

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

President Brasco called the meeting to order at 7:30 p.m.

Call of the Roll

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

Absent: Mackin.

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 McMenimen asked for a moment of silence for those in the community suffering from the COVID-19 virus and offered thanks to all those working to keep the community safe. Councillor McMenimen also asked for a moment of silence for Fred Tortolla, Jr. who passed away on March 21, 2020.

President Brasco stated that due to the COVID-19 emergency, the Council was meeting remotely, and in accordance with the Open Meeting Law, and that the transmission was in audio only.

Councillor McMenimen moved to suspend the rules to waive the reading of Rule 86. The motion was adopted on a voice vote and the reading of Rule 86 was waived.

Public Hearings

First Public Hearing: Grant of Location – 115 Second Avenue

Jeffrey Harrington of 120 Church Street, Wilmington, MA spoke in favor of the petition on behalf of the petitioner, Cambridge Network Solutions, LLC. With no one else in support and no one in opposition and no one else in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors LaFauci, Vidal and Paz asked questions on the matter. With no additional Councillors asking questions and no rebuttal, President Brasco closed the public hearing.

Councillor Vidal moved to suspend the rules to act on the matter without committee reference. The motion was adopted on a voice vote. Councillor Vidal moved approval of the Grant of Location. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Second Public Hearing: Grant of Location – 580 Winter Street

Jeffrey Harrington of 120 Church Street, Wilmington, MA spoke in favor of the petition on behalf of the petitioner, Cambridge Network Solutions, LLC. With no one else in support and no one in opposition and no one else in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors LaFauci and Vidal asked questions on the matter. With no additional Councillors asking questions and no rebuttal,

President Brasco closed the public hearing. Councillor Vidal moved to suspend the rules to act on the matter without committee reference. The motion was adopted on a voice vote. Councillor Vidal moved approval of the Grant of Location. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Third Public Hearing: 17-25 - Intersection of Main and Prospect Streets.

City Engineer, Steven Casazza, 119 School Street, spoke in favor of the petition to open the street to replace a deficient sewer line. With no one else in support and no one in opposition and no one in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor LaCava asked questions on the matter. With no additional Councillors asking questions and no rebuttal, President Brasco closed the public hearing. Councillor LeBlanc moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote. Councillor LeBlanc moved approval of the matter. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Fourth Public Hearing: 17-25 – Vicinity of High Street/Joyce Road/Hamblin Road

City Traffic Engineer, Michael Garvin, 119 School Street, spoke in favor of the petition to open the street to install a traffic signal. With no one else in support and no one in opposition and no one in a neutral position on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Harris asked questions and Councillor LeBlanc spoke on the matter. With no additional Councillors asking questions and no rebuttal, President Brasco closed the public hearing. Councillor LeBlanc moved to suspend the rules and act on the matter without committee reference. The motion was adopted on a voice vote. Councillor LeBlanc moved approval of the matter. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Communications from the Mayor

1. The Mayor respectfully requests approval of the Year 46 Community Development Block Grant Program. This is subject to appropriation by the federal government. The Mayor is available to answer questions regarding this matter. Councillor Harris moved to suspend the rules to hear from the Mayor on the matter. The motion was adopted on a voice vote. Councillor Harris questioned the Mayor on specific items in the proposal and moved to suspend the rules to act on the matter without committee

reference. The motion was adopted on a voice vote. Councillor Harris moved approval of the Year 46 Community Development Block Grant Program. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

2. The Mayor respectfully requests acceptance of gifts from the Morreale family for the City Hall Museum Room. Councillor LaCava moved to suspend the rules to act on the matter without committee reference. The motion was adopted on a voice vote. Councillor LaCava moved approval of the request to accept the gift. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

3. The Mayor respectfully requests an appropriation in the amount of \$150,000.00 for emergency assistance for Waltham citizens effected by COVID-19. Councillor LaCava move to suspend the rules to hear from the Mayor. The motion was adopted on a voice vote. Councillors LaCava, Durkee and McMenimen asked questions of the Mayor and Councillors Paz and LeBlanc spoke on the matter. Councillor LaCava moved to act on the matter without committee reference. The motion was adopted on a voice vote. Councillor LaCava moved approval of the \$150,000.00 appropriation. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Matter was approved 14-0.

President Brasco indicated that audio transmission of the meeting on WCAC was problematic and suggested that the Council switch audio transmission to Facebook. Councillor McLaughlin moved to switch the transmission to Facebook. The motion was adopted on a voice vote. Councillor Brasco declared a two-minute recess to switch the transmission of the meeting to Facebook.

Unfinished Business & Other Business

Request for an extension of time to commence work and complete work – Special Permit Council Order #34493, 300 Third Avenue. Councillor McLaughlin moved to suspend the rules and act upon the time extension without committee reference. The motion was adopted on a voice vote. Councillor McLaughlin moved approval of the extension of time. Roll call required.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Request for an extension of time within which a decision may be made – Special Permit Petition 790 Main Street. Councillor McLaughlin moved to suspend the rules and act upon the time extension without committee reference. The motion was adopted on a voice vote. Councillor McLaughlin moved approval of the extension of time. Roll call required.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Request for an extension of time within which a decision may be made – Special Permit Petition 1017-1019 Main Street and 1025-1075 Main Street. Councillor McLaughlin moved to suspend the rules and act upon the time extension without committee reference. The motion was adopted on a voice vote.

Councillor McLaughlin moved approval of the extension of time. Roll call required.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Open Meeting Law Complaint Councillor McLaughlin moved to suspend the rules to act upon the matter without committee reference. The motion was adopted on a voice vote. Councillor McLaughlin moved to refer the Complaint to the Law Department for review and response and to request an extension of time within which to file a response. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Councillor McLaughlin moved to table the matter. The motion was adopted on a voice vote.

Committee Meetings

President Brasco asked the Clerk to poll the Committee Chairpersons to ask if they wished to convene their committees or if they wished to discharge items from their committees.

Councillor McMenimen, Chair of the Committee of the Whole, indicated that the Committee would not meet but that she wished to discharge the minutes of the Committee of the Whole meeting of March 2, 2020. The motion was adopted on a voice vote. Councillor McMenimen moved approval of the minutes of the Committee of the Whole Meeting of March 2, 2020. The motion was adopted on a voice vote and the minutes were approved.

Councillor LeBlanc, Chair of Public Works and Public Safety and Councillor Darcy, Chair of Long Term Debt and Capital Planning, each indicated that they did not wish to convene their Committee.

Councillor Vidal, Chair of Licenses and Franchises, moved to take from committee the Class II Motor Vehicle License for Classic Cars, 251 High Street. The motion was adopted on a voice vote.

Councillor Vidal moved approval of the license. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Councillor Harris, Chair of Economic and Community Development, indicated that she did not wish to convene her Committee.

Councillor McLaughlin, Chair of the Ordinances and Rules Committee, moved to take from committee the Parking at Gas Stations with Convenience Stores Zoning Ordinance Amendment. The motion was adopted on a voice vote. Councillor McLaughlin moved to send the Zoning Ordinance Amendment to the Law Department for review. The motion was adopted on a voice vote. Councillor McLaughlin moved to recommit the matter to the Ordinances and Rules Committee. The motion was adopted on a voice vote.

Councillor LaCava, Chair the Finance Committee, indicated that he wished to discharge items from the Finance Committee.

Councillor LaCava moved to take from committee the Mayor's request for an appropriation in the amount of \$20,000 from the Library State Aid Special Revenue account to the Library – Educational Supplies account to be used to meet the FY2020 materials budget requirement of the State. The motion was adopted on a voice vote. Councillor LaCava moved approval of the Mayor's request. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Councillor LaCava moved to take from committee the Mayor's request for an appropriation in the amount of \$16,000 to fund the necessary upgrades and repairs to the fire suppression system for the gas pumps located in the City yard. The motion was adopted on a voice vote. Councillor LaCava moved approval of the Mayor's request. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Councillor LaCava moved to take from committee the Mayor's request approval of two S.A.F.E. Grants in the amount of \$6,963 and \$2,930 from the Commonwealth of Massachusetts. The motion was adopted on a voice vote. Councillor LaCava moved approval of the S.A.F.E. grant in the amount

of \$6,963. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Councillor LaCava moved approval of the S.A.F.E. grant in the amount of \$2,930. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Councillor LaCava moved to take from committee the Mayor's request for acceptance of a donation in the amount of \$2,500 from the Duggan House. The motion was adopted on a voice vote. Councillor LaCava moved approval of the Mayor's request. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Councillor LaCava moved to take from committee the Mayor's request for a transfer and an appropriation of funds totaling \$686,447.80 to fund numerous public safety items for the Police Department. The motion was adopted on a voice vote. Councillor LaCava moved to suspend the rules to hear from Chief MacPherson. The motion was adopted on a voice vote. Chief MacPherson explained the request and responded to questions from Councillors LaCava, LaFauci and LeBlanc. Councillor McMenimen asked questions of the City Auditor, Paul Centofanti, who is Clerk of the Finance Committee. Councillor LaCava moved approval of the Mayor's request. A vote was taken by a call of the roll.

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

Opposed: None.

Absent: Mackin.

Presiding: Brasco.

Matter was approved 13-0.

Councillor McMenimen moved to adjourn. The motion was adopted on a voice vote. Council President Brasco declared the meeting adjourned at 9:26 p.m.

Respectfully submitted by:

Robert J. Waddick

City Clerk

April 3, 2020

Approved by the City Council: April 13, 2020