

Waltham City Council  
Minutes of the Meeting of  
November 23, 2020

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President Brasco called the meeting to order at 7:50 p.m.

**Call of the Roll**

Present: Councillors Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley, Vidal and Brasco.

Absent: None

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

Councillor LaFauci moved approval of the minutes of the meeting of 11/9/2020. The motion was adopted on a voice vote and the minutes were approved.

**Communications from the Mayor**

1. The Mayor respectfully requests acceptance of a donation by the Digital Federal Credit Union to the City of Waltham Police Department in the amount of \$5,000. Referred to the Finance Committee.
2. The Mayor respectfully requests acceptance of a donation by the Digital Federal Credit Union to the City of Waltham Fire Department in the amount of \$5,000. Referred to the Finance Committee.
3. The Mayor respectfully requests acceptance of a donation in the amount of \$200 toward the upkeep and maintenance of the Holiday Lights on the Common. Referred to the Finance Committee.
4. The Mayor respectfully requests a transfer of funds totaling \$15,880 to conduct a topographical survey and develop an easement plan for the private portion of Clark Street. Referred to the Finance Committee.
5. The Mayor respectfully submits a requests for funding from the Waltham Community Access Corporation to purchase more audio equipment to support social distancing at Government Center. Referred to the Finance Committee.
6. The Mayor respectfully requests acceptance of a MEMA FFY 2020 EMPG Grant in the amount of \$25,600 for the City of Waltham's Emergency Management Department. Councillor LaCava made a motion to suspend the rules to act on the matter without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor LaCava moved approval of the Grant. The motion was adopted by a voice vote and the matter was approved.
7. The Mayor respectfully requests the confirmation of the appointment of Dr. Davis Patel of 109 Raffaele Drive, Waltham, as a member of the Ambulance Review Committee. Referred to the Committee of the Whole.
8. The Mayor respectfully requests a response in support or not in support of an interested party possibly pursuing to rent or buy the McLaughlin Building at 475 Trapelo Road for educational use. Referred to the Fernald Use Committee.

## **Applications and Licenses**

All matters referred to the Licenses and Franchises Committee

- Class 2 renewal – 825 Main Street – Don’s Service Center, Inc.
- Class 2 renewal – 251 High Street – Classic Cars Inc.
- Class 2 renewal – 97R Linden Street – ABKO Auto Body & Paint, Inc.
- Extended hours renewal – 591 Moody Street – 7-Eleven #37504A
- Lodging house renewal – 104 Adams Street – SMT Realty Associates, Inc.
- Lodging house renewal – 74 Adams Street – SMT Realty Associates, Inc.
- Lodging house renewal – 24-26 High Street – Scott Hefter
- Lodging house renewal – 12-14 Lowell Street – Middlesex Human Services Agency, Inc.

## **Orders, Ordinances & Resolutions**

- Resolution Concerning 2021 Proposed MBTA Servicer Cuts Affecting Public Transportation in Waltham

The City Clerk read the Resolution. Councillors Darcy, Mackin and O’Brien spoke on the Resolution. Councillor Darcy moved to suspend the rules and act on the matter without Committee reference.

The motion was adopted by a voice vote and the matter was approved. Councillor Darcy moved approval of the Resolution. The motion was adopted by a voice vote and the matter was approved. Councillor Darcy requested that a correspondence expressing the Council’s opposition to the service cuts be sent to various officials. The request was approved by a voice vote.

Councillor McMenimen recused herself from all of the Fernald Resolutions.

- Resolution Concerning Security at The Fernald

The City Clerk read the Resolution. Councillor Darcy spoke on the matter. President Brasco referred the matter to the Fernald Use Committee.

- Resolution Concerning Housing at The Fernald

The City Clerk read the Resolution. Councillor Darcy spoke on the matter. President Brasco referred the matter to the Fernald Use Committee.

- Resolution Concerning an Equestrian Center at The Fernald

The City Clerk read the Resolution. Councillor Darcy spoke on the matter. President Brasco referred the matter to the Fernald Use Committee.

- Resolution Concerning Access to The Fernald for Forest Street Residents

The City Clerk read the Resolution. Councillor Darcy spoke on the matter. President Brasco referred the matter to the Fernald Use Committee.

- Resolution Concerning a Pollinating Pavilion at The Fernald

The City Clerk read the Resolution. Councillor Darcy spoke on the matter. President Brasco referred the matter to the Fernald Use Committee.

- Resolution Concerning Viticulture and Solar Power at The Fernald

The City Clerk read the Resolution. Councillor Darcy spoke on the matter. President Brasco referred the matter to the Fernald Use Committee.

- Resolution Inviting the City Auditor to the Committee of the Whole to discuss the Bond Sale for Waltham High School

The City Clerk read the Resolution. Councillor McMenimen spoke on the matter. President Brasco referred the matter to the Committee of the Whole.

- Resolution on Gardencrest

The City Clerk read the Resolution. Councillor Durkee spoke on the matter. President Brasco referred the matter to the Public Works & Public Safety Committee. Councillor Durkee submitted three requests that were approved by a voice vote.

- Red Kettle Resolution

The City Clerk read the Resolution. Councillor Harris spoke on the matter. Councillor Harris moved to suspend the rules to act on the Resolution without Committee reference. The motion was adopted by a voice vote and the matter was approved. Councillor Harris moved approval of the Resolution. The motion was adopted by a voice vote and the matter was approved.

## **Committee Reports**

### **Licenses and Franchises**

1. The Licenses and Franchises Committee recommends the Class 2 renewal for JJJ Auto Retailers Inc. at 196 High Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

2. The Licenses and Franchises Committee recommends the Class 1 renewal for Aston Martin of New England Lotus Motorsports, Inc. at 85 Linden Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Councillor Vidal moved to act on numbers 3-9 collectively. The motion was adopted by a voice vote and the matter was approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matters #3-9 were approved.

3. The Licenses and Franchises Committee recommends the Class 2 renewal for Waltham Auto Tow, Inc. at 279R Crescent Street be approved.

4. The Licenses and Franchises Committee recommends the Class 2 renewal for P.P.A. Inc. dba Waltham Motor Co. at 44 Charles Street be approved.

5. The Licenses and Franchises Committee recommends the Class 2 renewal for Pilgrim Auto Body, Inc. at 53 Felton Street be approved.

6. The Licenses and Franchises Committee recommends the Class 2 renewal for Hull Corporation Inc. at 50 Thayer Road be approved.

7. The Licenses and Franchises Committee recommends the Class 2 renewal for Prospect Automobile, Sale & Service Inc. be approved.

8. The Licenses and Franchises Committee recommends the Class 2 renewal for European Auto Solutions, LLC at 1486 Main Street be approved.

9. The Licenses and Franchises Committee recommends the Class 2 renewal for Absolute Auto Sales at 50A River Street be approved.

10. The Licenses and Franchises Committee recommends the Resolution Concerning Licensing Fees be approved. Councillor LaCava recused himself. Councillor Darcy requested the Resolution be sent to the Licensing Commission. The motion to approve the Resolution was adopted by a voice vote and the Resolution was approved.

### **Economic and Community Development**

1. The Economic and Community Development Committee recommends the Mental Health Resolution be approved. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

### **Committee of the Whole**

1. The Committee of the Whole recommends the line item related to the property located at 102 Trimount Ave. that was auctioned off be filed. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

2. The Committee of the Whole recommends the acceptance of the School Committee's decision to surplus the Fitch School. Councillor McMenimen moved that the action of the Committee be the action of the Council. A vote was taken by a call of the roll.

In Favor: Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: None.

Presiding: Brasco.

Matter approved 14-0.

### **Ordinances and Rules**

1. The Ordinances and Rules Committee recommends the amended compensation ordinances for Non-Union employees be approved for a first reading. Councillor McLaughlin moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved. Councillor McLaughlin moved to table the matter on the floor. The motion was adopted by a voice vote and the matter was recommitted.

2. The Ordinances and Rules Committee recommends the time extension for New Creek, LLC & CBRE at 49-53 Linden Street be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. A vote was taken by a call of the roll.

In Favor: Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: None.

Presiding: Brasco.

Matter approved 14-0.

3. The Ordinances and Rules Committee recommends the time extension for Grossman Companies, Inc. at 1111 Lexington Street be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. A vote was taken by a call of the roll.

In Favor: Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley and Vidal.

Opposed: None.  
Absent: None.  
Presiding: Brasco.  
Matter approved 14-0.

### **Finance**

1. The Finance Committee recommends the transfer of funds totaling \$1,360,000 to fund the first two years of the collective bargaining agreement between the City and the Firefighters' Union for the period of July 1, 2019 through June 30, 2022 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

2. The Finance Committee recommends the transfer of funds totaling \$343,850 to fund the first two years of the three-year collective bargaining agreement between the City and the Teamsters Union (Laborers) for the period of July 1, 2019 through June 30, 2022 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

3. The Finance Committee recommends the transfer of funds totaling \$724,900 to fund the compensation increase for the Non-Union employees for the period of July 1, 2019 – June 30, 2020 & July 1, 2020 – June 30, 2021 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

### **Fernald Use**

1. The Fernald Use Committee recommends that the use of a portion of the non-CPA parcel of the former Fernald School for the CPW Department be approved. Councillor McMenimen recused herself. Councillor McLaughlin moved to recommit the matter to the Committee of the Whole. On the motion Councillors O'Brien, Vidal, LaFauci, LeBlanc, Durkee, Dunn, Stanley and Darcy spoke on the matter. The motion was adopted by a voice vote and the matter was recommitted.

### **Unfinished Business & Other Business**

#### **Tabled Items**

- Loan authorization totaling \$5,000,000 to fund the construction phase of the Area 1314 Phase 2 Sewer and Manhole Rehabilitation Improvement Project
- Open Meeting Law Complaint, 3-23-2020 Docket

Councillor LaCava moved to adjourn. The motion was adopted on a voice vote. Council President Brasco declared the meeting adjourned at 9:04 p.m.

Respectfully submitted by:  
Kara Wilson  
Executive Assistant to the City Clerk  
December 4, 2020