

DATE: 6/1/2015 CITY OF WALTHAM - EXECUTIVE SESSION

IN THE MATTER OF: ARRIGO FARM - LAND ACQUISITION

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

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 P. G. C.

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

INVITE CITY SODICOR CERVONE
+ CHAIR DANA YOUNG

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. (X) 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
 - (X) 3. Strategy with respect to litigation
 - (X) 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

8:10 PM

Date

6/1/2015

Matter

JMC/MB/UN - GO INTO EXEC SESSION TO DISCUSS ANNEX FARM
P&C CLERK, INVITE J. CERVONE & D. YOUNG - AND RECONVENE

Roll Call Vote

IN OPEN SESSION

Councillor Brasco	☒	Y	☐	N	☐	ABSTAIN
Councillor Darcy	☒	Y	☐	N	☐	ABSTAIN
Councillor Fowler	☒	Y	☐	N	☐	ABSTAIN
Councillor Giordano	☒	Y	☐	N	☐	ABSTAIN
Councillor Logan	☒	Y	☐	N	☐	ABSTAIN
President Marchese	☒	Y	☐	N	☐	ABSTAIN
Councillor McLaughlin	☒	Y	☐	N	☐	ABSTAIN
Councillor McMenimen	☒	Y	☐	N	☐	ABSTAIN
Councillor O'Brien	☒	Y	☐	N	☐	ABSTAIN
Councillor Romard	☒	Y	☐	N	☐	ABSTAIN
Councillor Rourke	☒	Y	☐	N	☐	ABSTAIN
Councillor Stanley	☒	Y	☐	N	☐	ABSTAIN
Councillor Vizard	☒	Y	☐	N	☐	ABSTAIN
Councillor Waddick	☒	Y	☐	N	☐	ABSTAIN
Vice President LeBlanc	☒	Y	☐	N	☐	ABSTAIN
TOTAL	☒	Y	☐	N	☐	ABSTAIN

Ruling

PASSED

EXECUTIVE SESSION

6/1/2015

8:10PM

ARRIVO FARM

ATTY JOHN CERVONE + CPC CHAIR DIANA YOUNG ATTENDED.

J.M. WHAT IS THE STATUS OF THE PURCHASE?

J. CERVONE ATTY AGREED TO PRICE BUT WANTS THE FOLLOWING CONDITIONS

- ① - FRIENDLY TAKING @ \$ 3.296M
- ② - MAINTAIN AS A FARM / RECREATIONAL USE
- ③ - NAMED AS ARRIVO FARM
- ④ - PLAQUE NAMING FARM

J.M. IF WE AGREE - IS THERE ANYTHING THAT IS A CONFLICT?

J. CERVONE CPA FUNDS ARE THE SOURCE - USE AS OPEN SPACE/HISTORIC
IF MAINTAINED AS A FARM - CONFLICTS W/ CPC APPROVAL
IF THERE IS GOING TO BE A CHANGE IT SHOULD
BE RESUBMITTED TO CPC

D. YOUNG FARM CAN BE USED AS OPEN SPACE, OPEN SPACE/RECREATION
IS OKAY -- DOES NOT CONFLICT WITH CONDITION #2

J.M. DOES THE ORDER NEED TO BE CHANGED TO REFLECT
ALL THE CONDITIONS.

(2)

J.M. WHAT ABOUT WATERTOWN PORTION OF PROPERTY

J. GERVONE CANNOT INCLUDE WATERTOWN PORTION IN TAKING

G.D. WHAT IS THE EXACT AMOUNT WE NEED?

J. GERVONE \$3,296,250

G.D. MOTION TO REQUEST CPC TO MODIFY ALLOCATION OF FUNDS FOR ARRIGO FARM FROM \$3,181,250 TO \$3,296,250

T.S. IS THIS VOTE LEGAL + PROPER?

G.D. WILL WITHDRAW MOTION, SINCE CPC CAN DO THE ALLOCATION ON ITS OWN.

G.D. WANTS TO MAKE SOME EDITS TO THE DRAFT TAKING-ORDER.
HISTORICAL COMMISSION - LINE 12 MOVED OR DEMOLISHED

G.D. MOTION TO APPROVE DRAFT ORDER FOR TAKING AS AMENDED. - LAW DEPT TO DO.

ROLL CALL VOTE - 15-0

MOTION PASSED

EX. SESSION 6/1/2015

(3)

KMc ANY ISSUE W/ IN PERPETUITY REQUIREMENT OF CPC
FINAL AMOUNT APPROVED BY CPC \$3,306,250
- \$10K OVER TAKING PRICE.

J.M. WHAT HAPPENS NEXT?

J.C. CERTAIN RESTRICTIONS CANNOT BE AGREED UNDER CPC
WILL REPORT BACK TO CITY COUNCIL.

T.S. SHOULD NOT BE PASSIVE AGGRESSIVE / FIND OUT WHAT
THEY WANT, GOT HISTORIC COMM TO PROPOSE WAYS
TO GET IT DONE

R.W. NEED COMMUNICATION FROM CPC TO REFLECT THE
RE-ALLOCATION OF THE FUNDS

J.E. MAY NEED A CONFIRMING VOTE OF CPC

MOTION TO ADJOURN EX SESSION (A) 9:05 PM +
RECONVENE OPEN SESSION.

ROLL CALL VOTE 15-0

MOTION PASSES

City of Waltham
Committee of the Whole - EXECUTIVE SESSION

Date

6/1/2015

Maker

G. DARCY

Motion

APPROVE DRAFT TAKING ORDER, AS AMENDED.

Roll Call Vote

Councillor Brasco	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Darcy	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Fowler	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Giordano	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Logan	☒ YES	☐ NO	☐ ABSENT	☐
President Marchese	☒ YES	☐ NO	☐ ABSENT	☐
Councillor McLaughlin	☒ YES	☐ NO	☐ ABSENT	☐
Councillor McMenimen	☒ YES	☐ NO	☐ ABSENT	☐
Councillor O'Brien	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Romard	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Rourke	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Vidal	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Vizard	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Waddick	☒ YES	☐ NO	☐ ABSENT	☐
Vice-President LeBlanc	☒ YES	☐ NO	☐ ABSENT	☐
TOTAL	☒ 15 YES	☒ 0 NO	☒ 6 ABSENT	☐

Ruling

MOTION PASSES

City of Waltham
Committee of the Whole - EXECUTIVE SESSION

Date

6/1/2015

Maker

Motion

ADJOURN EX SESSION @ 9:05 PM

RECONVENE
OPEN SESSION

Roll Call Vote

Councillor Brasco	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Darcy	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Fowler	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Giordano	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Logan	☒ YES	☐ NO	☐ ABSENT	☐
President Marchese	☒ YES	☐ NO	☐ ABSENT	☐
Councillor McLaughlin	☒ YES	☐ NO	☐ ABSENT	☐
Councillor McMenimen	☒ YES	☐ NO	☐ ABSENT	☐
Councillor O'Brien	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Romard	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Rourke	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Vidal	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Vizard	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Waddick	☒ YES	☐ NO	☐ ABSENT	☐
Vice-President LeBlanc	☒ YES	☐ NO	☐ ABSENT	☐
TOTAL	☒ 15 YES	☒ 0 NO	☒ 0 ABSENT	☐

Ruling

MOTION PASSES