

Waltham City Council  
Minutes of the Meeting of  
February 14, 2022

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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, Paz, Stanley, Vidal and President McMenimen.

Absent: None.

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 Meeting Minutes of 1/24/2022. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved approval of the Executive Session meeting minutes of 1/24/2022. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved to send the minutes to the Law Department for review. The motion was adopted by a voice vote and the matter was approved.

The City Clerk read Rule 86.

First public hearing: Fuel Storage License at 880 Winter Street  
Attorney Phillip McCourt, Jr. 10 Putney Rd, Wellesley, representing the petitioner, spoke in favor of the petition. He gave a general overall description of the project. With no one else in support, no one in opposition and no one in a neutral position on the petition, President McMenimen closed that part of the hearing and opened the hearing to questions from Councillors. Councillor LaFauci asked questions about the storage capacity. Catalina Padilla, Boston Properties, 239 Third Street, Cambridge provided answers. Councillor LaFauci asked to have capacity information provided to the council. Councillors LeBlanc, Katz and McLaughlin asked questions. With no additional questions from Councillors, President McMenimen closed the public hearing and referred the matter to the Licenses and Franchises Committee.

**Communications from the Mayor**

1. The Mayor respectfully requested the acceptance of numerous gifts of personal items to the City Hall Museum Room donated by Kathleen B. McMenimen, 147 Trapelo Rd. Waltham, MA. Referred to the Finance Committee.
2. The Mayor respectfully requested to meet in Executive Session relating to a property matter in the downtown area. Councillor McLaughlin moved to table the matter until the end of the City Council Meeting. The motion was approved by a voice vote and the matter was tabled.
3. The Mayor respectfully requested the acceptance of a grant/rebate in the amount of \$54,986 from Eversource. The grant/rebate funds will be used to continue the replacement program of converting the additional 341 street lights to LED type lights. Referred to the Finance Committee.

4. The Mayor respectfully requested a transfer of funds totaling \$33,700 to fund the design of a flood storage wall, an easement and related permitting for Trapelo Road Culvert on the Waltham/ Belmont line. Referred to the Finance Committee.
5. The Mayor respectfully requested approval of a Junior Civil Engineer for the Traffic Department. Referred to the Finance Committee.
6. The Mayor respectfully requested a donation of fitness equipment valued in the amount of \$73,690.31 for the Recreation Department. Referred to the Finance Committee.
7. The Mayor respectfully requested a transfer of funds in the amount of \$60,452.86 for additional amusement amenities for Prospect Hill Park. Referred to the Finance Committee.
8. The Mayor respectfully requested the confirmation of the reappointment of Luke Stanton, 138 Ellison Park, Waltham as Assistant City Solicitor for a term expiring February 29, 2024. Referred to the Committee of the Whole.
9. The Mayor respectfully requested the confirmation of the reappointment of Francis Craig, 85 Main Street, Waltham as Assessor for a term expiring January 31, 2025. Referred to the Committee of the Whole.
10. The Mayor respectfully requested the reappointment of Bernadette Vazquez, 68 Willow Street, Waltham as Assessor for a term expiring January 31, 2025. Referred to the Committee of the Whole.
11. The Mayor respectfully requested the reappointment of Katherine D. Laughman, 5 High Rock Circle, Waltham as Assistant City Solicitor for a term expiring February 29, 2024. Referred to the Committee of the Whole.
12. The Mayor respectfully requested a transfer of funds in the amount of \$6,300 to install an alarm at the Rosario Malone Archives and Records Center. Referred to the Finance Committee.
13. The Mayor respectfully requested a transfer of funds in the amount of \$3,000 to perform an appraisal of a confidential real estate matter. Referred to the Finance Committee.

### **Applications and Licenses**

President McMenimen referred all applications and licenses to the Licenses and Franchises Committee.

- Lodging house renewal – 26 Myrtle Street – Michael Cotton
- Secondhand dealers license renewal – 1019 Trapelo Road – Game Stop #7772
- Lodging house license transfer – 52-54 Bedford Street to LLZ Holdings, LLC.

### **Orders, Ordinances & Resolutions**

- 2022 Winter Sidewalk Safety

Clerk Vizard read the Resolution. Councillor Harris spoke on safety concerns of city sidewalks during the winter months. Councillors McLaughlin and LaFauci also spoke in favor of the

resolution. At the request of Councillor Harris, President McMenimen referred to the Ordinances and Rules Committee.

## **Committee Reports**

### **Licenses & Franchises**

1. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street, Brandeis University – Rosenthal Dorms 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 matter was approved.
2. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street, Brandeis University – The Village 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 matter was approved.
3. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street, Brandeis University – Massell Quad 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 matter was approved.
4. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street, Brandeis University – Ridgewood 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 matter was approved.
5. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 415 South Street, Brandeis University – North Quad 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 matter was approved.
6. The Licenses and Franchises Committee recommended the Massport letter for Ali Murat Solmaz, 90 Dale Street Apt. 2 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 matter was approved.
7. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 107 Adams Street for Dennis Dyer 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 matter was approved.
8. The Licenses and Franchises Committee recommended the renewal of the lodging house license at 403 River Street for Gilbere Inn, 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 matter was approved.

9. The Licenses and Franchises Committee recommended the Class 2 License renewal for Colvin's Inc. at 185 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 matter was approved.

10. The License and Franchise Committee recommended the approval of an order for John M. Duffy Square 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 matter was approved.

### **Finance**

1. The Finance Committee recommended acceptance of a grant for \$35,000 for FF22 Firefighter Safety Equipment 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 matter was approved.

2. The Finance Committee recommended an appropriation of traffic impact funds totaling \$21,300 for a traffic study for marijuana dispensaries 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 matter was approved.

### **Committee of the Whole**

1. The Committee of the Whole recommended the confirmation of the appointment of Nina L. Udwin, 80 Jennings Rd, Waltham as a Trustee of the City of Waltham Municipal Affordable Housing Trust Fund to fill a vacancy for a term expiring February 28, 2024 be approved. Councillor McLaughlin 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, Vidal, Stanley and McMenimen.

Opposed: None.

Absent: None.

Matter was approved 15-0-0.

2. The Committee of the Whole recommended the confirmation of the appointment of Matthew Deveau as a member of the ZBA for a term expiring December 31, 2023 be approved. Councillor McLaughlin 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, Vidal, Stanley and McMenimen.

Opposed: None.

Absent: None.

Matter was approved 15-0-0.

3. The Committee of the Whole recommended the request for the Mayor to honor an individual be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved.

## **Ordinances and Rules Committee**

1. The Ordinances and Rules Committee recommended the time extension for BP Third Ave., LLC. at 99 Third Ave Order # 33403 be approved. Councillor Darcy 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, and Vidal.

Opposed: None.

Absent: None.

Presiding: McMenimen

Matter was approved 14-0-1.

## **Unfinished Business & Other Business**

- Recommendation to allocate the FY2021 CPA State Surplus Funds. Referred to the Long Term Debt and Capital Planning Committee.
- President McMenimen in accordance with city Ordinance number 2-341 appointed at their request, Councillor LaCava and LaFauci to the Ambulance Review Committee expiring 12/31/2022.

## **Tabled Items**

- Confidential real estate matter tabled in Executive Session (1/24/2022)
- Councillor McLaughlin moved to take the Mayors request to meet in Executive Session to discuss a real estate matter in the downtown area from the table. The motion was adopted by a voice vote and matter was approved.

Councillors Harris and Durkee escorted the Mayor into the chamber. The Mayor requested to have City Clerk Vizard and Assistant City Clerk Wilson attend the Executive Session with City Clerk Vizard acting as Clerk. Councillor McLaughlin moved to convene in Executive Session. Roll Call was required.

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

Opposed: None.

Absent: None.

Presiding: McMenimen

Matter was approved 14-0-1

At 7:41 p.m. the City Council convened in Executive Session.

The City Council reconvened at 9:14 p.m. Councillor McLaughlin moved to adjourn. The motion was approved by a voice vote. President McMenimen declared the meeting adjourned at 9:15 p.m.

Respectfully submitted by:

Cathy Magliarditi

Executive Assistant to the City Clerk

February 23, 2022