

Waltham City Council
Minutes of the Meeting of
March 28, 2022

President McMenimen called the meeting to order at 7:32 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 3/14/2022. The motion was adopted by a voice vote and the matter was approved.

The Clerk read rule 86.

First Public Hearing: Grant of Location for VERIZON NEW ENGLAND INC at Banks Street
Clerk Vizard read the public hearing. Pike Telecom Representative, Alexander Murero, 17 Cross Street, Apt. 20, Marlboro, MA gave a general description of the project. Debbie Miller, 27 Banks Street spoke in a neutral position and requested information on details of project, time frame and how residents will be effected. With no one else in support, no one in opposition and no one else in a neutral position of the petition, President McMenimen closed that part of the public hearing and opened the hearing to questions from Councillors. Councillors Katz, Durkee, and Vidal asked questions about on street parking, manholes and timeframes. With no additional questions from Councillors President McMenimen closed the public hearing. Councillor Durkee moved to suspend the rules to act on the matter without Committee reference. Vote was taken by Roll Call. In favor: Darcy, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, and Stanley.

Opposed: Bradley-MacArthur, Dunn, Vidal.

Absent: None.

Presiding: McMenimen

Matter was approved 11-3-0.

Councillor Durkee made a motion to approve the Grant of Location. The motion was adopted by a voice vote and the matter was approved.

Second Public Hearing: Thrive Cultivation & Dispensary at 235 Bear Hill Road
Councillor Darcy moved that a new Public Hearing take place without withdrawal or resubmission of the prior filed application. Roll Call required.

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

Opposed: None.

Absent: None.

Presiding: McMenimen

Matter was approved 14-0-0.

Councillor Darcy moved to recess the hearing until 4/11/2022 due to a time conflict with the petitioner. The motion was approved by a voice vote and the matter was recessed.

Communications from the Mayor

1. The Mayor respectfully requested the authorization to grant Charles River Canoe & Kayak a Section 10A permit to put a temporary dock on the Riverwalk next to Cronin's Landing Dock. Referred to the Committee of the Whole.
2. The Mayor respectfully requested a date on a Saturday for a joint workshop as discussed at the Ordinances and Rules Committee to go over the job descriptions for the City Clerk and Assistant City Clerk. Once that is done, we can go over the City Planning Director's job description. Referred to the Ordinances and Rules Committee.
3. The Mayor respectfully requested the reappointment of Kristin Murphy, 39 Old Post Road Walpole, MA as Human Resources Director and Workers' Compensation Agent for a term expiring, February 29, 2024. Referred to the Committee of the Whole.
4. The Mayor respectfully requested the appointment of Louis P. Andrews, 58 Wilbur Street, Waltham, MA as a member of the Conservation Commission to fill a vacancy. Referred to the Committee of the Whole.
5. The Mayor respectfully requested the appointment of Jeffrey Monfette, 45 Clements Road Waltham, MA as a member of the Board of Commissioners of Trust Funds to fill a vacancy. Referred to the Committee of the Whole.
6. The Mayor respectfully requested approval of the financing plan for the land taking of the property located at 1 Balm Avenue in the amount of \$4,500,000.00. The purpose of the intended acquisition is horticulture, agriculture, recreation and all educational use, or combination thereof. Councillor Dunn recused herself. Referred to the Committee of the Whole.
7. The Mayor respectfully requested approval of a friendly taking order. Councillor Dunn recused herself. Referred to the Committee of the Whole.
8. The Mayor respectfully requested that the City Council transfer the care, custody and control of 1 Balm Avenue, Waltham, MA to the Waltham School Department for the purposes contained in the friendly taking. Councillor Dunn recused herself. Referred to the Committee of the Whole.
9. The Mayor respectfully requested the approval of an appropriation in the amount of \$9,000.00 for the Disability Services Commission to fund several handicapped projects. Referred to the Finance Committee.
10. The Mayor respectfully requested the acceptance of the donation of a Waltham Business Guide from Crystal Philpott for the Waltham Museum Room. Referred to the Finance Committee.

Applications and Licenses

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

- Extended Hours renewal – 50 Sun Street, Suite 4A – GoPuff LLC
- Secondhand Dealers License renewal – 443 Moody St. – Mr. Sweeper Aviden Inc.

Orders, Ordinances & Resolutions

- Resolution Concerning Extension of MBTA 73 Bus Service to North Waltham
Clerk Vizard read the Resolution. Councillor Darcy spoke on the need for MBTA service in North Waltham. He listed areas that currently do not have service and how bus service in that area would be good for the environment, and increase the quality of life for Waltham residents. Councillor McLaughlin spoke of how the benefits of public transportation would alleviate traffic congestion. President McMenimen referred the matter to the Public Works and Public Safety Committee.

Committee Reports

Licenses & Franchises

1. The Licenses and Franchises Committee recommended the Fortune Tellers License at 942 Trapelo Road for Dawn Marie Costorf be approved. Council Vidal moved 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 renewal of the secondhand dealer's license at 49 River Street for Descar Jewelry Design, LTD be approved. Council Vidal moved 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 renewal of the secondhand dealer's license at 563 Moody Street for Compustar Inc. be approved. Council Vidal moved 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 renewal of the Class 2 license renewal at 251 High Street for Classic Cars Inc. be approved. Council Vidal moved the action of the committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Economic and Community Development

1. The Economic and Community Development Committee recommended the Year 48 Community Development Block Grant Program be approved. Council Harris 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 \$7,267.00 to purchase a replacement copy machine for the Mayor's Office 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 matter was approved.

2. The Finance Committee recommended a funding allotment of \$40,936.35 from cable access funds #261-121-1815-5205 (Verizon PEG Support) to be paid to Waltham Community Access Corporation (WCAC) to reimburse them for the purchase and installation of equipment for the City of Waltham 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 matter was approved.

Committee of the Whole

1. The Committee of the Whole recommended the confirmation of the reappointment of Patricia Azadi, 643 Trapelo Road, Waltham, MA as First Assistant City Solicitor and Assistant City Solicitor for Real Estate and Zoning for a two-year term expiring, January 31, 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, and Stanley, Vidal and McMenimen

Opposed: None.

Absent: None.

Matter was approved 15-0-0.

2. The Committee of the Whole recommended the confirmation of the reappointment of Michelle Learned, 125 Winter Street, Waltham, MA as Assistant City Solicitor for a two-year term expiring January 31, 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, and Stanley, Vidal and McMenimen

Opposed: None.

Absent: None.

Matter was approved 15-0-0

3. The Committee of the Whole recommended the confirmation of the appointment of Alexander Sbordone, 30 Gilman Road, Waltham, MA as a member of the Conservation Commission 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, and Stanley, Vidal and McMenimen

Opposed: None.

Absent: None.

Matter was approved 15-0-0

4. The Committee of the Whole recommended the confirmation of the appointment of Roberta Tierney, 39 Dix Street, Waltham, MA as a member of the Waltham Council on Aging 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, and Stanley, Vidal and McMenimen

Opposed: None.

Absent: None.

Matter was approved 15-0-0

5. The Committee of the Whole recommended the approval of the FY2023 City Council Budget in the amount of \$395,257.00 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

1. The Ordinances and Rules Committee recommended that the Minor Modification to Special Permit Order #34110 & 35044 for 275 Wyman LLC. at 225 Wyman Street, Waltham, MA be approved. Councillor Darcy moved that the action of the committee be the action of council. Roll Call required.

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

Opposed: None.

Absent: None.

Presiding: McMenimen.

Matter was approved 14-0-0.

2. The Ordinances and Rules Committee recommended the approval of a second reading of the Compensation Ordinance Amendment related to the Housing Director, Planning Director and the Director of Housing and Community Development as amended. Councillor Darcy 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. Councillor Darcy made a motion to recommit the matter. The motion was adopted by a voice vote and matter was recommitted to the Ordinances and Rules Committee.

Unfinished Business & Other Business

- Modification of Special Permit Order No.31835 at 36 River Street. Referred to the Ordinances and Rules Committee.
- CPC recommendation for an allocation of CPA Funds for the City Clerk's Historic Document Assessment. Referred to the Long Term Debt and Capital Planning Committee.
- Modification of Special Permit Order #34110 and 35044 for 275 Wyman Street LLC. at 225 Wyman Street. Referred to the Ordinances and Rules Committee.
- Modification of Special Permit Order # 32095 for 275 Wyman Street LLC. at 275 Wyman Street. Referred to the Ordinances and Rules Committee.
- Councillor Darcy moved to accept a late filed Communication for an Extension of Time for 850 Winter Street. The motion was approved by a voice vote. President McMenimen referred it to the Ordinances and Rules Committee.

President McMenimen spoke on the successes of the Waltham Cheerleaders and the Waltham Show Choir and would like to invite both groups to a future City Council meeting to present Proclamations and Resolutions to every member of each group for their Championship Wins.

Tabled Items

- Confidential real estate matter tabled in Executive Session (1/24/2022)
- Confidential real estate matter in downtown tabled in Executive Session (2/14/2022)
- Loan authorization for \$750,000.00 to be used for a fire apparatus truck. (3/14/2022)
- Loan authorization for \$9,300,000.00 to be used for the Waltham portion of the Wayside Trail. (3/14/2022)

With no further matters Councillor Darcy made a motion to adjourn. The motion was approved by a voice vote. President McMenimen declared the meeting adjourned at 8:28 p.m.

Respectfully submitted by:
Cathy Magliarditi
Executive Assistant to the City Clerk
April 5, 2022