectively on item #s2 - 4. The motion was approved by a voice vote. Councillor Vidal moved to approve #s 2 - 4. The motion was adopted by a voice vote and the matters were approved.

2. The Licenses and Franchises Committee recommends the Lodging House renewal for MST Realty Associates, LLC. at 49-51 Brown Street be approved.
3. The Licenses and Franchises Committee recommends the Lodging House renewal for SMT Realty Associates, LLC. at 104 Adams Street be approved.
4. The Licenses and Franchises Committee recommends the Lodging House renewal for SMT Realty Associates, LLC. at 74 Adams Street be approved.

Councillor Vidal made a motion to act collectively on item #s5 - 8. The motion was approved by a voice vote. Councillor Vidal moved to approve #s 5 - 8. The motion was adopted by a voice vote and the matters were approved.

5. The Licenses and Franchises Committee recommends the Class 2 renewal for ABKO Auto Body and Paint, Inc. at 97R Linden Street be approved.
6. The Licenses and Franchises Committee recommends the Class 2 renewal for Chrislins Auto, Inc. at 477 Main Street be approved.
7. The Licenses and Franchises Committee recommends the Class 2 renewal for JJJ Auto Retailers, Inc. at 196 High Street be approved.
8. The Licenses and Franchises Committee recommends the Class 2 renewal for Boston Muffler and Brake Co. Inc. at 251 Lexington Street be approved.

9. The Licenses and Franchises Committee recommended the Extended Retail Hours renewal for 7-Eleven #37504A 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.

Ordinances and Rules

1. The Ordinances and Rules Committee recommended the Special Permit application for LPC West Main LLC at 1362 Main Street be approved. Councillor Katz rose to express his approval of the matter. Councillor O'Brien spoke on the matter. Councillor Harris 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, O'Brien, Paz, Stanley and Vidal.
Opposed: None.
Absent: McLaughlin.
Presiding: McMenimen.
The matter was approved 13-0-1.

Long Term Debt and Capital Planning

1. The Long Term Debt & Capital Planning Committee recommended the loan authorization in the amount of \$1,037,894.00 to be used for intersection improvements at Beaver Street, Warren Street and Pelham Road be approved for a 1st reading. 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 for a 1st reading. Councillor LaFauci made a motion that was approved by a voice vote to table the matter on the Council floor.

Finance

1. The Finance Committee recommended the acceptance of pictures from the Waltham High School Class of 1927 donated by Garry Richards for the Waltham City Hall Museum room 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.
2. The Finance Committee recommended the acceptance of a Certificate of Achievement for Excellence in Financial Reporting for the fiscal year June 30, 2022 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.
3. The Finance Committee recommended the 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 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.

Councillor LaCava moved to accept the late file communication of the Capital Improvement Program FY2025-FY2029 from City Auditor, Paul Centofanti. The matter was accepted by a voice vote. President McMenimen referred the matter to the Committee of the Whole.

Councillor Harris invited all City Councillors and elected officials, new and old to join her at the Salvation Army holiday kettle ringing on December 8, 2023 at Market Basket, Waltham.

Councillor LeBlanc made a motion to discharge the Zoning Resolution from 6/21 and to request that Assistant Solicitor Patricia Azadi and Assistant Solicitor Learned to attend the next Ordinances and Rules Committee meeting to discuss the Resolution. The motion was approved by a voice vote. Councillor LeBlanc made a motion that was approved by a voice vote to recommit the matter to the Ordinances and Rules Committee.

With no further matters Councillor LeBlanc moved to adjourn. The motion was approved by a voice vote. President McMenimen declared the meeting adjourned at 10:40 p.m.

Respectfully submitted by:

Cathy Magliarditi

Executive Assistant to the City Clerk

December 5, 2023