

Waltham City Council
Minutes of the Meeting of
January 22, 2018

President LeBlanc called the meeting to order at 7:30pm.
The Clerk Pro Tem called the roll of the City Council.

Call of the Roll:

City Council

Present: Councillors Darcy, Logan, McMenimen, Fowler, McLaughlin, Romard, Waddick, LeBlanc, D. Vidal, Brasco, Mackin, Harris, Lacava, McLaughlin
Absent: LeBlanc, R

The Clerk Pro Tem recited the Council Prayer followed by President LeBlanc leading all present in the Pledge of Allegiance. Councillor Harris asked for a moment of silence for all our military that have served; past and present.

The Clerk Pro Tem read Rule 86.

First Public Hearing: Petition for a 17-25 for Bay Colony Construction Development, LLC at 1101 Main St. Joseph M. Connors, 142 Chaffe Ave., Waltham, MA representing the petitioner, spoke in favor of the petition. One person stood in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Romard, Vidal, Fowler, Mackin, McMenimen, Darcy and Waddick spoke on the petition. With no further questions from Councillors President LeBlanc referred the matter to the Public Works and Public Safety Committee.

Second Public Hearing: Petition for a 17-25 for Leonard J. Gauvin and Denise A. Gauvin, 43 Candlewood Drive, Waltham, MA at 49 Hardy Pond Road/5 Plant Road.

Joseph M. Connors, 142 Chaffe Ave., Waltham, MA representing the petitioner, spoke in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Darcy and Vidal spoke on the petition. With no further questions from Councillors President LeBlanc referred the matter to the Public Works and Public Safety Committee.

Third Public Hearing: Fuel Storage License for Manfred Lauchart at 26 Lory Drive, Waltham, MA Christopher Mulroney, 66 Dutches St., Hopedale, MA, representing the petitioner spoke in favor of the petition. Pam Perini, 42 Freemont Terrace, Waltham, MA spoke in a neutral position on the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Romard, Vidal, McMenimen and Fowler spoke on the petition. With no further questions from Councillors President LeBlanc referred the matter to the License and Franchise Committee.

Fourth Public Hearing: Special Permit for 275 Wyman Street LLC at 225 Wyman St., Waltham MA Robert E. Connors Jr., of Connors and Connors, LLC at 6 Lexington St., Waltham, MA, Attorney for the petitioner spoke in favor of the petition. Connie Braseland, Waltham, MA, Lisa Launsorsee, Waltham, MA, Donnie Voight's, 96 Atlanta St., Haverhill, MA, Jeff Stanton, Beach House River Rd., Waltham, MA, Bob Marcou, 5 Bancroft St., Waltham, MA, Kevin Kelly, Wayland, MA Scott

Coleman, 7 Kenwood Lane, Waltham, MA Justin Barrett, Curve St., Waltham, MA all spoke in favor of the petition. Thirty-seven people stood in favor of the petition.

Linda Hanley, 58 Weir Rd., Waltham, MA, Susan Poirier, 27 Weir Rd., Waltham, MA, Sally Rubin, 30 Casey Circle, Waltham, MA, Ann Donahue, 578 Lincoln St., Waltham, MA, Robert Davis, 37 Autumn Lane, Waltham, MA, Alan Muir, 33 Bigelow Road, Waltham, MA, Bob Hanley, 58 Weir Rd., Waltham, MA all spoke in opposition of the petition. Twelve people stood in opposition of the petition. Alex Green, Waltham, MA and Pam Perini, 20 Freemont Terrace spoke in a neutral position on the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Fowler, Logan, McMenimen, McLaughlin, Darcy all spoke on the petition. With no further questions from Councillors President LeBlanc referred the matter to the Ordinances and Rules Committee. Councillor Darcy moved to request that residents in Kings Way Casey Estates, Lincoln St. and the Weir Road neighborhood be notified about the next Committee meeting regarding this matter. Roll call requested. On the motion Councillor Logan questioned the cost of the notification of the mailing.

In favor: Brasco, Darcy, Fowler, Harris, LaCava, Logan, McLaughlin, Romard, Stanley, Waddick, Vidal, LeBlanc, D. Mackin, McMenimen

Opposed: None

Absent: LeBlanc, R.

Request was approved.

Communications from the Mayor

1. The Mayor respectfully requested the appointment of Courtney Semlow, 2007 Stearns Hill Road, Waltham, MA 02451 as a permanent member of the Conservation Commission for a term of three (3) years pursuant to section 2-272 of the City Ordinance to fill the vacancy left by Tali Gill-Austern. Referred to the Committee of the Whole

2. The Mayor respectfully requested acceptance of two (2) grants from the Massachusetts Emergency Management Agency, FFY 2017-2018 HMEP Grant in the amount of \$4,150.00 and FFY 2017 EMPG Grant in the amount of \$22,460.00. The funds will be used to provide training and updating and publishing the Emergency Plan, as well as the purchase of SCBA air packs for the Air Supply Unit. These grants do not require any new personnel, nor the expenditure of any additional City funds. Referred to the Finance Committee

3. The Mayor respectfully requested acceptance of a grant from the Executive Office of Public Safety to receive funding in the total amount of \$9,716.00 for the Student Awareness of Fire Education (SAFE) Program (\$6,707.00) and the Senior SAFE programs (\$3,009.00). The funds will be used to provide materials and training sessions for children and seniors. This grant does not require a City match or in-kind contribution. Referred to the Finance Committee

4. The Mayor respectfully requested an appropriation of funds in the total amount of \$236,000.00 to purchase one (1) street sweeper for the CPW Department. Under the EPA Administrative Consent Order, the City is required to clean streets on a greater frequency to minimize the effect of sand, salt and other street materials from entering the storm drain system. Councillor Brasco moved to waive the reading. All in favor.

FROM:

#600-440-3590-3590	Retained Earnings (sewer)	\$171,971.00
#603-000-2017-3590	Bond Premium-2017 (sewer)	\$ 64,029.00

TO:

#600-440-5800-6447 Sewer – CPW Street Sweeper \$171,971.00

#603-440-2017-6447 Sewer - CPW Street Sweeper \$ 64,029.00

Referred to the Long Term Debt Committee

Councillor Logan moved to request a copy of the Administrative Consent Report. Request approved by a voice vote.

5. The Mayor respectfully requested acceptance of donations in the amount \$350.00 from Payson Park Church and The New Light Korean Church. These funds will be used towards their community programs.

Referred to the Finance Committee

6. In regards to the Rights of Way (ROW) Rt. 117/Main Street Bridge/Stow Street/ Third Avenue Signal the Mayor respectfully asked to accept the 1290 Main Street offer, and proceed with the necessary paperwork and prior to expending any City money, what, if anything, is her authority on these ROW acquisitions? President LeBlanc stated this is not a new matter but tabled in Committee. Referred to the Committee of the Whole

7. Councilor Logan moved to accept a late field communication form the Mayor of the \$3000 grant. All in favor. Communication accepted by a voice vote.

Referred to the Finance Committee.

Applications & Licenses

- Lodging House renewal: 52-54 Bedford St. – George Kimball
- Lodging House renewal: 124 Ash St. – Romeo Delaney
- Lodging House renewal: 12 Lowell St. – Hurley House Inc. – David Moore
- Extended Hours renewal: 12 Harvard Street – CVS Pharmacy #114

All were referred to the License and Franchise Committee

Resolutions

- Tobacco Free Tuesday Resolution: Sponsored by Councillors Vidal, LeBlanc, D., Fowler, Logan Councillor Vidal spoke on the Resolution. He made two requests. First was to be sent to the Committee of the Whole. President LeBlanc suggested that he split his request. Councillor Vidal moved to split the request. Councillor Vidal moved to act on the first be it resolve without committee reference. All were in favor. Councillor Vidal moved to accept that February 6, 2018 be Tobacco Free Tuesday. Matter approved by a voice vote. Councillor Vidal moved to invite the Trailblazers to come to the next Committee of the Whole meeting to be held on Monday, February 5, 2018. All were in favor and request was approved by a voice vote. The other portion of the resolution was referred to the Committee of the Whole.

- Local 339 Carpenters Resolution: Sponsored by Councillor LaCava Councillor LaCava spoke on the Resolution. President LeBlanc referred to the Economic and Community Development Committee. Councillor Lacava made a request to have the Union Rep. attend a Committee meeting. All were in favor and request was approved by a voice vote.

- Mary E. Teixeira 100th Birthday.

Councillor Fowler spoke on the Resolution. Councillor Fowler made a motion to act on the matter without committee reference. All were in favor. Councillor Fowler moved approval of the Resolution. All were in favor and the resolution was approved by a voice vote.

- CIP Resolution

Councillor Stanley spoke on the Resolution. Referred to the Long Term Debt Committee. Councillor Stanley made a request. All were in favor and the request was approved.

Committee Reports

License and Franchise

1. The License and Franchise Committee recommends the Fuel Storage License for ARE_MA Regional No 63 located at 275 Second Avenue be approved. Councillor Brasco moved that the action of the committee be the action of the Council. Matter approved by a voice vote.

2. The License and Franchise Committee recommends the Secondhand Dealers license for Brett Beveridge, owner of T.Mobile located at 1019 Trapelo Road be approved. Councillor Brasco moved that the action of the committee be the action of the Council. Councillor Logan moved to amend the order to state that the license be limited to cellular phones and related accessories. Amendment was approved by a voice vote. Councillor Brasco moved approval of the amended action. All were in favor and matter was approved by a voice vote.

3. The License and Franchise Committee recommends Class II renewal for Classic Cars Inc. at 251 High Street be approved. Councillor Brasco moved that the action of the committee be the action of the Council. Matter approved by a voice vote.

Economic and Community Development

1. The Economic and Community Development Committee recommends the Order stating the Clerk's Office to electronically send to all City Councillors copies of all 2017 Resolutions be approved. Councillor Fowler moved that the action of the committee be the action of the Council. Matter approved by a voice vote.

Finance Committee

1. The Finance Committee recommends the transfer in the amount of \$30,000 from Sewer and Water – MWRA Assessment to Sewer and Water – Trench Tailings for the transportation and removal of materials for water and sewer repairs be approved. Councillor McMenimen moved that the action of the committee be the action of the Council. Matter approved by a voice vote.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends an amendment to Ordinance Part II, Chapter 13, Article IV of the General Ordinances of the City of Waltham entitled "Electric Wires Department and Inspector of Wires" be approved for a first reading. Councillor McLaughlin moved that the action of the committee be the action of the Council. Matter approved by a voice vote. Councillor McLaughlin moved to recommit matter back to the committee. All were in favor and matter was recommitted.

2. The Ordinances and Rules Committee recommends the Resolution regarding Disclosure of Campaign Contributions be filed. Councillor McLaughlin moved that the action of the committee be the action of the Council. On the motion Councillor Darcy spoke on the matter.

Roll call requested.

In favor of filing: Brasco, Fowler, Harris, Logan, McLaughlin, Romard, Stanley, Vidal, Waddick, LeBlanc, D.

Opposed: Darcy, Lacava, Mackin, McMenimen

Absent: LeBlanc, R.

3. The Ordinances and Rules Committee recommends the Resolution regarding a Senior Committee be filed. Councillor McLaughlin moved that the action of the committee be the action of the Council. On the motion Councillor Darcy spoke on the matter.

Roll call requested.

In favor of filing: Brasco, Fowler, Harris, Logan, McLaughlin, Romard, Stanley, Vidal, Waddick, LeBlanc, D. Lacava

Opposed: Darcy, Mackin, McMenimen

Absent: LeBlanc, R

4. The Ordinances and Rules Committee recommends the Resolution regarding Merging Long Term Debt and the Finance Committee be filed.

Councillor McLaughlin moved to suspend the rules to continue with meeting and go beyond midnight. Roll call requested.

In favor: Darcy, Fowler, Harris, Logan, McLaughlin, McMenimen, Lacava, Mackin

Opposed: Brasco, Vidal, Waddick

The Clerk Pro Tem reminded council that there are matters needing immediate attention this evening. Roll call was reconsidered again.

In favor: Fowler, Harris, LeBlanc, R., Logan, McLaughlin, Romard, Stanley, Vidal, Waddick, LeBlanc, D. Lacava, Darcy, Mackin, McMenimen

Opposed: Brasco

Absent: LeBlanc, R.

Matter was approved to go beyond midnight. Councillor Darcy spoke on the Resolution. Councillor Stanley spoke on the matter. Councillor Waddick spoke on the matter. Councillor McLaughlin moved that the action of the committee be the action of the Council. Matter approved by a voice vote.

5. The Ordinances and Rules Committee recommends the Resolution regarding Committee Assignments by Mathematics be filed. Councillor Darcy spoke on the matter. Councillor McLaughlin moved that the action of the committee be the action of the Council. Roll call requested.

In favor: Fowler, Harris, LeBlanc, R., Logan, McLaughlin, Romard, Stanley, Vidal, Waddick, LeBlanc, D. Lacava, Brasco

Opposed: Darcy, Mackin, McMenimen

Absent: LeBlanc, R.

Matter was approved.

President LeBlanc stated there was a matter inadvertently left off of the Docket regarding the request for a pay increase for the Assistant City Clerk to be approved. Councillor Logan moved to accept the request. On the motion Councillor Romard spoke on the matter. Councillor Logan spoke on the request. Councillor Stanley spoke on the matter. Councillor Fowler spoke on the matter. Councillor

Mackin spoke on the matter. Councilor Logan moved that the action of the committee be the action of the Council. Roll call requested.

Roll call requested.

In favor: Harris, Logan, Darcy, LeBlanc, D., Stanley, Waddick, Fowler, McLaughlin, Vidal

Opposed: Brasco, LaCava, Mackin, McMenimen, Romard,

Absent: LeBlanc, R.

Unfinished Business & Other Business

- Time extension for BP 99 Third Ave, LLC at 99 Third Ave.

Referred to the Ordinances and Rules Committee

- Time extension for Trustees of Zee Em Trust II at 470, 486 & 504 Totten Pond Road

Referred to the Ordinances and Rules Committee

- Time extension for Colbea Enterprises, LLC 225 Waverly Oaks Road

Councillor McLaughlin spoke on the matter. Councillor McLaughlin moved to act on the matter without committee reference. All were in favor. Councillor McLaughlin moved that the matter be approved.

Roll call required.

In favor: Brasco, Darcy, Fowler, Harris, Lacava, Logan, McLaughlin, Mackin, McMenimen, Romard, Stanley, Waddick, Vidal, LeBlanc, D.

Opposed: None

Absent: LeBlanc, R.

- Communication from School Committee relative to joint meeting between the City Council and School Committee and School Building Committee Councillor Logan moved to take the matters concerning the site of the high school off of the table. All were in favor. Matters were before the Council. Councillor Logan moved to approve the item relating to having the meeting at accept the agenda put forward from the School Dept. adding the time and location. On the motion Councillors Romard, Mackin and Vidal spoke on the matter. Matter approved by a voice vote. Councillor Logan made a motion to add that the Representatives be added to the list of invitees be approved. On the motion Councillor Fowler spoke and wanted to make clear that they are not presenting. They are there for technical questions if need be. Matter approved by a voice vote. Councillor Logan moved to have each body be responsible for taking their own minutes. On the motion Councillor McMenimen spoke on the matter. She would like to add that each Clerk be given the minutes. All in favor of the amendment. Councillor Logan moved to add a Seven O'clock start time on January 30, 2018 be approved. Approved by a voice vote. Councillor Logan suggested having Co-Chairs from each body represented to run the meeting. On the motion Councillor Romard spoke on the matter. Councillor Darcy spoke on the matter. Matter was approved by a voice vote. Councillor Logan made a motion to send this responses back to the school committee. Matter approved by a voice vote. Councillor Logan made a motion to place matters back on the table. Matters placed back on the table by a voice vote.

Councillor Romard mentioned the opening of the Watertown Saving Bank at market Basket ribbon Cutting Ceremony will be held tomorrow, Tuesday January 23, 2017 at 4:30p.m.

Tabled Items

- Moderator to facilitate the joint meeting for the Waltham High School building project
- Chair of the Conservation Commission, the Chair of the Historical Commission the Chair of the Community Preservation Commission, the Traffic Engineer and the architect for the Waltham High

School Project be invited to participate in the joint meeting of the Waltham City Council, the Waltham School Committee, the Waltham School Building Committee and the Mayor

- Joint meeting of the Waltham City Council, the Waltham School Committee, the Waltham School Building Committee and the Mayor be scheduled to discuss the Waltham High School building project
- Minutes from 5/8/2017
- Communication from Mayor dated July 3, 2017 regarding Veterans Fields on Forest Street, Gann Academy and Bentley University, Community Preservation Act Fernald Land and the Massachusetts Historical Commission Letter

Councillor Logan moved to adjourn. President LeBlanc declared the meeting adjourned at 12:36a.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

February 5, 2018

Approved by the City Council: _____