

Waltham City Council  
Minutes of the Meeting of  
August 3, 2020

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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, 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 6/22/2020. The motion was adopted on a voice vote and the minutes were approved.

The City Clerk read Rule 86.

First public hearing: Special Permit for Costco Wholesale Corp. at 71 Second Ave.

Councillors LaCava and LeBlanc recused themselves.

President Brasco referred the matter to the Ordinances and Rules Committee.

Second public hearing: 17-25 at 716 Main Street

Annmarie Walsh, 200 Calvary Street, Everource in Waltham, representing the petitioner spoke in favor of the petition. Soshia Oshy of 200 Calvary Street, Waltham representing the petitioner 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 Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor LaCava asked questions. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Public Works and Public Safety Committee.

Third public hearing: Fuel Storage License at 180 Calvary Street

John Puthill, Attleboro, MA, representing the petitioner Eversource Energy, 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 Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Paz and Vidal asked questions. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Licenses and Franchises Committee.

Fourth public hearing: Grant of Location at Sun Street and Prospect Street

Rick Shiponi, Eversource Electric, 200 Calvary Street, Waltham, representing the petitioner, 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 Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Paz and Vidal asked questions. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Licenses and Franchises Committee.

Fifth public hearing: Grant of Location at Lowell Street and Taylor Street

Rick Shiponi, Eversource Electric, 200 Calvary Street, Waltham, representing the petitioner, 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 Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Paz and McLaughlin asked questions. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Licenses and Franchises Committee.

Sixth public hearing: 17-25 at 85-87 High Street

Calvin Lee, 6 Birds Hill Ave., Needham the petitioner, spoke in favor of the petition. One person stood 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 Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Harris asked questions to the petitioner. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Public Works and Public Safety Committee.

### **Communications from the Mayor**

1. The Mayor respectfully requests a transfer of funds totaling \$140,300 to fund the first two years of the collective bargaining agreement between the City and the Manager's Union for the period July 1, 2019 to June 30, 2022. Referred to the Finance Committee.
2. The Mayor respectfully requests a transfer of funds totaling \$270,000 to fund the first two years of the collective bargaining agreement between the City and the Police Superior Officers' Union for the period July 1, 2019 to June 30, 2022. Referred to the Finance Committee.
3. The Mayor respectfully requests a transfer of funds totaling \$660,000 to fund the first two years of the collective bargaining agreement between the City and the Police Patrol Officers' Union for the period July 1, 2019 to June 30, 2022. Referred to the Finance Committee.
4. The Mayor respectfully requests a transfer of funds totaling \$23,650 to fund the first two years of the collective bargaining agreement between the City and the Mechanics' Union for the period July 1, 2019 to June 30, 2022. Referred to the Finance Committee.
5. The Mayor respectfully request a transfer of funds in the total amount of \$8,816 to purchase two radar recorders. Referred to the Finance Committee.
6. The Mayor respectfully requests approval of the acceptance of a grant through the Community Development Block grant (CDBG) program under Coronavirus Aid, Relief and Economic Security (CARES) Act in the amount of \$567,982. Referred to the Finance Committee.
7. The Mayor respectfully requests the acceptance of a donation in the amount of \$1,000 for a bench in memory of Linda Cole Petrosian from Dimitri Petrosian, Yolanda Celluci and families, and the "Our Girl Linda" Foundation. Referred to the Finance Committee.
8. The Mayor respectfully requests the appointment of Robert S. Winn, PE, 124 Chaffee Avenue, Waltham, MA as City Engineer for a three-year term. Referred to the Committee of the Whole.
9. The Mayor respectfully requests an opportunity to discuss a site for Healthy Waltham. Referred to the Committee of the Whole.

10. The Mayor respectfully requests and opportunity to speak to the Council in Executive Session about the Route 117 Bridge Project. The purpose will be to discuss potential litigation. Referred to the Committee of the Whole.

11. The Mayor respectfully requests an opportunity to speak with the Council in Executive Session about the 89 Maple Street property. The purpose will be to discuss potential litigation. Referred to the Committee of the Whole.

### **Orders, Ordinances & Resolutions**

- Resolution Concerning Severe Flooding Conditions on Arcadia Ave. and Demerest Street  
The Clerk read the Resolution. Councillor Darcy spoke on the Resolution. President Brasco referred the matter to the Public Works and Public Safety Committee.

- Resolution Concerning Improving Public Transportation in Waltham  
The Clerk read the Resolution. Councillor Darcy spoke on the Resolution. President Brasco referred the matter to the Economic and Community Development Committee.

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

- Election Warrant for 2020 State Primary

Referred to the Committee of the Whole

- Reappointment of Members of the Community Preservation Committee

Referred to the Committee of the Whole

Councillor McMenimen moved to recess the City Council meeting and break into the Committee meetings. The motion was adopted on a voice vote and the matter was approved.

President Brasco called for a recess at 8:20 p.m.

President Brasco called the City Council meeting back to order at 1:07 a.m. on August 4, 2020.

Councillor McMenimen moved to go past 1:00 a.m. The motion was adopted on a voice vote and the matter was approved.

President Brasco asked the Clerk to read the Committee reports.

The Public Works and Public Safety Committee recommended the 17-25 at 716 Main Street be approved. Councillor LeBlanc 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.

The Public Works and Public Safety Committee recommended the 17-25 at 85-87 High Street be approved. Councillor LeBlanc 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.

The Licenses and Franchises Committee recommended the Fuel Storage License for Eversource at 180 Calvary 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.

The Licenses and Franchises Committee recommended the Grant of Location for Eversource at Sun 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.

The Licenses and Franchises Committee recommended the Grant of Location for Eversource at Taylor 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.

The Ordinances and Rules Committee recommended the FY2019 Compensation Ordinances Amendment 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 on a voice vote and the matter was approved. Councillor McLaughlin moved to recommit the matter to the Ordinances and Rules Committee. The motion was adopted on a voice vote and the matter was approved.

The Ordinances and Rules Committee recommended the Special Permit for the Davis Companies At 1017-1019 & 1025-1075 Main Street be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. On the motion Councillor LaFauci spoke on the matter. Councillor O'Brien recused himself. A vote was taken by a call of the roll.

In Favor: Dunn, Durkee, Harris, LaCava, LaFauci, McLaughlin, Paz, Stanley, Vidal and Brasco.

Opposed: Darcy, LeBlanc, Mackin, McMenimen.

Recused: O'Brien.

Absent: None.

Matter approved 10-4-1

The Committee of the Whole recommended the approval of the appointment of Robert S. Winn, PE as the City Engineer for a three-year term be approved. Councillor McMenimen moved to suspend Rule 42. The motion was adopted on a voice vote and the matter was approved. 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.

The Committee of the Whole recommended the use of the Fitch School by Healthy Waltham through October of 2020. 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.

The Committee of the Whole recommends the reappointment of Daniel Melnechuk to the CPC.

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.

The Committee of the Whole recommended the reappointment of Loretta McClary to the CPC. 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.

The Committee of the Whole recommended the reappointment of Erika Gerram to the CPC. 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.

The Committee of the Whole recommended the reappointment of Amanda Thibodeau to the CPC. 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: Brasco, 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.

The Committee of the Whole recommended the approval of the Election Warrant for the 2020 State Primary 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.

The Finance Committee recommended the transfer of funds totaling \$140,300 to fund the first two years of the collective bargaining agreement between the City and the Manager's Union for the period of July 1, 2019 to June 30, 2022 be approved. Councillor LaCava 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.

The Finance Committee recommended the transfer of funds totaling \$270,000 to fund the first two years of the collective bargaining agreement between the City and the Police Superior Officer's Union for the period of July 1, 2019 to June 30, 2022 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. On the motion Councillor Mackin moved to invoke section 2.9 of the City's Charter and table the matter. President Brasco declared a two-minute recess

to check the ruling. President Brasco called the meeting back to order. He stated that Councillor Mackin was within her purview and the matter was tabled on the Council floor.

The Finance Committee recommends the transfer of funds in the amount of \$660,000 to fund the collective bargaining agreement between the City and the Police Patrol Officers' Union for the period of July 1, 2019 – June 30, 2022 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. On the motion Councillor Mackin moved to invoke section 2.9 of the City's Charter and table the matter. The matter was tabled on the Council floor.

The Finance Committee recommends the transfer of funds totaling \$23,650 to fund the first two years of the collective bargaining agreement between the City and the Mechanics Union for the period of July 1, 2019 to June 30, 2022 be approved. Councillor LaCava 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.

The Finance Committee recommended the transfer of funds in the amount of \$8,816 to purchase two radar recorders be approved. Councillor LaCava 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.

The Finance Committee recommended the acceptance of a grant through the CDBG program under the CARES Act in the amount of \$567,982 be approved. Councillor LaCava 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.

The Finance Committee recommended the acceptance of a donation in the amount of \$1,000 for a bench in memory of Linda Cole Petrosian be approved. Councillor LaCava 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 McMenimen moved to suspend the rules and go past 1:30 a.m. The motion was adopted on a voice vote and the matter was approved.

President Brasco appointed the following Councillors to the Ambulance Service Review Committee:  
Councillor Joseph P. LaCava  
Councillor Anthony LaFauci

President Brasco appointed the Ad-Hoc Committee on Housing:  
Councillor Thomas M. Stanley  
Diana Young  
Daria Gere  
Robert Waters  
Jimmy LaCrosse

Under the provisions of section 2.5 in the City Charter President Brasco called a special meeting on Thursday, August 6, 2020 at 5:00 p.m. via ZOOM to discuss to financial matters; the transfer of funds totaling \$270,000 to fund the first two years of the collective bargaining agreement between the City and the Police Superior Officer's Union for the period of July 1, 2019 to June 30, 2022 and the transfer of funds in the amount of \$660,000 to fund the collective bargaining agreement between the City and the Police Patrol Officers' Union for the period of July 1, 2019 – June 30, 2022. Said financial matters were tabled pursuant to the invocation of Section 2.9 of the City Charter.

Councillor McMenimen moved to adjourn. The motion was adopted on a voice vote. Council President Brasco declared the meeting adjourned at 1:38 a.m. on August 4, 2020.

Respectfully submitted by:  
Kara Wilson  
Executive Assistant to the City Clerk  
August 14, 2020