

Waltham City Council  
Minutes of the Meeting of  
September 9, 2019

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

**Call of the Roll:**

City Council

Present: Councillors Darcy, Fowler, Harris, LaCava, LeBlanc, Diane, LeBlanc, Randall, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, 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 Logan asked for a moment of silence for all our military that have served past and present and for those who perished on September 11, 2001.

Councillor Logan moved approval of the minutes from the City Council meeting on 8/5/2019. The motion was adopted on a voice vote and the matter was approved.

The City Clerk read Rule 86.

The City Clerk read the first public hearing: Special Permit application at 44, 44R & 56 Williams Street and 114 Felton Street.

Richard Michaud, 2 Seaport Lane, Boston, MA, representing the Vanaria Family, spoke in favor of the petition. Sarah Hankins, 103 Seminole Ave, Waltham, spoke in favor of the petition. Fifteen people stood in favor of the petition. With no one else in support and no one else in opposition and no one 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 Logan, McMenimen, and Vidal asked questions of the petitioner. With no additional Councillors asking questions and no one speaking in rebuttal, President Brasco closed the public hearing and referred the matter to the Ordinances and Rules Committee.

The City Clerk read the second public hearing: Special Permit application at 94 Russell Street Henry Rappe, 27 Ridgewood Lane, Melrose, MA representing the petitioner Boston Titan Real Estate LLC, 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 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 LaCava, Romard, McMenimen asked questions of the petitioner. With no additional Councillors asking questions and no one speaking in rebuttal, President Brasco closed the public hearing and referred the matter to Ordinances and Rules Committee.

The City Clerk read the third public hearing: Grant of Location at 200 Smith Street Maureen Carroll, representing Eversource, spoke in favor of the petition. Robert Coleman, 249 Smith Street, Waltham, MA, 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 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, Romard and Randy LeBlanc asked questions of the petitioner. With no additional Councillors asking questions and no one speaking in rebuttal, President Brasco closed the public hearing and referred the matter to the Licenses and Franchise Committee.

The City Clerk read the fourth public hearing: Fuel Storage at 300 Third Avenue Michael Connors, Connors & Connors, LLC, 2 Lexington Street, Waltham, representing the petitioner, Lincoln Property Company, 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 on the petition, President Brasco closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Romard asked questions of the petitioner. With no additional Councillors asking questions and no one speaking in rebuttal, President Brasco closed the public hearing and referred the matter to the Licenses and Franchise Committee.

### **Communications from the Mayor**

1. The Mayor respectfully requested acceptance of a donations in the amount of \$5,000 from Digital Federal Credit Union to the Waltham Fire Department to put towards community programs. Referred to the Finance Committee.
2. The Mayor respectfully requested acceptance of a donations in the amount of \$5,000 from Digital Federal Credit Union to the Waltham Police Department to put towards in school or after school programs for children. Referred to the Finance Committee.
3. The Mayor respectfully requested acceptance of a donations in the amount of \$5,000 from the Mt. Auburn Hospital for suicide prevention training, bilingual training and transportation assistance to the Waltham Health Department. Referred to the Finance Committee.
4. The Mayor respectfully requested approval of a transfer in the amount of \$110,732.03 to purchase a SUV vehicle and a pickup truck for the Waltham Fire Department. Referred to the Finance Committee.
5. The Mayor respectfully requested approval of a transfer in the amount of \$10,000 to the Waltham Cultural Council for the purpose of providing grants to local cultural entities. Referred to the Finance Committee.
6. The Mayor respectfully requested that Conservation Commission be heard in regards to their request to extend the City's River Walk. Referred to the Committee of the Whole.
7. The Mayor respectfully requested approval of an appropriation in the amount of \$17,506 for the Disability Services Commission to fund numerous handicap projects. Referred to the Finance Committee.
8. The Mayor respectfully requests the confirmation of the appointment of Thomas Creonte as a member of the Waltham Biosafety Committee. Referred to the Committee of the Whole.
9. The Mayor respectfully requests approval of a transfer in the amount of \$3,333.33 for the membership dues to the Watertown Transportation Management Association, Inc. for the remainder of the year. Referred to the Finance Committee.
10. The Mayor respectfully submits a communication from the Chief of the Fire Department, City Auditor and the SMMA related to the WHS Project. Councillor Logan moved to table the matter on the Council floor. The motion was adopted on a voice vote and the matter was approved.

Councillor Logan moved to accept two late field communications from the Mayor. The motion was adopted on a voice vote and the matter was approved.

- The Mayor respectfully requested approval of the transfer of \$88,860 to purchase a new air compressor unit for the Fire Department. Referred to the Finance Committee.
- The Mayor respectfully requested approval of the acceptance of a grant (90% and matching fund of 10% totaling \$656,505 to purchase 74 5CBA units and related equipment for the Fire Department. Referred to the Finance Committee.

## **Applications & Licenses**

## **Orders, Ordinances & Resolutions**

## **Committee Reports**

## **Unfinished Business & Other Business**

- Reallocation of Positions Communication from the City Clerk's Office

Referred to the Ordinances and Rules Committee

- Time extension for Special Permit application at 1560 Trapelo Road

Referred to the Ordinances and Rules Committee

## **Tabled Items**

- Loan order for WHS \$374,567,387 (First reading 8/5/2019)

Councillor Diane LeBlanc moved to take the loan order for the WHS School project off of the table.

The motion was adopted on a voice vote and the matter was approved. Councillor Diane LeBlanc moved to hear from an off committee member. The motion was adopted on a voice vote and the matter was approved. Michael Garvin, Traffic Commissioner, answered questions related to a request made at the last Council meeting by Councillor Diane LeBlanc. Councillor Nabulime rose to a point of parliamentary inquiry. Councillor McMenimen and Councillor Mackin inquired about what matter was being discussed. Councillor Romard asked questions of Mr. Garvin. Councillor Harris asked questions of Mr. Garvin. Councillor Nabulime asked questions of Mr. Garvin. Councillor Randy LeBlanc asked questions of Mr. Garvin. Councillor Darcy spoke on the matter. Councillor Stanley asked questions of Mr. Garvin. Councillor Logan asked questions of Mr. Garvin. Councillor Fowler spoke on the matter. Councillor Fowler moved to table the matter. Councillor McMenimen rose to a point of parliamentary inquiry and asked how many people are needed for the motion to table to pass. President Brasco responded with the answer of eight. Councillor McMenimen asked for a roll call. Councillor Logan rose to a point of parliamentary inquiry.

In favor: Fowler, Romard,

Opposed: Darcy, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Mackin, McLaughlin, McMenimen, Nabulime, Stanley, Vidal

Presiding: Brasco

Motion did not carry. Councillor Fowler still had the floor and requested that the Mayor come to the next meeting to answer his questions. On the request Councillor Logan asked if the Mayor was in the building. Councillor Nabulime and Councillor Harris went to the Mayor's office to request her presence at the meeting. The Mayor entered the Chamber and answered some of Councillor Fowler's questions. She reiterated that the Police Chief, Fire Chief and School Administrators were present to discuss the information submitted to the Council in their packets for the meeting. Councillor Nabulime rose to a point of parliamentary inquiry and asked if Rule 35 applied to this discussion. President Brasco stated it did not. Councillor Romard rose to a point of parliamentary inquiry. Councillor Fowler made a motion to hear from all off committee members. All were in favor and the matter was approved by a voice vote. Ms. Finnegan spoke on the matter and presented slides. Brian Black from the School design team spoke on the matter. Councillor Romard asked questions on the slides

presented. The Police Chief and the Fire Chief spoke on the matter. Councillors Vidal, Diane LeBlanc, Romard, Nabulime, Logan, Diane LeBlanc all asked questions of the Mayor, Fire Chief, Police Chief, Architect. Councillor Diane LeBlanc asked the Mayor for a copy of the five-page anonymous letter the SMMA had received. The Mayor asked for a two-minute recess to go get a copy of the letter. President Brasco called for a vote to go past midnight. The motion was adopted on a voice vote and the matter was approved. President Brasco called for a two-minute recess. President Brasco called the meeting back to order and recognized the members of the School Committee in attendance. The Mayor returned and handed out a copy of the letter. The Mayor read the anonymous letter. Councillor Diane LeBlanc asked questions of the Mayor. The Mayor spoke in response. Councillor Nabulime rose to a point of parliamentary inquiry asking that Rule 35 be exercised. President Brasco ruled the request out of order. Councillor Nabulime asked President Brasco to expound on Rule 35. Councillor Diane LeBlanc continued her questioning. The Mayor stated that not moving forward sends the wrong message and that she does not support any delay. Councillor Nabulime moved to approve the second and final reading of the funding for the WHS Project. On the motion Councillor Stanley spoke in the motion and moved the question. All were in favor and the matter was approved by a voice vote. Roll call required on the motion for a second and final reading. In favor: Darcy, Fowler, Harris, LaCava, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Stanley, Vidal  
Opposed: Romard  
Present: Diane LeBlanc  
Presiding: Brasco  
Matter was approved by a 12-1-1 vote.

- Loan order for resurfacing of Bear Hill Road \$1,100,000 (First reading 8/5/2019)

Councillor Stanley moved to take the matter off of the table. All were in favor and the matter was approved by a voice vote. Councillor Stanley moved approval for a second and final reading. Roll call required.  
In favor: Darcy, Fowler, Harris, LaCava, Diane LeBlanc, Randy LeBlanc, Logan, Mackin, McLaughlin, McMenimen, Nabulime, Romard, Stanley, Vidal  
Opposed: None  
Presiding: Brasco  
Matter was approved by a 14-0 vote.

- Mayor's veto on Order Nos. #34291, 34292, 34295
- Installation of a guard rail on the backside of Beal Road sidewalk

Councillor Logan moved to adjourn. The motion was adopted on a voice vote and President Brasco declared the meeting adjourned at 12:29 a.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

September 18, 2019

Approved by the City Council: \_\_\_\_\_