

Waltham City Council
Minutes of the Meeting of
August 6, 2018

President LeBlanc called the meeting to order at 7:30pm.

The Clerk called the roll of the City Council.

Call of the Roll:

City Council

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

Absent: None

The Clerk recited the Council Prayer followed by President LeBlanc leading all present in the Pledge of Allegiance. Councillor Brasco asked for a moment of silence for all our military that have served; past and present.

A news reporter rose to declare she was recording the meeting. The clerk made an announcement regarding the special election to be held on August 7, 2018. Councillor Romard welcomed the Clerk.

Councillor Logan moved approval of the minutes from the Council meeting held on June 25 2018. All were in favor and minutes were approved by a voice vote. Councillor Logan moved approval of the minutes from the Council meeting held on June 11, 2018. All were in favor and minutes were approved by a voice vote.

The Clerk Pro Tem read Rule 86.

First Public Hearing: Temporary Grant of Location at Woerd Ave.

Karen Johnson, representing Eversource 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 Harris and Mackin asked questions to the petitioner. With no further questions President LeBlanc closed the public hearing and referred the matter to the License and Franchise Committee.

Second Public Hearing: Grant of Location at Woerd Ave.

Karen Johnson, representing Eversource 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. Councillor Harris asked questions to the petitioner. With no further questions President LeBlanc closed the public hearing and referred the matter to the License and Franchise Committee.

Third Public Hearing: 17-25 at 151 Crescent Street

Dennis Clair, 264 Salem St, Medford, MA, representing the petitioner spoke in favor of the petitioner. 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 Logan, Vidal, McMenimen, Fowler and McLaughlin asked questions to the petitioner. With no further questions matter was referred to the Public Works Committee.

Fourth Public Hearing: Lodging House License at 415 South Street
Councillor Mackin recused herself.

Michael Connors, Connors & Connors, LLC, attorney for 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. Councillor McMenimen asked questions to the petitioner. Councillor Brasco rose to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Brasco moved approval of the matter. All were in favor and the matter was approved by a voice vote.

Fifth Public Hearing: 17-80 at Goldencrest Avenue (recessed)
Councillor Brasco recused himself.

Councillor Darcy spoke on the matter. He submitted eleven additional petitions. Councillor Darcy stated two residents are out of the country and would like to recess the public hearing until September 10, 2018. All were in favor and hearing was recessed.

Sixth Public Hearing: 17-25 at 586-588 Lexington Street (recessed)

Steve Casazza, Director of Engineering updated the Council on the petition. He would like to proceed with the petition and request a 17-25 at 586-588 Lexington Street. Paula Hughes, 588 Lexington Street opposed the petition. John Hughes, 588 Lexington Street, spoke in opposition to the petition. Four people stood in opposition to 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 Fowler, Vidal and Mackin asked questions to the petitioner. Paula Hughes spoke again in rebuttal to the petition. With no further questions the matter was referred to the Public Works Committee.

Communications from the Mayor

1. The Mayor respectfully requests 50 Naloxone (Narcan) kits from the Newton Wellesley Hospital to the Health Department. Referred to the Finance Committee.
2. The Mayor respectfully requests an appropriation in the amount of \$46,029.90 for a C1 vehicle for the Waltham Fire Department to replace the 2003 Ford Expedition. Referred to the Finance Committee.
3. The Mayor respectfully requests the donation of 1000 square feet of pavers from Ideal Concrete Block at the Waltham Common to be used in conjunction with the bench and tree gifts previously accepted by the Waltham City Council in memory of Joe Burgoyne. Referred to the Finance Committee.
4. The Mayor respectfully requests a transfer in the amount of \$20,730 for the environmental survey report and oversight at 509 and 533 Moody Street. Councillor Harris spoke on the matter. Councillor Harris moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Harris moved approval of the matter. Matter was approved.
5. The Mayor respectfully accepts a gift of a large portrait of Robert Treat Paine from the Episcopal Divinity School of Cambridge, MA. Referred to the Finance Committee.

6. The Mayor respectfully requests acceptance of an additional \$3,000.00 grant from EOPSS- Traffic Enforcement & Equipment Grant. Referred to the Finance Committee.
7. The Mayor respectfully submits a petition relating to the installation of a guard rail on the backside of Beal Road sidewalk. Councillor McLaughlin spoke on the matter. He asked for matter to be tabled on the council floor. All in favor and matter was tabled.
8. The Mayor respectfully requests a transfer in the amount of \$27,000.00 for two projects at High St. and Parmenter Road. Referred to the Finance Committee.
9. The Mayor respectfully requests a transfer in the amount of \$55,000.00 for the signalization design of the High St., Joyce Road, Hamblin Road intersection. Referred to the Finance Committee.
10. The Mayor respectfully requests a transfer in the amount of \$6,844.15 for the purchase of a Ford Hybrid vehicle for the Water Department meter readers. Referred to the Long Term Debt Committee.
11. The Mayor respectfully requests a transfer of funds totaling \$250,000.00 to fund the three year collective bargaining agreement between the City and the Librarian's Union. Referred to the Finance Committee.
12. The Mayor respectfully requests a transfer in the amount of \$15,000.00 for additional funding for pest control/rat prevention. Referred to the Finance Committee.
13. The Mayor respectfully requests the creation of an "Energy Revolving Account" under MGL Chapter 44, Section 53E ½. Referred to the Finance Committee.
14. The Mayor respectfully requests three naming's/dedications at the Graverson Playground. Referred to the License and Franchise Committee.
15. The Mayor respectfully requests the acceptance of the Municipal Vulnerabilities Program (MVP) Grant in the amount of \$41,500.00 that was awarded from the Executive Office of Energy and Environmental Affairs. Referred to the Finance Committee.
16. The Mayor respectfully requests a transfer in the amount of \$6,999.00 for the purchase of a color copier system for the Veterans and Licensing Department. Referred to the Finance Committee.
17. The Mayor respectfully requests the acceptance of a gift in the amount of \$1,000.00 for a bench to be located on the Waltham Common in honor of David Yawnick. Referred to the Finance Committee.
18. The Mayor respectfully requests a transfer in the amount of \$88,000.00 for the purchase of acquiring a parcel of land located at 334R Prospect Hill Road and 1.8 acres of land from the Prospect Hill Trust. Referred to the Committee of the Whole.
19. The Mayor respectfully requests a transfer in the amount of \$47,980.00 for the inspection, preparation of technical specifications and construction administration for the structural rehabilitation of the Moody Street fire station. Councillor Harris spoke on the matter. Councillor Harris moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Harris moved approval of the matter. Matter was approved.

20. The Mayor respectfully requests a transfer in the amount of \$100,000.00 to partially fund the cost sharing of the city's recycling program with EZ Disposal due to the increased price resulting from current import policies. Referred to the Finance Committee.

21. The Mayor respectfully requests approval of loan /bond funding in the amount of \$1,463,000.00 for water main replacement and sewer extension at Christopher Road and Montclair Ave. Referred to the Long Term Debt Committee.

22. The Mayor respectfully requests approval of loan/bond funding in the amount of \$2,403,000.00 to fund the Trapelo Roadway improvements and sidewalk construction. Referred to the Long Term Debt Committee.

23. The Mayor respectfully requests approval of the loan order in the amount of \$425,000.00 for the street resurfacing at Brennan Avenue, Mountain Road, Crestview Road, Carol Lane, Goldencrest Avenue, Priscilla Lane, and Midland Drive. Referred to the Long Term Debt Committee.

Applications & Licenses

Councillor Brasco moved to collectively act upon numbers #2-7. All were in favor. Councillor Brasco moved to suspend the rules to act on the matter without committee reference. All were in favor. Councillor Brasco moved approval of the matters. All were in favor and matters were approved.

1. New Cingular Wireless PCS, LLC telecommunication equipment installation at 9 Fiske Ave
Referred to the License and Franchise Committee
2. New Cingular Wireless PCS, LLC telecommunication equipment installation at 1065 Lexington
3. New Cingular Wireless PCS, LLC telecommunication equipment installation at 28 Linden St.
4. New Cingular Wireless PCS, LLC telecommunication equipment installation at 235 South St.
5. New Cingular Wireless PCS, LLC telecommunication equipment installation at 241 Wyman St.
6. New Cingular Wireless PCS, LLC telecommunication equipment installation at 71 Second Ave.
7. New Cingular Wireless PCS, LLC telecommunication equipment installation at 85 Graymore St
8. Secondhand dealers renewal – Plato's Closet – 100 River St. Sara & Ben Dash. Referred to the License and Franchise Committee.

Orders, Ordinances & Resolutions

1. Resolutions honoring Troop 248 Eagle Scouts Alex Campbell, Jeffrey Mann, and Daniel St. Cyr. – Sponsored by Councillor Darcy

The Clerk read the Resolutions. Councillor Darcy spoke on the Resolutions. Councillor Darcy moved to suspend rules to act on the three resolutions collectively. All were in favor. Councillor Darcy moved approval on the resolutions. All were in favor. Resolutions were approved.

Unfinished Business & Other Business

- Purchase order for City Council service agreement with Kyocera for \$3,000.
Referred to the Finance Committee
- Purchase order for City Council advertising expenses \$4,000.
Referred to the Finance Committee
- Special permit modification for an extension to existing deck at 338 Bishops Forest Drive
Referred to the Ordinances and Rules Committee.

Councillor Logan moved to suspend the rules and recess for longer than thirty minutes. All were in favor. President LeBlanc read the list of committee times to meet this evening. Council recessed at 8:59p.m.

Councillor Logan moved to suspend the rules to recess beyond thirty minutes. All were in favor and matter was approved by a voice vote.

Tabled Items

- Zoning Ordinance Amendment Section 3.264 Conservation, water & flood protection areas sponsored by Councillor Darcy (withdrawn)
- Zoning Ordinance Amendment Article III, Section 3.13 Zoning District Map sponsored by Councillor Darcy
- 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
- 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

President LeBlanc called the meeting back to order. Councillor Logan moved to have the meeting go past midnight. All were in favor. The Clerk read the committee reports.

1. The License and Franchise Committee recommended the temporary grant of location at Woerd Ave 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.
2. The License and Franchise Committee recommended the grant of location at Woerd Ave 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.
3. The License and Franchise Committee recommended that the basketball court at Graverson Park be named after Robert Felt. 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.
4. The License and Franchise Committee recommended a that bench at Graverson Playground be named after 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.
5. The License and Franchise Committee recommends that the bocce court at Graverson Playground be named after Joseph Burgoyne 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.
6. The License and Franchise Committee recommends the telecommunication equipment installation at 9 Fiske Ave 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.

7. The License and Franchise Committee recommended the secondhand dealer's renewal license for Plato's Closet at 100 River St 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.

8. The Public Works and Public Safety Committee recommended the 17-25 at 586-588 Lexington St. be approved. Councillor Vidal 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.

9. The Committee of the Whole recommended a transfer of \$88,000 for the purchase of the land located at 334R Prospect Hill Road and 1.8 acres of land from the Prospect Hill Trust be approved. Councillor Logan moved that the action of the committee be the action of the Council. Roll call required.

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

Opposed: None

Absent: None

Matter was approved.

10. The Finance Committee recommended that 50 Naloxone (Narcan) kits from the Newton Wellesley Hospital to the 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.

11. The Finance Committee recommended the donation of 1000 square feet of pavers from Ideal Concrete Block at the Waltham Common to be used in conjunction with the bench and tree gifts previously accepted by the Waltham City Council in memory of Joe Burgoyne 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.

12. The Finance Committee recommended the acceptance a gift of a large portrait of Robert Treat Paine from the Episcopal Divinity School of Cambridge, MA 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.

13. The Finance Committee recommended the acceptance of an additional \$3,000.00 grant from EOPSS- Traffic Enforcement & Equipment Grant 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.

14. The Finance Committee recommended a transfer of funds totaling \$250,000.00 to fund the three year collective bargaining agreement between the City and the Librarian's Union be approved. Councillor McMenimen spoke on the matter. 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.

15. The Finance Committee recommended a transfer in the amount of \$15,000.00 for additional funding for pest control/rat prevention 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.

16. The Finance Committee recommended the creation of an “Energy Revolving Account” under MGL Chapter 44, Section 53E ½ 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.
17. The Finance Committee recommended the acceptance of the Municipal Vulnerabilities Program (MVP) Grant in the amount of \$41,500.00 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.
18. The Finance Committee recommended an appropriation in the amount of \$46,029.90 for a C1 vehicle for the Waltham Fire Department to replace the 2003 Ford Expedition 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.
19. The Finance Committee recommended a transfer in the amount of \$55,000.00 for the signalization design of the High St., Joyce Road, Hamblin Road intersection 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.
20. The Finance Committee recommended a transfer in the amount of \$27,000.00 for two projects at High St. and Parmenter Road 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.
21. The Finance Committee recommended a transfer in the amount of \$6,999.00 for the purchase of a color copier system for the Veterans and Licensing 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.
22. The Finance Committee recommended the acceptance of a gift in the amount of \$1,000.00 for a bench to be located on the Waltham Common in honor of David Yawnick 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.
23. The Finance Committee recommended a transfer in the amount of \$100,000.00 to partially fund the cost sharing of the city’s recycling program with EZ Disposal due to the increased price resulting from current import policies 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.
24. The Finance Committee recommended a Purchase order for City Council advertising expenses \$4,000 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.
25. The Finance Committee recommended a purchase order for City Council service agreement with Kyocera for \$3,000 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.
26. The Long Term Debt Committee recommended a transfer in the amount of \$6,844.15 for the purchase of a Ford Hybrid vehicle for the Water Department meter readers be approved. Councillor

Darcy 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.

27. The Long Term Debt Committee recommended approval of a loan /bond funding in the amount of \$1,463,000.00 for water main replacement and sewer extension at Christopher Road and Montclair Ave. be approved for a first reading. Councillor Darcy 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 Darcy moved to table the matter on the council floor. All in favor and matter was tabled.

28. The Long Term Debt Committee recommended approval of a loan/bond funding in the amount of \$2,403,000.00 to fund the Trapelo Roadway improvements and sidewalk construction be approved for a first reading. Councillor Darcy 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 Darcy moved to table the matter on the council floor. All in favor and matter was tabled.

29. The Long Term Debt Committee recommended approval of a loan order in the amount of \$425,000.00 for the street resurfacing at Brennan Avenue, Mountain Road, Crestview Road, Carol Lane, Goldencrest Avenue, Priscilla Lane, and Midland Drive be approved for a first reading. Councillor Darcy 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 Darcy moved to table the matter on the council floor. All in favor and matter was tabled.

30. The Ordinance and Rules Committee recommends the Special permit modification for an extension to existing deck at 338 Bishops Forest Drive be approved. Roll call required.

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

Opposed: None

Present: Logan

Absent:

Matter was approved.

Councillor Harris moved to adjourn. President LeBlanc declared the meeting adjourned at 12:07a.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

September 5, 2018

Approved by the City Council: _____