

Waltham City Council
Minutes of the Meeting of
November 25, 2019

President Brasco called the meeting to order at 8:17 p.m.

Call of the Roll:

City Council

Present: Councillors Darcy, Fowler, Harris, LaCava, LeBlanc, Diane, LeBlanc, Randall, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal.

Absent: Brasco

The City Clerk recited the Council Prayer followed by President Pro Tem Logan leading all present in the Pledge of Allegiance. Councillor Diane LeBlanc asked for a moment of silence for all our military that have served past and present. Councillor Diane LeBlanc asked for a moment of silence for the Waddick Family for the loss of two family members this past week. Councillor Mackin ask for a moment of silence for Jennifer Patten, a Waltham resident greatly involved in Waltham government.

Councillor McLaughlin moved approval of the minutes from the City Council meeting on 11/12/2019. The motion was adopted on a voice vote and the matter was approved.

The City Clerk read Rule 86.

The City Clerk read the first public hearing: 17-25 at 44 & 46 Peidmont Ave.

Brian Callahan, 20 Woodbury Street, Arlington, the petitioner for the 17-25 spoke in favor of the petition. With no one else in support and no one else in opposition and no one else in a neutral position on the petition, President Pro Tem Logan closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Fowler, Romard and McMenimen asked questions of the petitioner. With no additional Councillors asking questions, President Pro Tem Logan closed the public hearing and referred the matter to the Public Works & Public Safety Committee. Later in the meeting, before the Committee reports were read, Councillor Darcy moved to take this matter from Committee. The motion was adopted on a voice vote and the matter was approved. Councillor Darcy moved to act on the matter without Committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Darcy moved approval of this 17-25. The motion was adopted on a voice vote and the matter was approved.

Communications from the Mayor

1. The Mayor respectfully requests an appropriation in the amount of \$4,500 to conduct an appraisal of the property located at 1335 Main Street. Referred to the Finance Committee.
2. The Mayor respectfully submits a communication from the Traffic Commission relating to the Traffic Commission Agenda Item 1D, 220-226 Moody Street. Councillor McMenimen rose to a point of parliamentary inquiry. She asked if there was already a matter related to this before us. Councillor Logan agreed there is a matter in Committee of the Whole. Councillor McMenimen believed the matter should then go to Committee of the Whole. Councillor Logan referred the matter to the Committee of the Whole.
3. The Mayor respectfully requests the acceptance of forty gift certificates valuing \$1,500 from J & Co. to be distributed to the School Department, Community Day Center and Bristol Lodge. Referred to the Finance Committee.

Applications & Licenses

All matters referred to the Licenses and Franchises Committee

- Extended hours renewal – 1074 Main Street – Veronica's
- Extended hours renewal – 852 Main Street – J&J Variety

Orders, Ordinances & Resolutions

- Equal Representation for The City of Waltham 2020 Municipal Inauguration Resolution

The City Clerk read the Resolution. Councillors Mackin and Darcy spoke on the Resolution.

Councillor Mackin submitted a request to ask the Mayor and School Committee if they have any other additions to the Resolution. The motion was adopted on a voice vote and the matter was approved.

Councillor Mackin made a request to have the City Clerk attend the next Committee of the Whole meeting to discuss the program and ceremony. The motion was adopted on a voice vote and the matter was approved. President Pro Tem Logan referred the matter to the Committee of the Whole.

- Updating Waltham's Biosafety Committee Resolution

The City Clerk read the Resolution. Councillors Mackin spoke on the Resolution. President Pro Tem Logan referred the matter to the Ordinances and Rules Committee.

- Automatic Timing Signals Resolution

The City Clerk read the Resolution. Councillor Randy LeBlanc spoke on the Resolution. President Pro Tem Logan referred the matter to the Public Works and Public Safety Committee.

Committee Reports

Licenses and Franchises

1. The Licenses and Franchises Committee recommends the Class 2 vehicle renewal at 53 Felton Street – Pilgrim Auto Body Inc. be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

2. The Licenses and Franchises Committee recommends the lodging house renewal at 24-26 High Street – Scott Hefter be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

3. The Licenses and Franchises Committee recommends the extended hours renewal at 859 Main Street for Morley Doughnuts, Inc. (Dunkin Donuts) be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

4. The Licenses and Franchises Committee recommends the extended hours renewal at 591 Moody Street for Samdough Inc. (Dunkin Donuts) be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

5. The Licenses and Franchises Committee recommends the extended hours renewal at 573 Main Street for J&T Shun Lai, Inc. (Asia Wok) be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

6. The Licenses and Franchises Committee recommends the extended hours renewal at 677 Moody Street for Dragon Chef Restaurant be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

7. The Licenses and Franchises Committee recommends the Grant of Location on Winter Street and Gatehouse Drive be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

8. The Licenses and Franchises Committee recommends the fuel storage license at 225 & 235 Wyman Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

Finance

1. The Finance Committee recommends the acceptance of a donation in the amount of \$200 from Connors & Connors LLP be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. On the matter Councillor McMenimen thanked the Connors Family for the donation every year. The motion was adopted on a voice vote and the matter was approved.

2. The Finance Committee recommends an appropriation of funds in the total amount of \$106,302 to purchase one mini excavator and trailer for the CPW Department, Water Sewer division be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

3. The Finance Committee recommends acceptance of a donation in the amount of \$2000 in gift cards for the Housing Office be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

4. The Finance Committee recommends an appropriation of funds in the total amount of \$218,480 to purchase one dump truck for the CPW Department, Water and Sewer Division be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

5. The Finance Committee recommends the appropriation totaling \$575,000 to fund the water main replacement project on Chase Road & Oakledge Road be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. Roll call requested.

In favor: Darcy, Fowler, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Romard, Stanley and Vidal.

Opposed: Nabulime

Absent: Brasco

Matter was approved by a 13-1-1 vote.

6. The Finance Committee recommends the approval of a financial transaction totaling \$184,203 consisting of a grant from the Department of Environmental Protection in the amount of \$52,500 and an appropriation of City funds of \$131,703 to purchase six electric vehicles and six EV charging stations. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

7. The Finance Committee recommends the approval of an appropriation of funds in the amount of \$75,000 to replace the boiler at the 14 Church Street building. Councillor McMenimen moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

Committee of the Whole

1. The Committee of the Whole recommends the transfer of monies for a matter discussed in executive session be approved. Councillor Randy LeBlanc recused himself. Councillor McLaughlin moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends that the General Ordinance for Marijuana Host Community Agreements and Letters of Support on Non Opposition be approved for a second reading. Councillor McLaughlin moved that the action of the Committee be the action of the Council. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved to suspend the rules and give the matter a third and final reading. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved to give the matter a third and final reading. Roll call required.

In favor: Darcy, Harris, Fowler, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Stanley and Vidal.

Opposed: LaCava and Romard.

Absent: Brasco.

Matter was approved by a 12-2-1 vote.

2. The Ordinances and Rules Committee recommends that the Letter Concerning the Host Community Agreement and Agreement for Payment in Lieu of Taxes for Special Permit at 305 Second Ave be approved for the Mayor to review and approve. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Darcy, Harris, Fowler, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal.

Opposed: None.

Absent: Brasco.

Matter was approved by a 14-0-1 vote.

3. The Ordinances and Rules Committee recommends that the Special Permit for the Bulfinch Companies Inc. amending the existing Special Permit at 1560 Trapelo Road be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Darcy, Harris, Fowler, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal.

Opposed: None.

Absent: Brasco.

Matter was approved by a 14-0-1 vote.

Councillor Randy LeBlanc noted that there was a matter left off the Docket from the Public Works and Public Safety Committee. The recommendation from the Committee was to file the Resolution. Councillor Randy LeBlanc moved to file the Joint Utility Notification Resolution. The motion was adopted on a voice vote and the matter was filed.

Unfinished Business & Other Business

- CPC Recommendation for an allocation of CPA funds in the amount of \$250,000 from their undesignated account to the UMass Field Station and Farm. Councillor Randy LeBlanc recused himself. Referred to the Long Term Debt and Capital Planning Committee
- CPC recommendation to reallocate \$5,000 from CPA Environmental Fund to CPC Copy Machine and CPC – Personal Computers accounts.

Referred to the Long Term Debt and Capital Planning Committee

- CPC Recommendation for an appropriation of CPA Funds in the amount of \$30,000 for an Historical and Architectural Survey of Waltham

Referred to the Long Term Debt and Capital Planning Committee

- CPC recommendation for an appropriation of CPA Funds in the amount of \$36,199 for a Preservation Project at The Vale, the 1793 Theodore Lyman Estate

Referred to the Long Term Debt and Capital Planning Committee

- CPC Recommendation for an appropriation of CPA Funds in the amount of \$50,000 to hire a Planner for the Storer Conservation Land

Referred to the Long Term Debt and Capital Planning Committee

Councillor McLaughlin moved to accept a late filed communication for 44 Williams Street. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved approval of the time extension. Roll call required.

In favor: Darcy, Harris, Fowler, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley and Vidal.

Opposed: None

Absent: Brasco

Matter was approved by a 14-0-1 vote.

Councillor Darcy moved to adjourn. The motion was adopted on a voice vote and President Pro Tem Logan declared the meeting adjourned at 9:26 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

December 2, 2019

Approved by the City Council: _____