

DATE: 5/21/2018 CITY OF WALTHAM - EXECUTIVE SESSION

8:25 PM

IN THE MATTER OF: LAND ACQUISITION MATTER

It is moved by D. LEBLANC

That this governmental body hold an executive session.

INVITE MAYOR, CERVONE, AZADI
PBC - CLERK

A Roll was called (See Attached Roll Call).

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

RECONVENE OPEN SESSION

The Clerk of this Executive Session is designated as _____

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 5/21/2018 8:25 PM

Maker D. LEBLANC

Motion GO INTO EXECUTIVE SESSION, INVITE MAYOR, SOLICITOR CERVONE,
ASSA SOLICITOR AZADI, PAUL CAUDENATI CLERK OF EXSESSION + RECONVENE
Roll Call Vote IN OPEN SESSION

Councillor Brasco	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Darcy	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Fowler	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Harris	☒ YES	☐ NO	☐ ABSENT	☐
Councillor LaCava	☒ YES	☐ NO	☐ ABSENT	☐
President Diane LeBlanc	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Randy LeBlanc	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Mackin	☐ YES	☐ NO	☒ ABSENT	☐
Councillor McLaughlin	☒ YES	☐ NO	☐ ABSENT	☐
Councillor McMenimen	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Romard	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Stanley	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Vidal	☒ YES	☐ NO	☐ ABSENT	☐
Vice-President Logan	☒ YES	☐ NO	☐ ABSENT	☐
TOTAL	<u>13</u> YES	<u>0</u> NO	<u>1</u> ABSENT	<u>0</u>

MOTION PASSES

EXECUTIVE SESSION 5/21/2018 8:25 PM

MAYOR ASKED TO GIVE AN UPDATE OF THE PROPERTY
AT 554 LEXINGTON ST (STIGS)

MAYOR READ FROM A LETTER OF 5/15 - DATES AND
RESPONSES

MAYOR RECEIVED LETTER ON 5/18, READ LETTER -
STIGS NOT WILLING TO GIVE CITY PERMISSION TO
ACCESS PROPERTY

MAYOR - A SCH COMM MEMBER WAS TOLD THE STIG PRIESTS
WERE MOVING TO A PARISH IN ARLINGTON

MAYOR - ASKED LAW TO CHECK IT OUT

INDIVIDUALS AT STIGS CONTINUE TO SAY IT IS NOT BEING
SOLD TO WATRAM AT ANY \$

MAYOR - MIXED MESSAGES ARE BEING RECEIVED.

MAYOR - AUTHORITY TO SELL STIGS IS ONLY W/ PRESIDENT OF
CORP - FR. WHITE

CITY WAITING WEEKS FOR A RESPONSE.

ES
5/21/2018

2

MAYOR - TOLD TO DEAL W/ CURRENT PROVINCIAL

ROME IS NOT NECESSARY FOR SALE - MONEY IS
GOING TO ROME - DO NOT BELIEVE
VERY UNUSUAL CORPORATION OF MASSACHUSETTS
AUTHORITY TO SELL IS W/ PRESIDENT

KMcM WHO IS LIVING ON LAND?

MAYOR INCONSISTENT STATEMENT FROM KITTY PATEN.

D.L. THIS LETTER SAYS WAITING ON ROME. IT ALSO SAYS
THEIR POSITION HAS NOT CHANGED - NOT FOR SALE.

C.H. WHAT IS NEXT STEP?

MAYOR IS A SUB DEVELOPMENT GOING IN? WHO IS
INVOLVED, ETC - DEVELOPER
SUB DIVIDE THE PROPERTY 327 UNITS ADD UNITS?

MAYOR WAS TOLD 30 ACRES WAS BEING SOLD TO
A DEVELOPER

EVERYTHING I TELL YOU HAS BEEN DOCUMENTED BY ME.

E.S.
5/21/2018

(3)

D.L. 30 ACRES WAS NEVER BEING SOLD +
BEING PERMITTED.

MAYOR DOCUMENTS SHOW WHAT WAS GOING ON IN 2015
MAYOR SPOKE ABOUT DEVELOPER'S SCHEME A
+ SCHEME B.

T.S. THEY KNOW WE ARE INTERESTED + WE ARE
WILLING TO PAY WHATEVER IT COSTS
WHY WOULD THEY SELL TO A DEVELOPER?

MAYOR MORE MONEY.

MAYOR SPOKE ABOUT HOB DEVELOPMENT + ITS IMPACT

T.S. WHY WOULD WE PAY \$25M

MAYOR WE ASKED FOR A PRICE - IF YOU DON'T SELL
IT TO US NOW, GIVE US RIGHT OF FIRST REFUSAL.

C.Y. NOT SELLING TO US, IT SEEMS PRETTY CLEAR

MAYOR STIG IS FINISHED UNLESS MAYOR + CC
WORK TOGETHER.

THEY WILL EVENTUALLY PUT IN A HOB.

F.S.
5/21/2018

4

MAYOR - WE NEED TO AT LEAST GET A PORTION TO PROTECT IT FROM DEVELOPMENT.
IF NOT FOR A SCHOOL, THEN OPEN SPACE.

CITY BOUGHT JERICHO HILL + SANDERSON HEIGHTS TO PROTECT THE SITE

IT WILL BE AN ISSUE TO ADDRESS BY THE CITY.

RAL. IN YOUR OPINION WHAT SHOULD WE DO TO HELP YOU.

MAYOR WE NEED TO BE UNITED.

KUCH ARE THERE ANY CONFLICTS?

P.B. HOW WILL WE KNOW WHEN IT HAS BEEN SOLD?
IF THAT HAPPENS, WE SHOULD TAKE IT.

MAYOR IF IT IS A LOB, YOU WILL HAVE A HARD TIME DOING A TAKING.

PB ATTY PATEN SAID IT IS NOT FOR SALE. WE WOULD BE IN A STRONGER POSITION IF WE HAVE ALWAYS WANTED IT.

CERVONE THEY ARE WAITING US OUT.

E.S.
5/21/2018

(5)

PAT A CHANGING ZONING WOULD NOT PROTECT FROM A HOB.

MAYOR THIS IS ABOUT PROTECTING THE CITY.

D.R. REAL ISSUE IS WHAT ARE WE DOING ABOUT WHS.

MAYOR IN ORDER TO PROTECT THE CITY, WE NEED TO BUY THE STIG PROPERTY.

THE LEAST OPPOSITION WAS FOR THE STIGS...
THE ONLY SITE AVAILABLE TO SE + SBC IS
THE CURRENT WHS SITE.

B.F. WARD 2 SUPPORTS TAKING THE SITE, IT IS IN THE
BEST INTEREST OF THE CITY - WILLING TO HAVE
A SCHOOL NOT A HOB. PEOPLE WANT CITY TO
HAVE CONTROL OF THE LAND.

MAYOR IF YOU WANT STIGS, YOU NEED TO UNITE TO
SEND A TRUE MESSAGE
YOU CAN DISSENT ON VOTE BUT NOT ON PROCESS.

D.L. WE ARE UNITED, THERE IS A RESOLUTION
SUPPORTING NEGOTIATION + A FRIENDLY TAKING

MAYOR CANNOT LET CITY SHOW IT IS NOT UNITED.

E.S.
5/21/2018

(6)

J. LA IF WERE AN UNITED, IT WILL SHOW OTHER SIDE
WE ARE SERIOUS. SCARE THE OTHER SIDE.

RA. L. IF CANNOT DISCRIMINATE AGAINST A HUB, WHAT
ARE WE SUBJECTING US TO?

EVERYONE WE HAVE NO LIABILITY OTHER THAN PRICE,
IF A VALID PUBLIC PURPOSE, IT CANNOT BE
CHALLENGED.

WHAT IS LAND ACTUALLY WORTH?

MAYOR UMass PROPERTY - THERE ARE REQUESTS TO
TRANSFER LAND TO THE CITY. IF UMass INFO GETS
OUT, THEY WON'T BE ABLE TO SELL TO THE CITY.

5/4 - MAYOR SAT DOWN W/ UMass PEOPLE

MAYOR GAVE A CHRONOLOGY LEADING UP TO THAT DATE.

355 USABLE ACRES - WE NEED TO GET AN APPRAISAL
UMass NOT SUBJECT TO RULES THAT CITY
DOES W/ PROCESS.

MAYOR WENT OVER + + - OF SITE.

F.S.
5/21/2018

(7)

MAYOR BECAUSE IT IS A REGIONAL FARM + A POLITICAL PROCESS AT THE STATE LEVEL, YOU CAN EXPECT A LOT OF PUSH BACK.

ENVIRONMENTAL ISSUES ARE UNKNOWN.

WE NEED TO MAKE SURE BOTH PARCELS (VMASS + STIGS) ARE IN PLAY.

WE ARE GOING TO HAVE SIMILAR - NIMBY

T.S. IS THERE A RIGHT OF FIRST REFUSAL

MAYOR THEY WANT CASH

MAYOR NEED TO DO - CAN'T JUST SIT BACK

- APPRAISAL
- ENVIRONMENTAL
- TITLE SEARCH

WILL COME BACK TO C.C. WITH INFO TO MAKE A DECISION.

J. McI VMASS IS IN DISARRAY - YOU NEED TO MOVE QUICKLY.

E.S.
5/21/2018

8

MAYOR WORRIES ABOUT APPRAISAL, WORRIES ABOUT THE CONDITION OF THE LAND.

DO NOT HAVE ANY HOPE FOR WHS AT THIS SITE.

CONCERNS ABOUT PUSH BACK AT STATE LEVEL - NEED TO BE UNITED.

T.S. THIS IS PUBLIC PROPERTY - DOES NEED ACTION OF STATE LEGISLATURE.

MAYOR DISCUSSED / EXPLAINED THE ENVIRONMENTAL ISSUES AT VMAS SITE

MAYOR OF CHESTERBROOK SITE - IT IS INCUMBENT TO GIVE THE SCHOOL DEPT THE LAND THEY NEED FOR WHS.

HAVE TO PURSUE ALL 3 SITES

STREAM + ELEVATION ARE ISSUES ON THIS SITE

MAYOR WANT TO PURSUE A MODIFIED APPRAISAL W/ VMAS

E.S.
5/1/2018

(9)

JMcL MOST OPPOSITION TO STIGS WAS THROWING
PRIESTS OFF SITE

MAYOR CITY SHOULD ACQUIRE BOTH STIGS + VMAS.

IS THERE ANOTHER SITE YOU WANT US TO LOOK AT?

ONLY WILL BE WORKING ON THESE 3 SITES.
ARE YOU SET W/ THESE 3 SITES.

T.S. NOT IN FAVOR OF STIGS OR ~~OF~~ CHESTERBROOK

P.L. SUPPORT PURSUING ALL THREE SITES.

MAYOR NEED TO SEND A LETTER TO ATTY PATEN.

C.C. HAS NO RIGHT TO COMPROMISE THE PROCESS,
CANNOT SHARE INFO W/ OTHER SIDE

CAN ONLY ACQUIRE STIGS W/ TAKING.

RA.L IF WE WERE UNITED, ARE THEY WILLING TO SIT
DOWN TO NEGOTIATE

D.L. MOTION TO ADJOURN EXSESSION - ROLL CALL

AT 10:25 PM

13 - FOR

1 ABSENT
(MACKIN)

City of Waltham
Committee of the Whole - EXECUTIVE SESSION

Date 5/21/2018 10:25 PM

Maker D. LEBLANC

Motion ADJOURN EXECUTIVE SESSION & RECONVENE
OPEN SESSION #

Roll Call Vote

Councillor Brasco	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Darcy	☒ YES	☐ NO	☐ ABSENT	☐
Councillor Fowler	☒ YES	☐ NO	☐ ABSENT	☐
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Vice-President Logan	☒ YES	☐ NO	☐ ABSENT	☐
TOTAL	☐ YES	☐ NO	☐ ABSENT	☐

Ruling MOTION PASSES