

Waltham City Council
Minutes of the Meeting of
September 25, 2017

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, LeBlanc, R., Logan, McMenimen, O'Brien, Rourke, Fowler, McLaughlin, Romard, Marchese, Waddick, Giordano, LeBlanc, D. Vidal, Brasco

Absent: None

The Clerk recited the Council Prayer followed by President LeBlanc leading all present in the Pledge of Allegiance.

Councillor Giordano asked for a moment of silence for all our military that have served; past and present.

Councillor Vidal spoke on the tragedy in Puerto Rico. He asked for a moment of silence. He mentioned what the community is doing for the Puerto Rico.

Councillor Logan moved approve the minutes for the 7/17/2017 Special Meeting City Council meeting. All were in favor and minutes were approved by a voice vote.

Councillor Giordano moved to suspend rules take matter out of order. All were in favor. The Clerk read the resolution regarding Bomb Threats in the School System. Councillor Giordano spoke on the Resolution. Councillors Brasco, Waddick and Romard spoke on the Resolution Councillor Giordano submits two requests that were approved by a voice vote to have the Chief of Police and the Superintendent in to the next meeting to discuss matter. All were in favor and approved by a voice vote. The resolution was referred to the Committee of the Whole.

The Clerk read Rule 86.

The Clerk read called the matter of the first public hearing: Special Permit for 315 College Farm Road.

Philip McCourt, representing the petitioner, AMLN Revocable Realty Trust, Mark Cristofori, Trustee spoke in favor of the petition. Don Aroni, 44 Azalea Drive spoke in favor of the petition. Jason Wisher, abutting neighbor spoke in opposition 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 Fowler, LeBlanc, R., Romard, O'Brien, McMenimen, Rourke and Darcy asked questions to the petitioner.

With no further questions from Councillors President LeBlanc referred the matter to the Ordinances and Rules Committee.

The Clerk called the matter of the second public hearing: Colbea Enterprises, LLC at 225 Waverly Oaks Road.

Councillor McMenimen rose to a point of information to disclose she attended a neighborhood meeting approximately a year ago as well as Councillor McLaughlin relating to the Shell Gas Station on Main St.

William Proia, 42 Rockland St., Natick, MA spoke in favor of the petition. Engineer on the project Paul A. Silvio, 69 Allen St., Bristol, RI spoke in favor of the petition. Giles Hamm, 58

Dunbar Stratham, NH spoke in favor of the petition. Pam Perini, 40 20 Freemont terrace spoke in a neutral position on 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 McLaughlin, Waddick, Logan, McMenimen, Brasco, Darcy, Giordano, LeBlanc, R., asked questions to the petitioner. With no further questions from Councillors President LeBlanc referred the matter to the Ordinances & Rules Committee.

Communications from the Mayor

1. The Mayor respectfully requests acceptance of a donation in the amount of \$3,500.00 from DCU for the City of Waltham Police Department to support efforts of the Police Department in providing programs that will make a difference. The Chief's request is that the money be deposited into the Waltham Police Department Charities account to make a difference in the lives of children.

Referred to the Finance Department.

2. The Mayor respectfully requests the appointment of Jennie Scafidi of 3 Pearl Street, Waltham, MA as a member of the Waltham Recreation Board. This appointment is to fill a vacancy on the board. Enclosed please find her application, resume and City Council Rule 35.

Referred to the Committee of the Whole.

3. The Mayor respectfully requests a transfer of capital improvement funds in the amount of \$252,000.00. These funds will be used to award the low and responsible bidder for the trenchless technology project for the Illicit Discharge Detection and Elimination (IDDE) Program. Included in the funding request is a construction contingency amount of about 5.4%.

Referred to the Long Term Debt Committee

4. The Mayor respectfully requests a transfer of \$371,751.00 to fund the repairs and upgrade to our current Police/Fire radio system.

Referred to the Finance Committee

5. The Mayor respectfully requests the acceptance of a gift in the amount of \$4,796.54 from the estate of Joan M. Sheridan. Ms. Sheridan was long time teacher at Waltham High School and a strong supporter of the Library and its Friends organization, including serving as its President for several years.

Referred to the Finance Committee

6. The Mayor respectfully submits the Evaluation Committee's Results of the bid for Air Rights 230-234 Moody Street RFP.

Deemed information.

7. Councillor Logan moved to accept the late filed communication from the Mayor regarding a \$3500 donation. All were in favor. The Clerk read the communication. The Mayor respectfully requests acceptance of a donation in the amount of \$3,500.00 from DCU for the City of Waltham Fire Department. Referred to the Finance Committee.

Resolutions

1. Domain Name for City Website Resolution - Sponsored by Councillor Darcy. Councillor The Clerk read the Resolution. Darcy spoke on the Resolution. President LeBlanc referred the matter to the Economic and Community Development Committee.
2. Citizen Input at Public Meetings Resolution - Sponsored by Councillor Darcy. Councillor The Clerk read the Resolution. Councillor Darcy spoke on the Resolution. President LeBlanc referred the matter to the Ordinances and Rules Committee.
3. Issues on Lexington Street Resolution – Sponsored by President LeBlanc & Councillor Romard. The Clerk read the Resolution. Councillor Romard spoke on the Resolution. Councillor Romard made a motion to approve a request. All were in favor. Request was approved. President LeBlanc referred matter to the Public Works Committee.
4. Bomb Threats Resolution – Sponsored by Councillor Giordano and President LeBlanc Taken out of order.
5. Lt. Herman A. Ferrick Resolution – Sponsored by Councillor Rourke. Councillor Rourke spoke on the Resolution. President LeBlanc referred the matter to the License and Franchise Committee. President LeBlanc read the Resolution. Councillor Rourke spoke on the Resolution. President LeBlanc referred matter to the License & Franchise Committee.
6. Commonwealth Connect Resolution. Clerk Pro Tem read the Resolution. Councillor Logan and Vidal spoke on the Resolution. President LeBlanc referred the matter to the Economic and Community Development Committee.
7. Marijuana Resolution. Clerk Pro Tem read the Resolution. Councillor Romard spoke on the Resolution. President LeBlanc referred the matter to the Ordinances & Rules Committee.
8. Municipal Access Channel Resolution. Clerk Pro Tem read the Resolution. Councillor Darcy spoke on the Resolution. . President LeBlanc referred the matter to the Economic and Community Development Committee.
9. Eastview Park Resolution. Clerk Pro Tem read the Resolution. Councillor Darcy spoke on the Resolution. President LeBlanc referred the matter to the Public Works Committee.

Committee Reports

Licenses & Franchises

1. The License & Franchise Committee recommends the Grant of Location at Second 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. This is in error. Tabled in Committee.
2. The License & Franchise Committee recommends the Grant of Location at South Street 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 & Franchise Committee recommends the Massport Letter for Albert Gervorgyan 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.

4. The License & Franchise Committee recommends the Grant of Location at Gardner Street 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.

Committee of the Whole

1. The Committee of the Whole recommends Proposal A of the RFP for leasing air rights above the parking lot located at 230-234 Moody Street be approved and acted upon ASAP. Councillor Logan moved to amend the Order. All were in favor and Order was amended on the Council floor. Councillor Logan moved that the action of the Committee be the action of the Council. Roll call requested.

In favor: Brasco, Giordano, Logan, Marchese, Rourke, Vidal, Waddick, LeBlanc, D. Darcy, Fowler, LeBlanc, R., McLaughlin, McMenimen, O'Brien, Romard

Opposed: None

Matter was approved.

Finance Committee

1. The Finance Committee recommends the Waltham Land Trust Tree Donation be approved. Councillor Darcy 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 filed by a voice vote.

2. The Finance Committee recommends appropriation in the total amount of \$48,100.00 from the Library State Aid account to the Library Educational Supplies, Training, Out of State Travel and Carpeting accounts be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was filed by a voice vote.

3. The Finance Committee recommends the transfer of \$5,000 to fund the civil service exams for E911 Dispatcher Exam and Clerical Exam be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was filed by a voice vote.

4. The Finance Committee recommends transfer of funds totaling \$25,850 to fund the second of a three year collective bargaining agreement between the City and the School Traffic Supervisors Union for the period of July 1, 2016 to June 30, 2019 be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was filed by a voice vote.

5. The Finance Committee recommends the acceptance of a grant of \$10,843 from the Edward Byrne Memorial Justice Assistance Grant to the City of Waltham Police 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 filed by a voice vote.

Long Term Debt and Capital Planning

1. The Long Term Debt Committee recommends the transfer of capital improvements funds in the amount of \$38,527 for the design services of the sewer main rehab project on Woerd Ave. be

approved. Councillor LeBlanc 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.

Ordinances & Rules Committee

1. The Ordinances & Rules Committee recommends the FOG Ordinance be approved for a first reading as amended. Councillors Rourke and Logan spoke on the matter. Councillor Rourke moved that the action of the Committee be the action of the Council. All were in favor and the matter was approved. Councillor Rourke moved to recommit the matter back to the Committee. All were in favor. Matter recommitted.

2. The Ordinances & Rules Committee recommends the Special Permit application at 375 Main Street 49-53 Linden Street be denied. Councillor Rourke moved to table the matter. All were in favor and matter was tabled on the Council floor.

Unfinished Business & Other Business

- CPC application for Sons of Italy appropriation for \$210,875.00.
Referred to the Long Term Debt Committee

- Request to Withdrawal Application for 375 Main Street - 49-53 Linden Street
Councillor Rourke moved to act upon the matter without committee reference. All were in favor. Councillor Rourke moved to accept the letter of withdrawal for the Special Permit. Councillor Darcy spoke on the matter. All were in favor of the motion.

Roll called required.

In favor: Brasco, Giordano, Logan, Marchese, Rourke, Vidal, Waddick, LeBlanc, D., Fowler, LeBlanc, R., McLaughlin, O'Brien, Romard, McMenimen, Darcy, LeBlanc, R

Opposed: None

Absent: None

Matter was approved.

Councillor Rourke moved to accept the withdrawal of the Fuel Storage Permit at same address.

Roll called required.

In favor: Brasco, Giordano, Logan, Marchese, Rourke, Vidal, Waddick, LeBlanc, D., Fowler, LeBlanc, R., McLaughlin, O'Brien, Romard, McMenimen, Darcy, LeBlanc, R

Opposed: None

Absent: None

Matter was approved.

Councillor Darcy moved to amend the Docket to reflect the Fuel Storage. Councillor Logan spoke on the matter. President LeBlanc spoke on the matter.

- Letter of Extension of Time for Bishops Forest Condominiums Special Permit for trash pickup. Councillor Rourke moved to suspend the rules and act on the matter without Committee reference. All were in favor matter was approved. Councillor Rourke moved acceptance of the extension.

Roll called required.

In favor: Brasco, Giordano, Logan, Marchese, Rourke, Vidal, Waddick, LeBlanc, D., Fowler, LeBlanc, R., McLaughlin, O'Brien, Romard, McMenimen, Darcy, LeBlanc, R

Opposed: None

Absent: None

Matter was approved.

- Letter of Extension for Special Permit at 185 Willow Street

Councillor Rourke moved to suspend the rules and act on the matter without Committee reference. All were in favor matter was approved. Councillor Rourke moved acceptance of the extension.

Roll called required.

In favor: Brasco, Giordano, Logan, Marchese, Rourke, Vidal, Waddick, LeBlanc, D., Fowler, LeBlanc, R., McLaughlin, O'Brien, Romard, McMenimen, Darcy, LeBlanc, R

Opposed: None

Absent: None

Matter was approved.

Tabled Items

- Children's Hospital Zoning Amendment Veto Order #33649
- Community Thank you Resolution
- Fuel Storage Application at 746 South Street
- Minutes from 1/23/2017, 5/8/2017
- 950 Winter Street Fuel Storage License

Councillor Romard moved to adjourn. President LeBlanc declared the meeting adjourned at 11:21p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

October 4, 2017

Approved by the City Council: _____