

Waltham City Council
Minutes of the Meeting of
November 13, 2017

President LeBlanc called the meeting to order at 7:30pm.

The Clerk called the roll of the City Council.

Call of the Roll:

City Council

Present: Councillors Darcy, LeBlanc, R., Logan, McMenimen, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal, Brasco

Absent: O'Brien

The Clerk recited the Council Prayer followed by President LeBlanc leading all present in the Pledge of Allegiance.

Councillor Giordano asked for a moment of silence for all our military that have served; past and present.

Councillor Logan moved approve the minutes for the 10/23/2017 City Council meeting. All were in favor and minutes were approved by a voice vote.

President LeBlanc acknowledged newly elected Kristine Mackin was in the audience.

Communications from the Mayor

1. The Mayor respectfully requested acceptance of the State 911 Department Training Grant (renewal) in the amount of \$29,815. It is a reimbursable grant for training related costs associated with the 911 system. This grant does not require matching funds and is effective for the fiscal year ending June 30, 2018.

Referred to the Finance Committee

2. The Mayor respectfully requested an appropriation of funds in the amount of \$100,000.00 to engage a contractor to repair and resurface the courts and spray parks throughout the City.

Referred to the Finance Committee

3. The Mayor respectfully requested acceptance of a gift of 50 Naloxone (Narcan) Nasal Kits from the Newton-Wellesley Hospital to the Waltham Health Department. These kits will be provided to the Fire Department. Enclosed please find a communication from the Health Director. Mr. Zuppe is available to answer any questions you may have regarding this request.

Referred to the Finance Committee

4. The Mayor respectfully requested the acceptance of a grant (renewal) through the Executive Office of Public Safety and Security State 911 Department in the amount of \$152,176 for the State 911 Department Support and Incentive Public Safety Answering Point (PSAP) Grant – FY2018. These funds will be used to assist PSAP and regional emergency centers in providing enhanced 911 services and to encourage the development of regional PSAP, regional secondary PSAP and regional emergency communication centers. This grant does not require matching funds from the City.

Referred to the Finance Committee

5. The Mayor respectfully requested an appropriation of funds in the amount of \$18,000.00 for the design services associated with the asbestos abatement and building-related hazardous

materials on the exterior/interior of the CERC & Shriver, Kelly and Greene Buildings on the Fernald property.

Referred to the Finance Committee

6. The Mayor requested an appropriation of funds in the amount of \$10,000.00 for one pair of Rapid Rectangular Flashing Beacon (RRFB) crosswalk lights. The lights will be installed at the southeast and southwest corners of the intersection at Forest Street/Harrington Road/Veterans' Fields. The City's Wires Department with assistance from the CPW Department will perform the installation.

Referred to the Finance Committee

7. The Mayor requested a transfer of funds in the amount of \$78,380.00 to fund HVAC replacement/upgrades for City buildings. Urgent replacement/upgrades totaling \$45,056.00 have been incurred against the Building Department operating account and it is anticipated several other heating issues in City buildings will use the remaining \$33,324.00 over the next several months.

Original funding approved on 11/6/2017	\$150,000.00
Less City Hall boilers expense	\$ 71,620.00
Remaining amount to transfer for the following items:	\$ 78,380.00
Incurred HVAC expenses	\$ 45,056.00
Anticipated HVAC expenses	\$ 33,324.00

FROM:

#310-192-2017-6241 Bldg-City Hall Boilers	\$78,380.00
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Referred to the Finance Committee

Applications & Licenses

Massport Letter Application – Carlos Acosta-Boston Livery Corp. dba GoBoston-18 Bedford St.

Referred to the License & Franchise Committee

License & Franchise

1. The License & Franchise Committee recommends the fuel storage application at 190 Moody Street be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

2. The License & Franchise Committee recommends the Grant of Location for NStar dba Eversource on Central Street be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Councillor McMenimen moved to have any resolutions submitted to night be accepted and a roll call was requested.

In favor: Brasco, Darcy, LeBlanc, R., Logan, McMenimen, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal

Opposed: None

Absent: O'Brien

Matter was approved.

The meeting proceeded with Resolutions.

The Clerk read the first Resolution: Salvation Army Red Kettle Drive.

Councillor Marchese spoke on the Resolution. Councillor Marchese moved to suspend the rules to hear from an off committee member. All were in favor. Mohair LaPare and his wife Sarah and family are the new Lieutenants of the Salvation Army were introduced and he spoke on being new to the Waltham Area.

Councillor Marchese moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Marchese moved approval of the resolution. All were in favor and matter was approved by a voice vote.

The Clerk read the second Resolution: Small Business Saturday.

Councillor Logan spoke on the Resolution.

Councillor Logan moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Logan moved approval of the resolution. All were in favor and matter was approved by a voice vote.

The Clerk read the third Resolution: Affordable Housing Zoning Code Amendment Resolution.

The Clerk and the Councillor McMenimen read the Resolution.

Councillor McMenimen spoke on the Resolution.

Councillor McMenimen submitted a request to ask the City Solicitor to come in to discuss This topic. Councillor Logan stood and spoke on the request. Councillor McMenimen asked for a roll call.

In favor: Darcy, McMenimen

Opposed: Brasco, LeBlanc, R., Logan, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal

Absent: O'Brien

Request was not approved and Resolution was referred to the Ordinances & Rules Committee.

The Clerk proceeded to read the rest of the Committee reports.

Councillor Brasco moved to approve numbers 3-11 be approved collectively. All were in favor and the matters were approved.

3. The License & Franchise Committee recommends the Class II license renewal at 103 Felton Street for Sideris Automotive Services Inc. be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

4. The License & Franchise Committee recommends the Class II license renewal at 712 Moody Street for DW Enterprises Inc. be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

5. The License & Franchise Committee recommends the Class II license renewal at 255 Newton Street for Newton Street Service Inc. be approved.

6. The License & Franchise Committee recommends the Class II license renewal at 185 Prospect Street for Colvin's Inc. be approved.

7. The License & Franchise Committee recommends the Class II license renewal at 44 Charles Street for PPA Inc. dba Waltham be approved.

8. The License & Franchise Committee recommends the Class II license renewal at 935R Main Street – Pilicy Auto & Yacht Inc. be approved.

9. The License & Franchise Committee recommends the Class II license renewal at 50 River Street –Absolute Auto Sales be approved.

10. The License & Franchise Committee recommends the Class II license renewal at 20 Common Street –Euro Auto Brokers be approved.

11. The License & Franchise Committee recommends the Class II license renewal at 40 Green St. Route 128 Used Auto Parts & Sale’s Inc. be approved.

12. The License & Franchise Committee recommends the Massport Letter Application for Andrew Wantate at 71 Middlesex Road Apt. #5 be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Committee of the Whole

1. The Committee of the Whole recommends the 101R Elm Street Resolution be filed. Councillor Logan moved that the action of the Committee be the action of the Council.

Roll call requested:

In favor: Brasco, LeBlanc, R., Logan, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal, McMenimen

Opposed: Darcy

Absent: O’Brien

Matter was filed.

Finance

1. The Finance Committee recommends the appropriation in the amount of \$150,000 to replace both boiler units at City hall be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

2. The Finance Committee recommends the transfer of impact funds totaling \$286,654 to be used towards traffic signal reconstruction at River/Farwell/Seyon Streets be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

3. The Finance Committee recommends the appropriation of funds in the amount of \$130,725 to award the low and responsible bid for the design services at the intersection at 380 Lexington Street be approved. Councillor McMenimen spoke on the matter. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Long Term Debt & Capital Planning

1. The Long Term Debt Committee recommends the CPC application for FY2018 estimated surcharge and auditors true up finds be approved. Councillor Marchese moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Ordinances & Rules

1. The Ordinances & Rules Committee recommends the gas Leak Ordinance be approved for a first reading. Councillor Rourke spoke on the matter. Councillor Rourke moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote. Councillor Rourke moved to recommit the matter to the Committee. All were in favor and matter was recommitted.

Unfinished Business & Other Business

- Water Line Easement at Glen Circle to Lincoln Street
Referred to the Public Works & Public Safety Committee

- Open Meeting Law Complaint

Councillor Waddick rose to submit two requests. First request is to ask Assistant Solicitor Azadi to review the complaint and report to the Council what her opinion is. All were in favor and request was approved. The second request is to ask Assistant Solicitor Azadi to request the time for the open meeting law complaint be extended until December 1, 2017. All were in favor and request was approved.

Matter was referred to the Committee of the Whole

- Time extension for petition for Special Permit at 151-171 Bear Hill Road

Referred to the Ordinances & Rules Committee.

- Extension of time of Special Permit at 850 Winter Street & 920-930-940 Winter Street

Councillor Logan moved to suspend the rules and act of the matter without committee reference. All were in favor. Councillor Logan moved to approve the time extension. Roll call required.

In favor: Brasco, LeBlanc, R., Logan, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal, McMenimen, Darcy

Opposed: None

Absent: O'Brien

Matter was approved.

Councillor Rourke moved to accept a late filed communication. All were in favor. Councillor Rourke moved to suspend the rules and act of the matter without committee reference. All were in favor. Councillor Rourke moved to approve the time extension for the Bishops Forest Special Permit through December 27, 2017. Roll call required.

In favor: Brasco, LeBlanc, R., Logan, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal, McMenimen, Darcy

Opposed: None

Absent: O'Brien

Matter was approved.

Tabled Items

- Dog Retreat Special Permit at 219 Bear Hill Road
- Children's Hospital Zoning Amendment Veto Order #33649
- Community Thank you Resolution
- 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
- Vote of the School Committee: To make a request of the City Council of their suggested uses at the Fernald Property and their approximate location, to determine if they are compatible with a school.

950 Winter Street Fuel Storage License

Councillor Logan moved to adjourn. President LeBlanc declared the meeting adjourned at 8:17p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

November 21, 2017

Approved by the City Council: _____