

Waltham City Council
Minutes of the Meeting of
September 14, 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, Mackin, McLaughlin, McMenimen, O'Brien, Paz, Stanley, Vidal and Brasco.

Absent: None.

Board of Survey and Planning:

Present: Barrett, Callahan, Moroney and Creonte.

Absent: DeVito and Tarallo.

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 McLaughlin moved approval of the minutes of special meeting of 8/3/2020. The motion was adopted on a voice vote and the minutes were approved. Councillor McLaughlin moved approval of the minutes of special meeting of 8/6/2020 called by the Council President. The motion was adopted on a voice vote and the minutes were approved. Councillor McLaughlin moved approval of the minutes of special meeting of 8/6/2020 called by the Mayor. The motion was adopted on a voice vote and the minutes were approved.

The City Clerk read Rule 86.

First public hearing is a joint public hearing with the Board of Survey & Planning: Zoning Amendment for Affordable Housing

Councillor Darcy and McMenimen testified in favor of the matter. Fifteen people 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 and members of the Board of Survey and Planning. Councillors Harris and Mackin asked questions. With no additional Councillors or members of the Board of Survey and Planning asking questions, President Brasco closed the public hearing and referred the matter to the Ordinances and Rules Committee.

President Brasco called a two-minute recess to let the Board of Survey and Planning exit the meeting.

Second public hearing: Grant of Location at Jennings Rd. to Woodland Rd.

Mary Mulroney, 201 Rivermoor St., West Roxbury, MA representing the petitioner Nationalgrid, spoke in favor of the petition. One person stood in opposition of the petition. One person spoke in a neutral position on 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 LaFauci 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.

Third public hearing: Special Permit at 1111 Lexington Street

Michael Connors, 6 Lexington St., Waltham of Connors & Connors, LLC representing the petitioner, spoke in favor of the petition. Shaun Kelly of VAI spoke in favor of the petition. Paul Pavone, representing the Laborers' Union Local 560 spoke in a neutral capacity on 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 Darcy, O'Brien, Harris, Mackin and McLaughlin, asked questions. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Ordinances and Rules Committee.

Fourth public hearing: Special Permit at 49-53 Linden Street

Robert Fitzgerald, Goodwin, Proctor LLP, 150 Northern Ave., Boston, representing the petitioner, spoke in favor of the petition. Paul Pavone, representing the Laborers' Union Local 560 spoke in a neutral capacity on 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 McLaughlin, LaCava & O'Brien asked questions. With no additional Councillors asking questions, President Brasco closed the public hearing and referred the matter to the Ordinances and Rules Committee.

Fifth public hearing: Fuel Storage License at 143 Worcester Lane

Mr. McAdams, 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 LaFauci, Vidal, McMenimen and Durkee 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: Fuel Storage License at 133 Worcester Lane

Mr. McAdams, 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 LaFauci 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.

Communications from the Mayor

1. The Mayor respectfully requests approval of a transfer of funds in the total amount of \$728,291.66 to pay for the acquisition cost and related legal fees for the property located at 89-91 Maple Street, Waltham. Councillor Harris moved to suspend the rules and act on the matter without Committee reference. The motion was adopted on a voice vote and the matter was approved. Councillor Harris moved to suspend the rules to hear from the Mayor, an off Council member. The motion was adopted on a voice vote and the matter was approved. The Mayor spoke on the matter. Councillor Harris moved approval of the transfer. 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.

2. The Mayor respectfully requests, without Committee reference, the authorization to sign the Project Funding Agreement (PFA) between Massachusetts School Building Authority (MSBA) and the City of Waltham. Councillor McMenimen moved to suspend the rules and act on the matter without Committee reference. The motion was adopted on a voice vote and the matter were approved. Councillor McMenimen moved to suspend the rules to hear from the Mayor, an off Council member. The motion was adopted on a voice vote and the matter was approved. The Mayor spoke on the matter. Councillor McMenimen moved approval of the transfer. 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.

3. The Mayor respectfully requests acceptance of the proposed Conservation Restriction on City-owned land at No. 0 Chesterbrook Road (aka 605R Lexington Street) showing Lot 42 and a 150 ft. buffer from the westerly and southerly boundary lines containing 5.9 acres of land. Referred to the Committee of the Whole.

4. The Mayor respectfully requests a transfer of funds in the amount of \$17,950 to purchase and install an ornamental fence and gates around the Circle of Remembrance. Referred to the Finance Committee.

5. The Mayor respectfully requests the acceptance of a grant renewal through the Executive Office of Public Safety and Security State 911 Department in the amount of \$226,271 for the State 911 PSAP Grant – FY2021. Referred to the Finance Committee.

6. The Mayor respectfully requests acceptance of the State 911 Department Training Grant renewal in the amount of \$24,001.19. It is a reimbursement grant for training related costs associated with the 911 system. Referred to the Finance Committee.

7. The Mayor respectfully requests acceptance of a gift of pumpkins from Charles Mantenuto. Referred to the Finance Committee.

8. The Mayor respectfully reports the tentative agreement regarding the 210 Moody Street – air rights lease terms and is available to discuss further. Referred to the Committee of the Whole.

Applications and Licenses

All Referred to the Licenses and Franchises Committee

- Transfer of a lodging house license: 124-126 Ash Street, Ash Street Lodging LLC –Scott Hefter

Orders, Ordinances & Resolutions

- Resolution Concerning Latinx Heritage Month

The Clerk read the Resolution. Councillor Paz spoke on the Resolution. Councillor Paz moved to suspend the rules to act on the matter without Committee reference. The motion was adopted on a voice vote and the matter were approved. Councillor Paz moved approval of the Resolution. The motion was adopted on a voice vote and the matter was approved.

- Resolution Honoring Cornelia Warren

The Clerk read the Resolution. Councillors Darcy McMenimen and O'Brien spoke on the Resolution. President Brasco referred the matter to the Licenses and Franchises Committee.

- Providing Clean Water for Elinor Circle Residents Resolution

The Clerk read the Resolution. Councillor Darcy spoke on the Resolution. President Brasco referred the matter to the Public Works and Public Safety Committee. Councillor Darcy made a request to invite the City Engineer to the September 21, 2020 Public Works and Public Safety Committee meeting to discuss. The motion was adopted on a voice vote and the matter was approved.

- Linden Street Sidewalks Resolution

The Clerk read the Resolution. Councillor LeBlanc spoke on the Resolution. President Brasco referred the matter to the Public Works and Public Safety Committee.

- Update on Three Requests to Police Chief

Councillor McMenimen spoke on the matter. President Brasco referred the matter to the Committee of the Whole.

Unfinished Business & Other Business

- Minor Modification to Special Permit Order #34493 at 300 Third Avenue

Referred to the Ordinances and Rules Committee.

Councillor McLaughlin moved to suspend the rules and accept a late filed communication from Middlesex Integrative Medicine Inc. time extension. The motion was adopted on a voice vote and the matter was approved. President Brasco referred the matter to the Ordinances and Rules Committee.

Tabled Items

- Open Meeting Law Complaint, 3-23-2020 Docket

Councillor Darcy moved to adjourn. The motion was adopted on a voice vote. Council President Brasco declared the meeting adjourned at 10:00 p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant to the City Clerk

September 23, 2020