

DATE: 4/4/2016 CITY OF WALTHAM - EXECUTIVE SESSION

IN THE MATTER OF: MRUGO FARM ACQUISITION

It is moved by J. McLAUGHLIN  
That this governmental body hold an executive session.

INVITE ATTY J. CERVONE

A Roll was called (See Attached Roll Call).

All votes taken in Executive Session must be recorded Roll Call Votes.

The Clerk of this Executive Session is designated as PAUL CENTENITI

A Quorum being present and a Majority having voted to go into Executive Session, the Chair states that:

1. This meeting convened in open session and
  - ☒ a. Notice and posting of the meeting was given, or
  - ☐ b. The meeting is an emergency meeting.
2. After the Executive Session the meeting
  - ☒ a. Will reconvene in open session
  - ☐ b. Will not reconvene.
3. The purpose or purposes of this Executive Session are:
  - A. ☐ To deliberate upon matters involving individuals where the individuals involved have been notified in writing of the meeting and have not requested an open meeting, and regarding:
    - ☐ 1. The reputation and character of the individual
    - ☐ 2. The physical condition and mental health of the individual
    - ☐ 3. The discipline or dismissal of a public officer, employee, staff member or individual
    - ☐ 4. A complaint or charge brought against a public officer, employee, staff member or individual.
  - B. ☒ To deliberate upon matters which, if done in open meeting could detrimentally affect the position of the City, and regarding:
    - ☐ 1. Collective bargaining
    - ☐ 2. Strategy with respect to Collective Bargaining
    - ☐ 3. Strategy with respect to litigation
    - ☒ 4. The purchase, exchange, lease or value of real property.
  - C. ☐ To deliberate matters regarding:
    - ☐ 1. The deployment of security personnel or devices, e.g., a sting operation
    - ☐ 2. Allegations of criminal misconduct.
  - D. ☐ To comply with the provisions of a General Law or special law or Federal Grant in Aid requirement, the specific law being \_\_\_\_\_
  - E. ☐ In the initial screening process, to review resumes and interview candidates for employment, if an open meeting would have a detrimental effect in obtaining qualified candidates.
  - F. ☐ To meet with a mediator regarding litigation or decision.

4. All of the foregoing is hereby made part of the official minutes of this body.

Records of an Executive Session are public only after the matter is resolved.

City of Waltham  
Committee of the Whole - OPEN SESSION

Date

4/4/2016

Maker

McLAUGHLIN

8:40 PM

Motion

GO INTO EXEC ~~SESSION~~ SESSION, PLC CLERK

INVITE JOHN CERVONE + RECONVENE OPEN SESSION

Roll Call Vote

Councillor Brasco	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Darcy	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Fowler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Giordano	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Logan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
President Marchese	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor McLaughlin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor McMenimen	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor O'Brien	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Romard	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Rourke	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Vidal	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Vizard	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Councillor Waddick	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Vice President LeBlanc	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
TOTAL	<input checked="" type="checkbox"/> 13 YES	<input type="checkbox"/> 0 NO	<input checked="" type="checkbox"/> 2 ABSENT	<input type="checkbox"/> ABSTAIN

Ruling

PASSED

①

EXECUTIVE SESSION 4/4/2016 8:40 PM  
ARRIGO FARM

ATTY CERVONE ATTENDED

J.M. DAMAGE TO HOUSE, CONCERNS FROM NEIGHBORS  
ENVIRONMENTAL WORK - CAN YOU GIVE US A  
QUICK SUMMARY.

CERVONE 21E DECS W/ HAZMAT, SHOWS THERE WERE  
HAZMAT NEEDS TO BE REPORTED TO D.E.P.

21E GIVES OWNER THE OPPORTUNITY TO DO IT, IF  
NOT L.S.P. DOES IT.

MAYOR AUTHORIZED SMALLER SAMPLING - TAKEN

FOUND MORE 21E CONTAMINANTS - ARSENIC/LEAD  
COMPOUND

OWNER IS DOING THE REPORTING OF WHAT WAS FOUND.

IF THERE IS MORE FOUND, OWNER IS RESPONSIBLE  
FOR REMEDIATION.

J.M. NO SURPRISE CONTAMINANTS FOUND. WANT IT CLEANED  
UP BEFORE WE BUY IT.

EXCESS 4/4/2016

(2)

J.C.E.V. WANT COPY OF REPORTS OF TESTING - FROM OWNER.  
CITY SHOULD HAVE ADD'L TESTING WHILE THE  
ENVIRONMENTAL FIRM IS ON SITE

OWNER WILL ONLY DO REMEDIATION ON THE MINIMAL  
SITE AREA THAT WAS TESTED.

MAY WANT TO DO ADD'L TESTING -  
OWNER WILL PROBABLY NOT DO IT VOLUNTARILY

J.M. WHAT IS TIME FRAME?

J.C.E.V. 90 DAYS + TEST, CLEANUP + REPORT

S.R. IS THE REMEDIATION SCHEDULE DRIVEN BY D.E.P.

J.C.E.V. NO, BY L.S.P.

J.C.E.V. THERE MAY ALSO BE TITLE PROBLEMS

S.R. SHOULD WE GET MORE TESTING

J.C.E.V. DEPENDS ON FUTURE USE, LIMITED TO CPC USE

L.Mc. WHERE IS THE AREA THAT THEY DO WANT TO GIVE  
US ACCESS?

EX SSS 4/4/2016

(9)

J. CEAVONE BARN AREA

KM<sub>e</sub> IS THERE A POSSIBILITY THE ABUTTING-  
INDUSTRIAL PARK IS THE CAUSE OF CONTAMINATION

J. CEAVONE COULD BE BELOW THE ZIE THRESHOLD

J. V. DID WE DO THE LEVEL OF TESTING REQUIRED

J. CEAVONE NO REQUIREMENT, BUT IT IS PRUDENT TO DO SO  
IF YOU ARE THE BUYER.

J. M. MOTION TO ADJOURN EX. SESSION @ 8:55 PM  
+ RE CONVEENE OPEN SESSION

RILL CALL VOTE

13 YES 2 ABSENT (PB, RW)

MOTION PASSES

City of Waltham  
Committee of the Whole - OPEN SESSION

Date

4 / 4 / 2016

Maker

J. McLAUGHLIN

Motion

ADJOURN EXECUTIVE SESSION @ 8:55 PM & RECONVENE  
OPEN SESSION

Roll Call Vote

Councillor Brasco	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Darcy	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Fowler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Giordano	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Logan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
President Marchese	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor McLaughlin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor McMenimen	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor O'Brien	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Romard	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Rourke	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Vidal	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Vizard	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Waddick	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT	<input type="checkbox"/>
Vice-President LeBlanc	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
TOTAL	<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT	<input type="checkbox"/>

Ruling

MOTION PASSES