

## COMMITTEE OF THE WHOLE

### Minutes of the Meeting

March 2, 2020

1. Vice-President McMenimen called the meeting to Order at 8:00 pm.
2. Vice-President McMenimen requested that a roll call be taken to record the attendance for the meeting. The Clerk called the roll – President Brasco, Councillors Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, Mackin, McLaughlin, O'Brien, Paz, Stanley and Vice-President McMenimen were present. Councillors LeBlanc and Vidal were absent.
3. A motion to approve the minutes of the COW meeting held on February 18, 2020 was adopted on a voice vote and the minutes of the February 18, 2020 meeting were approved.
4. Councillor Dunn moved to take a docket item out of order. The motion was adopted on a voice vote. Councillor Dunn moved to take the matter of the City-owned property at 102 Trimount Avenue (4/8/2019) from the table. The motion was adopted on a voice vote. Councillor Dunn stated the property is vacant, is in blighted condition and not producing tax revenue. Councillor Dunn spoke with the Mayor as to a recommendation for the property. Councillor Dunn moved to request the Mayor to initiate an RFP to dispose of the property. The motion was adopted on a voice vote. Councillor Dunn moved to place the matter back on the table. The motion was adopted on a voice vote.
5. A request was received from the Mayor to authorize the Mayor to grant Charles River Canoe & Kayak a Section 10A permit to put a temporary float on the Cronin's Landing Dock. It was stated this was a recurring transaction. Councillor Paz moved to authorize the Mayor to grant the 10A permit. The motion was adopted on a voice vote.
6. A request was received from the Mayor to allow Christopher Hesse of U.S. Wireless to give a presentation concerning a municipal light poles and traffic controls leasing management program. A motion to hear from Mr. Hesse was adopted on a voice vote. Mr. Hesse gave a brief explanation of his background and his company profile. Mr. Hesse distributed a multi-page information document to the Committee and used a power point demonstration to explain the program of distributed antenna systems (DAS). Mr. Hesse explained an RFP process, his experience in other communities and the amount of revenue the program could generate for a community. Councillor Darcy asked several question about locating the devices on City infrastructure. Councillor Lacava asked questions about the number of devices to be installed. Councillor McLaughlin asked questions about the agreements reached with other cities/towns and the pricing structure. Councillor O'Brien asked questions about the process to initiate

the program and if other competitors existed. Councillor Harris asked sequential questions going over specific items in the presentation, including enhancements of the technology, pole location studies, future expansion, maintenance of the system, duration to implement and the manufacturer of the devices. Councillor Mackin asked questions about the technology, including access and the ability to charge income based rates. Councillor Durkee asked about disruption to the system if a light pole were knocked down. Councillor LaFauci asked questions about the correlation between the number of locations and the revenue to be generated. President Brasco spoke about a former legal opinion regarding the use of municipal infrastructure and if this technology proposal is allowed. Councillor Darcy moved to table the matter. The motion was adopted on a voice vote and the matter was tabled.

7. A request was received from the Mayor to transfer the care, custody and control of parcel R032 005 0038 known as 131R Lincoln Street, Waltham, MA ( +/- ) six (6) acres to the Waltham School Committee and the Waltham School Department for educational use and purposes associated with educational use. Councillor Dunn moved to hear from the Mayor and Assistant City Solicitor Azadi. The motion was adopted on a voice vote. The Mayor presented two maps of the area and also distributed a map prepared by SMMA showing the proposed location of the school and parking garage/field. The Mayor explained that she has two objectives to address – neighborhood concerns and to keep the WHS project moving. The Mayor stated the Jericho Hill property was acquired through a taking and the deed indicated it could be used for all municipal purposes. The Mayor stressed the WHS project incorporated two schools in one – an academic program and a vocational program. The Mayor read several excerpts from the DEP letter. The Mayor noted the stream was intermittent and not perennial. The Mayor stated that DEP was only concerned with the stream area and not the woods or ledge. Councillor Dunn asked questions about a secondary access, the impact of the garage on the environment, including its height. Councillor Dunn expressed concern on behalf of her constituents about the lack of information and neighborhood meetings for this new proposal. The Mayor spoke of the MEPA requirement to look at alternatives and there was a deadline to meet. The Mayor stated the care, custody and control of the site could be given conditionally. Councillor Dunn reiterated her concerns of making a decision without being provided enough information. Councillor Paz rose to ask if the matter should be discussed in Executive Session. Assistant City Solicitor Azadi stated it would need to conform to one of the reasons an Executive Session is convened. Councillor Harris asked several detailed questions about the acquisition of the Jericho Hill property including when, its deeded use and the impact on the school project by not agreeing to the care, custody and control request. Councillor Harris suggested agreeing to the care, custody and control with conditions. The Mayor stated some people are against locating the new WHS at this site and less about the impact to the neighbors or environment. The Mayor further stated that the City is the largest abutter. Councillor LaCava elicited from the Mayor that it was not intended to use all of the 6 acres of the

Jericho Hill property. Councillor Darcy spoke of his involvement in the acquisition of Jericho Hill and the intent was to keep it as open space. Councillor Darcy stated he could not support the request without more information. Councillor Paz moved to go into Executive Session, to invite the Mayor and Assistant City Solicitor Azadi, to appoint Paul Centofanti as the Clerk and to reconvene in open session. Vice-President McMenimen reminded Councillors of their responsibilities and obligations of not discussing or disclosing any information that is deliberated in Executive Session. The motion was adopted on a roll call vote of 11 in favor (President Brasco, Councillors Darcy, Dunn, Harris, LaCava, LaFauci, Mackin, McLaughlin, O'Brien, Paz and Stanley), 1 opposed (Durkee), 2 absent (LeBlanc and Vidal) and McMenimen presiding at 10:10pm.

8. Open session was reconvened at 12:20 am on March 3, 2020.
9. A motion to continue past midnight under Council rule #2 was adopted on a voice vote.
10. The discussion of the matter of 131R Lincoln Street was resumed. President Brasco moved to transfer the care, custody and control of parcel R032 005 0038 known as 131R Lincoln Street, Waltham, MA ( + / - ) six (6) acres to the Waltham School Committee and the Waltham School Department for educational use and purposes associated with educational use, subject to conditions. The motion was adopted on a roll call vote of 10 in favor (President Brasco, Councillors Durkee, Harris, LaCava, LaFauci, Mackin, McLaughlin, O'Brien, Paz and Stanley), 2 opposed (Darcy and Dunn), 2 absent (LeBlanc and Vidal) and McMenimen presiding.
11. The matter of the FY2021 City Council budget was the next item on the agenda. Vice-President McMenimen explained that Councillors had been provided with a recommended budget request and asked if there were any other requests. Hearing none, Vice-President McMenimen asked the Clerk to include a request for two Surface-Pro laptops. A motion to approve the City Council request for the FY2021 budget as amended was adopted on a voice vote.
12. Vice-President McMenimen reminded the Councillors of the future joint meetings for training.
13. A motion by President Brasco to adjourn was adopted on a voice vote, and the Chair declared the Committee adjourned at 12:25 am on March 3, 2020.

Paul G. Centofanti – Clerk to the Committee of the Whole