

Waltham City Council  
Minutes of the Meeting of  
January 24, 2022

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

Present: Councillors Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, OBrien, Paz, Vidal and President McMenimen.

Absent: Stanley.

City Clerk Vizard recited the Council Prayer followed by President McMenimen leading all present in the Pledge of Allegiance. Councillor Durkee asked for a moment of silence for his friend Staff Sergeant John Kavanagh and all military that have served past and present.

Councillor McLaughlin moved approval of the Meeting Minutes of 1/2/2022. The motion was adopted on a voice vote and the matter was approved. Councillor McLaughlin moved approval of the regular meeting minutes of 1/10/2022. The motion was adopted on a voice vote and the matter was approved.

The City Clerk read Rule 86.

First public hearing: 17-25 Street Opening at 29-31 Cherry Street

Councillor Randall LeBlanc recused himself from the hearing. First Speaker; Brett Francis, Attorney for the petitioner, Scafidi Juliano, LLP, 10 Hammer St, Waltham, spoke in favor of the petition. Kyle Meingest, 32 Cherry St. spoke in a neutral capacity asking how the opening will effect immediate neighbors. With no one else in support and no one in opposition and no one additional in a neutral position on the petition, President McMenimen closed that part of the hearing and opened the hearing to questions from Councillors. Councillor Harris asked several questions about the project and its timeline and effects on abutting neighbors. Councillor Paz asked if the unit would be rented. Ciro Zottolla, 82 Forest Street, Waltham, the petitioner responded to questions. With no additional questions from Councillors and no rebuttal. Councillor Harris made a motion to suspend the rules and act without committee reference. The request was approved by a voice vote. Councillor Harris made a motion to approve. The request was approved by a voice vote and the petition was approved.

Second public hearing: 17-25 at 617 Lexington Street

Councillor Dunn rose to a point of Parliamentary Inquiry. She stated the City Engineering Department communicated that the plans presented for the project are incomplete. President McMenimen called a three-minute recess. Councillor Dunn moved to table the matter until the utility maps and plans were presented to the Council, City Engineering Department and the public. The vote was taken by a call of the roll.

In Favor: Bradley-McArthur, Darcy, Dunn

Opposed: Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz

Absent: Tom M. Stanley

Presiding: Kathleen B. McMenimen

Matter was not approved 3-9-1.

Motion did not pass. The hearing continued as scheduled.

Rachel Whitmore, 148 Hayden Dr. Hopkinton, representing Consigli Construction outlined details of plans with a detailed map, and a projected schedule to be performed. With no one else in support and no one in opposition and no one in a neutral position on the petition, President McMenimen closed that part of the hearing and opened the hearing to questions from Councillors. Councillor Dunn asked several questions with answers from Erin Prestileo, 25 Knollwood Drive, representing SMMA. President McMenimen requested a copy of the rendering provided to all Councillors. Councillors LaFauci and LeBlanc asked questions. Councillor Durkee asked questions and requested a full scale drawing of the final plan be submitted to the council. Lorraine Finnegan, 40 Summit St., Waltham, Architect, SMMA provided answers. President McMenimen declared a one-minute recess. President McMenimen closed the public hearing. Councillor LaFauci made a motion to suspend the rules and act on the matter without committee reference. The request was approved by a voice vote. Councillor LaFauci made a motion to approve. The request was approved by a voice vote and the petition was approved.

A third public hearing was advertised for fuel storage license at 880 Winter Street. A change by the petitioner caused the application to be defective and will be re-noticed and heard at the February 14, 2022 meeting.

### **Communications from the Mayor**

1. The Mayor respectfully requested confirmation of the appointment of Mathew W. Deveau of 182 Harrington Road as a member of the Zoning Board of Appeals. Referred to the Committee of the Whole.
2. The Mayor respectfully requested an opportunity to discuss a confidential real estate matter in executive session. Councillor McLaughlin rose to table until the end of the Council Meeting. Approved by a voice vote and the matter was tabled.
3. The Mayor respectfully requested to schedule a site visit with the City Council at 554 Lexington Street; the site of the new Waltham High School. Referred to the Committee of the Whole.
4. The Mayor requested acceptance of a FF22 Firefighter Safety Equipment grant in the amount of \$35,000. Referred to the Finance Committee.
5. The Mayor respectfully requested an appropriation of traffic impact funds in the amount of \$21,300 to engage a traffic engineering firm to prepare a traffic study for marijuana dispensaries. Referred to the Finance Committee.
6. Councillor McLaughlin moved to accept a late file communication from the Mayor requesting to honor an individual to be named at a later date. Matter was approved by voice vote. President McMenimen referred the matter to the Committee of the Whole.

## **Applications and Licenses**

President McMenimen referred all applications and licenses to the License and Franchise Committee.

- Massport Letter for Ali Murat Solmaz - 90 Dale Street, Waltham Apt. 2
- Lodging House License Renewal – Dennis Dyer – 107 Adams Street
- Lodging House License Renewal - Gilbere Inn LLC – 403 River Street
- Class 2 License Renewal – Colvin’s Inc. – 185 Prospect Street

## **Orders, Ordinances & Resolutions**

- John Duffy Square Resolution  
Clerk Vizard read the Resolution. Councillor LaCava rose and spoke fondly of Mr. Duffy and recommended referring the matter to the License and Franchise Committee. Councillor LaCava requested that his family members join the committee meeting on February 7, 2022.

## **Committee Reports**

### **Licenses & Franchises**

1. The Licenses and Franchises Committee recommended renewal of a lodging house license at 20-22 Adams 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 recommended renewal of a lodging house license at 44-46 Chester 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.
3. The Licenses and Franchises Committee recommended renewal of a lodging house license at 118-120 Robbins 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.
4. The Licenses and Franchises Committee recommended renewal of a lodging house license at 24-26 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.
5. The Licenses and Franchises Committee recommended renewal of a lodging house license at 94 Adams 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.
6. The Licenses and Franchises Committee recommended renewal of a lodging house license at 74 Adams 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.
7. The Licenses and Franchises Committee recommended renewal of a lodging house license at 104 Adams 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.

8. The Licenses and Franchises Committee recommended renewal of a lodging house license at 49-51 Brown 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.
9. The Licenses and Franchises Committee recommended renewal of a lodging house license at 6 Park Place 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.
10. The Licenses and Franchises Committee recommended renewal of a lodging house license at 12-14 Lowell 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 the and matter was approved.
11. The Licenses and Franchises Committee recommended renewal of a lodging house license at 124-126 Ash 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.
12. The Licenses and Franchises Committee recommended renewal of a lodging house license at 21-23 Pine 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.
13. The Licenses and Franchises Committee recommended renewal of a lodging house license at 17-19 Chester 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.
14. The Licenses and Franchises Committee recommended renewal of a lodging house license at 52-54 Bedford 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.
15. The Licenses and Franchises Committee recommended renewal of a lodging house license at Lodging house renewal at Brandeis – Skyline 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.

## **Finance**

1. The Finance Committee recommended that acceptance of Gifts from the Ugandan Community for Museum Room 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 matter was approved.
2. The Finance Committee recommended that an appropriation of \$6,510 for environmental services at 230-234 Moody Street 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 matter was approved.
3. The Finance Committee recommended that a transfer of \$50,000 for Sewer Operations to fund the rental of a sewer jet truck 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 matter was approved.

4. The Finance Committee recommended that acceptance of a Donation of Antigen Test Kits from State 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 matter was approved.

5. The Finance Committee recommended that a transfer of \$10,000 for software for catch basin cleaning 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 matter was approved.

6. The Finance Committee recommended that an appropriation of \$18,600 for RRFB at intersections of Gore/Lawndale and Warren/Candace 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 matter was approved.

### **Ordinances and Rules Committee**

1. The Ordinances and Rules Committee recommended that the Ordinance Amendment Planning Sec. 12-30.8 be approved for a first reading. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved. Councillor Darcy moved to recommit the matter back to Committee. The motion was adopted by a voice vote and matter was recommitted.

2. The Ordinances and Rules Committee recommended that the Ordinance Amendment Planning Director & Housing Director Sec. 2-29. B.2 be approved for a first reading. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved. Councillor Darcy moved to recommit the matter back to Committee. The motion was adopted by a voice vote and matter was recommitted.

3. The Ordinances and Rules Committee recommended that the Ordinance Amendment Housing & Community Development Department Sec. 12-32, 33,34 be approved for a first reading. Councillor Darcy moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and matter was approved. Councillor Darcy moved to recommit the matter back to Committee. The motion was adopted by a voice vote and matter was recommitted.

4. The Ordinances and Rules Committee recommended that the Special Permit Modification at 219 Bear Hill Road be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Vidal.

Opposed: None.

Absent: Stanley

Presiding: McMenimen

Matter was approved 13-0-1.

5. The Ordinances and Rules Committee recommended that the Special Permit Modification at 1111 Lexington Street be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Vidal.

Opposed: None.

Absent: Stanley

Presiding: McMenimen

Matter was approved 13-0-1.

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

- Time extension to commence and complete work at 99 Third Avenue Order #33403. Referred to the Ordinance and Rules Committee
- President McMenimen announced in accordance with City Council Rules 78 & 79 and City Ordinance 2-345 she appoint The Kevin Ritcey Ad-Hoc Committee. The Committee consists of Chairwoman Councillor Harris, Councillor LaFauci and Councillor McLaughlin.

### **Tabled Items**

Councillor McLaughlin moved to take from the table the Mayor's Communication number two which was a request for an executive session regarding a real estate matter. The motion was adopted by a voice vote and matter was approved. Councillor McLaughlin moved to go into executive session for the purpose of discussing a real estate matter and that the Mayor attend, that the City Clerk act as the Clerk of the executive session and the Council reconvene in open session following the adjournment of the executive session. Roll call.

In favor: Bradley-McArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, and Vidal.

Opposed: None.

Absent: Stanley.

Presiding: McMenimen

Matter was approved 13-0-1.

The Council convened in executive session at 8:45p.m.

The Council reconvened in open session at 9:45 p.m.

Councillor Vidal moved to adjourn. The motion was adopted by a voice vote. Council President McMenimen declared the meeting adjourned at 9:46 p.m.

Respectfully submitted by:

Cathy Magliarditi

Executive Assistant to the City Clerk

February 1, 2022