

Waltham City Council
Minutes of the Meeting of
March 12, 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:

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

Absent: None

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.

Councillor Logan moved approval of the minutes from the 2/12/2018 Council meeting. Matter approved by a voice vote.

Councillor Logan made a motion to take the Recycle Bin Resolution out of order. All were in favor. Councillor Logan spoke on the Resolution. He invited the Lollibot Group to stand and be recognized for bringing to the attention of the Council the need for larger recycle bins within the City. He introduced the members of the Lollibots. Councillor Logan moved to suspend the rules to hear from an off committee member. All were in favor. Abby Curtis, a Lollibot team member spoke on the Resolution and thanked the Council for listening to their suggestions. Councillor Logan moved to place the resolution on file. Matter was filed.

Councillor McLaughlin moved to suspend rules to take matter regarding the request to withdraw without prejudice at Charlotte Road out of order. All were in favor. Councillor McLaughlin moved to accept the communication and approve the withdrawal. Roll call required.

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

Opposed: None

Absent: Fowler

Matter was approved.

Councillor McLaughlin moved to suspend rules to take matter regarding the request to withdraw without prejudice the Fast Food Special Permit at 225 Waverly Oaks Road out of order. All were in favor. Councillor McMenimen recused herself. Councillor McLaughlin moved to accept the communication and approve the withdrawal. Roll call required.

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

Opposed: None

Absent: Fowler

Recused: McMenimen

Councillor McLaughlin moved to reconsider. Only sitting Councillors at the time of the public hearing cannot vote. Councillor McLaughlin moved to table the matter. All in favor. Matter tabled on the council floor.

The Clerk Pro Tem read Rule 86.

First Public Hearing: Fuel Storage License for KW Waltham LLC, c/o Essex North Hospitality LLC, 462 Boston Street, Suite 2-2, P.O. Box 394, Topsfield MA 0198 at 135 Second Avenue
Phil McCourt, attorney for petitioner spoke in favor of petition. Ari Aftankarian, 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 Romard asked questions to the petitioner. With no further questions from Councillors President LeBlanc referred the matter to the License and Franchise Committee.

Councillor McMenimen rose to a point of information regarding the Docket.

Communications from the Mayor

1. The Mayor respectfully requests acceptance of additional grant funding of \$6,000.00 awarded to the Waltham Police Department to conduct traffic enforcement. This grant requires the department to participate in a minimum of 8 hours for both *Click It or Ticket* and *Drive Sober or Get Pulled Over* campaigns; the remaining enforcement budget may be spent throughout the grant period; and there are no matching funds required. Referred to the Finance Committee.
2. The Mayor respectfully requests acceptance of a donation in the amount of \$1,000.00 for a bench from June and Kevin O'Toole, 75 Charlotte Road, Waltham. The intended location of the bench will be at the McCabe Playground. Referred to the Finance Committee.
3. The Mayor respectfully requests the City Council take actions to resolve the issues related to Order #33837 for 230-240 Moody Street. Referred to the Ordinances and Rules Committee.

Applications & Licenses

1. Secondhand Dealers license renewal- Gamestop #7772 – 1019 Trapelo Road
Referred to the License and Franchise Committee
2. Secondhand Dealers license renewal – Marcou Jewelers – 318 Moody Street
Referred to the License and Franchise Committee
3. Secondhand Dealers license renewal – The Toolshed – 471 Main Street
Referred to the License and Franchise Committee
4. Secondhand Dealers license renewal – Descar Inc. dba Descar Jewelry Design -49 River St.
Referred to the License and Franchise Committee

Resolutions

- WCAC Business Hero Award Resolution for Joe Nocera – Sponsored by Councillor Romard
The Clerk Pro Tem read the Resolution. Councillor Romard spoke on the Resolution. Councillor Romard moved to suspend the rules and act on matter the without committee reference. All were in favor. Councillor Romard moved to approve the Resolution. Resolution was approved by a voice vote.
- WCAC Community Hero Award Resolution for Diana Young – Sponsored by Councillor Romard
The Clerk Pro Tem read the Resolution. Councillor Romard spoke on the Resolution. Councillor Romard moved to suspend the rules and act on the matter without committee reference. All were in

favor. Councillor Romard moved to approve the Resolution. Resolution was approved by a voice vote.

- WCAC Unsung Hero Resolution for June Conway– Sponsored by Councillor LaCava
The Clerk Pro Tem read the Resolution. Councillor Lacava spoke on the Resolution. Councillor LaCava moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor LaCava moved to approve the Resolution. Resolution was approved by a voice vote.
- WCAC Lifetime Achievement Hero Award Resolution for Louise Butler - Sponsored by Councillor Darcy. The Clerk Pro Tem read the Resolution. Councillor Darcy spoke on the Resolution. Councillor Darcy moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Darcy moved to approve the Resolution. Resolution was approved by a voice vote.
- WCAC The Joseph L. Burgoyne III Humanitarian Award Resolution for Wayne Brasco-Sponsored by Councillor Harris. The Clerk Pro Tem read the Resolution. Councillor Harris spoke on the Resolution. Councillor Harris moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Harris moved to approve the Resolution. Resolution was approved by a voice vote.
- WCAC Melvin Jones Fellowship Award Resolution – Sponsored by Councillors Fowler, LeBlanc, D. The Clerk Pro Tem read the Resolution. Councillor Fowler spoke on the Resolution. Councillor Fowler moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Fowler moved to approve the Resolution. Resolution was approved by a voice vote.
- Environmental Specialist Resolution – Sponsored by Councillor Romard
The Clerk Pro Tem read the Resolution. Councillor Romard spoke on the Resolution. President LeBlanc referred the matter to the Finance Committee.
- Snow on Sidewalks Resolution. The Clerk Pro Tem read the Resolution. Councillor Fowler spoke on the Resolution. President LeBlanc referred the matter to the Public Works Committee. Councillor Fowler made a request that the Director of Public Works and Supt. attend the next Public Works Committee meeting. All were in favor. Request was approved.
- Waltham-Watertown Elks Resolution. The Clerk Pro Tem read the Resolution. Councillor Stanley spoke on the Resolution. Councillor Stanley moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Stanley moved approval of the Resolution. Resolution was approved by a voice vote.
- Waltham Education & Beyond Foundation Resolution. The Clerk Pro Tem read the Resolution. Councillor Stanley spoke on the Resolution. Councillor Stanley moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Stanley moved approval of the Resolution. Resolution was approved by a voice vote.
- Expanding Parking Near the Train Station at Moody Street Resolution – Sponsored by Councillor R. LeBlanc. The Clerk Pro Tem read the Resolution. Councillor LeBlanc spoke on the Resolution.

President LeBlanc referred the matter to the Public Works Committee

Councillor McLaughlin moved to take the 225 Waverly Oaks Road matter out of order. All in favor. Councillor McMenimen recused herself. The Clerk Pro Tem stated which Councillors may not vote on the matter. They were not in office at the time of the hearing. They were Councillors LaCava, Mackin, Harris and Stanley.

Councillor McLaughlin moved to approve the withdrawal without prejudice for the Special Permit at 225 Waverley Oaks Road.

Roll call required.

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

Opposed: None

Recused: McMenimen

Absent: None

Matter approved.

Councillor McMenimen rose to suspend the rules and discharge a matter from the Finance Committee relating to the Mayors request for approval for a \$6,000 EOPPS grant for the Waltham Police Dept. All were in favor. Councillor McMenimen moved approval of the request. All were in favor and matter was approved by a voice vote.

Committee Reports

License and Franchise

1. The License and Franchise Committee recommends a fuel storage license at 15 Lura Lane 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 Brasco moved to waive the readings of #'s 2 – 5 collectively. All were in favor.

Councillor Brasco moved approval of #2- 5 collectively. All were in favor and matters were approved by a voice vote.

2. The License and Franchise Committee recommends a lodging house renewal at 20-22 Adams Street for Martin Reilly Realty be approved.

3. The License and Franchise Committee recommends a lodging house renewal at 44-46 Chestnut Street for Martin Reilly Realty be approved.

4. The License and Franchise Committee recommends a lodging house renewal at 118-120 Robbins Street for Martin Reilly Realty be approved.

5. The License and Franchise Committee recommends a lodging house renewal at 11-13 Walnut Street for Martin Reilly Realty be approved.

Economic and Community Development

1. The Economic and Community Development Committee recommends the Lollibots Resolution be sent to the full Council without recommendation.

2. The Economic and Community Development Committee recommends the Warming Shelter resolution be filed. Councillor Fowler 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.

Fernald Use

1. The Fernald Use Committee recommends the Fernald Environmental Assessment Resolution be approved as amended. Councillor Waddick 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 recused herself.

Finance Committee

1. The Finance Committee recommends the acceptance of \$3,000 traffic enforcement grant for the Police Department 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 acceptance of a gift of 50 Naloxone (Narcan) Nasal Kits from Newton Wellesley Hospital to the Waltham Health department 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.

Committee of the Whole

1. The Committee of the Whole recommends the authorization for the Mayor to grant the Charles River Canoe & Kayak a section 10A permit for a temporary float on the Cronin's Landing dock be approved. Councillor Logan 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 and Rules

1. The Ordinances and Rules Committee recommends the access agreement for 96 Linden Street be approved. Councillor McLaughlin 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 Ordinances and Rules Committee recommends the Special Permit for 225 Waverly Oaks Road be denied.

(Action above)

Long Term Debt and Capital Planning

1. The Long Term Debt Committee recommends the transfer and appropriation totaling \$380,000 to award the RFP for design services for the Moody Street Fire Station be approved. Councillor Waddick 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 Long Term Debt Committee recommends the CPC request for an appropriation of CPA Funds for \$608,957 for MacArthur Elementary School Playground be approved. Councillor Waddick 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 Long Term Debt Committee recommends the CPC request for CPA funds in the amount of \$90,000 for historic preservation of Waltham City Hall design study be approved. Councillor Waddick 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.

Unfinished Business & Other Business

1. Veto Order for 1101 Main Street 17-25

Councillor Vidal spoke on the matter. Council Vidal made a motion to override the Mayors Veto. Roll call required. On the motion Councillor Mackin asked how many votes are needed to override the veto. Answer is ten.

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

Opposed: Darcy, McMenimen

Absent: None

Matter is approved.

2. WCAC invoice for 22 DVD's totaling \$240.00

Referred to the Finance Committee

3. Resolution folders invoice from Minuteman totaling \$889.00

Referred to the Finance Committee

4. Request to withdraw without prejudice Special Permit 225 Waverly Oaks Road (above)

5. Request to withdraw without prejudice a Grant of Location on Charlotte Road (above)

Councillor LaCava and Councillor LeBlanc made an announcement regarding the Waltham High School Hockey Team the best of luck on Wednesday in the semifinals in Lowell.

Councillor McLaughlin wished them luck as well.

Councillor Mackin announced she is having a neighborhood meeting at the library this week regarding 1122 Main Street. Anyone is welcome.

Tabled Items

- Fernald Wetlands Design & Engineering Service Appropriation for \$55,000
- Loan order in the amount of \$660,000.00 to award the bid of \$643,000.00 with contingency \$17,000.00. The funds will be used to award the bid for the replacement of the refrigeration and dehumidification equipment at the Veterans' Memorial Skating Rink
- 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 8:47p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

March 23, 2018

Approved by the City Council: _____