

Waltham City Council
Minutes of the Meeting of
October 23, 2023

President McMenimen called the meeting to order at 7:30 p.m.

Present: Councillors Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal, and President McMenimen.

Absent: None.

City Clerk Vizard recited the Council Prayer followed by President McMenimen leading all present in the Pledge of Allegiance. Councillor Durkee asked for a moment of silence for all military that have served past and present. Councillor Durkee spoke about U.S. Army Airforce 1st LT. Alfred W. Pezzella whose remains were returned home on October 20, 2023 after 80 years. A moment a silence was observed.

Councillor McLaughlin moved approval of the Regular Meeting minutes of 10/10/2023. The motion was adopted by a voice vote and the matter was approved.

President McMenimen relinquished the chair to Vice President McLaughlin to allow her to present a Resolution from the lectern. Councillor McMenimen moved to suspend Rule 8 to take the Maristhill 50th Anniversary Resolution out of order. The motion was approved by a voice vote. Clerk Vizard read the Resolution. Councillor McMenimen spoke about her mother and her memories at Maristhill. President Pro tem McLaughlin moved to suspend Rule 9 to hear from off-committee members. The motion was approved by a voice vote. The President of Maristhill, James Tracy spoke on his experience with Maristhill and the success of working with Covenant Health at the facility. Covenant Health representative, Dave Becker spoke about the care provided by Covenant Health at Maristhill. Councillor McMenimen spoke about the history of nursing homes in Waltham. Councillor McMenimen moved to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillor McMenimen moved approval of the Maristhill 50th Anniversary Resolution. The motion was approved by a voice vote and the Resolution was approved.

Vice President McLaughlin turned the meeting back over to President McMenimen. President McMenimen returned to the dais.

Councillor LaFauci rose for a moment of silence in memory of Eileen McPherson, the wife of the former Waltham Chief of Police and lifelong resident of Ward 1. A moment of silence was observed.

Communications from the Mayor

1. The Mayor respectfully requested a transfer in the total amount of \$5,403.75 to purchase (3) new computers with monitors for the customer service teller window at the Treasurer's Office. Referred to the Finance Committee.
2. The Mayor respectfully requested a placeholder for the 190 Trapelo Road Memorial and Universal Areas construction bid. Referred to the Finance Committee.

3. The Mayor respectfully requested approval of a financing plan totaling \$8,157,628.50 for the Winter Street and Lincoln Street – water, sewer, drain and street/sidewalk improvements. Referred to the Finance Committee.

Applications and Licenses

All Applications and Licenses referred to the Licenses and Franchises Committee.

- Extended Retail Hours Renewal — 591 Moody Street –Samdough, Inc.
- Extended Retail Hours Renewal — 806 Main Street –Wendy’s Properties, LLC.
- Extended Retail Hours Renewal — 859 Main Street –Morley Doughnuts, Inc.
- Extended Retail Hours Renewal — 821 Main Street –Global Montello Group Corp #774
- Extended Retail Hours Renewal — 34-36 Elm Street –Despensa Familiar, Inc.
- Extended Retail Hours Renewal — 677 Moody Street –MK and Company LLC – Dragon Chef
- Extended Retail Hours Renewal — 1033 Trapelo Road – Global Montello Group Corp #2762
- Extended Retail Hours Renewal — 511 Totten Pond Road – Global Montello Group Corp #782
- Class 2 Renewal — 50 River Street – Absolute Auto Sales
- Class 2 Renewal — 44 Charles Street – P.P.A. Inc. dba Waltham Motor Co.
- Class 2 Renewal — 50 Thayer Road – Hull Corporation, Inc. dba Little Foreign Car Garage
- Class 1 Renewal — 85 Linden Street – Lotus Motorsports, Inc.
- Class 2 Renewal — 143 Prospect Street – Prospect Automobile Sale & Service

Resolutions, Orders and Ordinances

- Resolution Honoring Metalwerx on the Occasion of their 25th Anniversary
Clerk Vizard read the Resolution. Councillor Stanley made a motion to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillors Stanley and Durkee spoke on the Resolution. Councillor Stanley moved for approval of the Resolution. The motion was approved by a voice vote and the Resolution Honoring Metalwerx on the Occasion of their 25th Anniversary was approved.
- Resolution Concerning Rezoning of the 5.13-acre and 0.13-acre former Antico parcels in the Waltham Highlands from Residential A2 (RA2) to Conservation/Recreation (CR) Zoning District
Clerk Vizard read the Resolution. Councillor Darcy spoke on the Resolution. President McMenimen referred the Resolution to the Ordinances and Rules Committee.
- Resolution Concerning Rezoning of the 20.87-acre Berry Farm parcel in the Waltham Highlands from Residential A2 (RA2) to Conservation/Recreation (CR) Zoning District
Clerk Vizard read the Resolution. Councillor Darcy spoke on the Resolution. President McMenimen referred the Resolution to the Ordinances and Rules Committee.
- Resolution Establishing and/or Re-Establishing ADA Compliant Pedestrian Connections between Neighborhoods in North Waltham to allow our School Children, Residents and Seniors Safe Pedestrian Passage
Clerk Vizard read the Resolution. Councillor Darcy spoke on the Resolution. President McMenimen referred the Resolution to the Public Works and Public Safety Committee.
- Resolution to Implement Benches in Downtown
Clerk Vizard read the Resolution. Councillor Paz spoke on the Resolution. Councillor Paz made a request to send the Resolution and the attached accompaniments to the Director of

the CPW. The motion was approved by a voice vote. Councillor Paz made a request to invite the Director of CPW to the next Public Works and Public Safety Committee meeting on November 6, 2023. The request was approved by a voice vote. President McMenimen referred the Resolution to the Public Works and Public Safety Committee.

- Resolution Concerning Alerting All Waltham Residents to be on High Alert for Potential Fraud & Scams from Itinerant Contractors
Clerk Vizard read the Resolution. Councillor Darcy spoke on the Resolution. Councillor Darcy made a request to invite Waltham Police Chief Kevin O'Connell, or his representative to attend the next Committee of the Whole meeting on (amended date) November 20, 2023 to discuss the alleged financial scams occurring in Waltham neighborhoods, and help explain to the Waltham residents how they can be more alert to avoid potential scams involving stealing peoples' savings. The request was approved by a voice vote. President McMenimen referred the Resolution to the Committee of the Whole.

Committee Reports

Committee of the Whole

1. The Committee of the Whole recommended permission to file the Conservation Restriction for 0 BEF Chesterbrook Road with the state be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.
In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.
Opposed: None.
Absent: None.
Matter was approved 15-0-0.
2. The Committee of the Whole recommended permission to file the Conservation Restriction for 287 AFT Grove Street with the state be approved. Councillor LaCava spoke on the Resolution. Councillor LaCava made a motion to amend paragraph 4 to say "nothing in this paragraph is intended to prohibit the mowing of existing lawn areas or other regular maintenance of the property in its current condition as of the enactment of this restriction by the grantee and the local Community groups." Roll call required.
In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.
Opposed: None.
Absent: None.
Presiding: McMenimen.
Matter was approved 14-0-0.
Councillor McLaughlin moved approval of the amended matter. Roll call required.
In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.
Opposed: None.
Absent: None.
Matter was approved 15-0-0.
3. The Committee of the Whole recommended permission to file the Conservation Restriction for 0 Prospect Hill Road and Lot 1A Willard Street with the state be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.

Opposed: None.

Absent: None.

Matter was approved 15-0-0.

4. The Committee of the Whole recommended permission to file the Conservation Restriction for 342-344 Warren Street with the state be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.

Opposed: None.

Absent: None.

Matter was approved 15-0-0.

5. The Committee of the Whole recommended permission to file the Conservation Restriction for 240 Beaver Street with the state be approved. Councillor LeBlanc recused himself. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, Katz, LaCava, LaFauci, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.

Opposed: None.

Absent: None.

Recused: LeBlanc.

Matter was approved 14-0-0-1.

Licenses and Franchises Committee

1. The Licenses and Franchises Committee recommended the Extended Retail Hours Renewal for Waltham Fuel, Inc at 1335 Main Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
2. The Licenses and Franchises Committee recommended the Extended Retail Hours Renewal for Burger King at 881 Moody Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
3. The Licenses and Franchises Committee recommended the Extended Retail Hours Renewal for Pro Tech Auto & Tire CTR, Inc. at 205 Willow Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
4. The Licenses and Franchises Committee recommended the 2023 Lodging House renewal for Mark Pintabone at 6 Park Place be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
5. The Licenses and Franchises Committee recommended the Class Two License renewal for DW Enterprise, Inc. at 712 Moody Street be approved. Councillor Vidal moved that the

action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

6. The Licenses and Franchises Committee recommended the Class Two License renewal for Sideris Automotive Services, Inc. at 103 Felton Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
7. The Licenses and Franchises Committee recommended the Class Two License renewal for Newton Street Service, Inc. at 255 Newton Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
8. The Licenses and Franchises Committee recommended the Class Two License renewal for European Auto Solutions, LLC., Inc. at 1486 Main Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
9. The Licenses and Franchises Committee recommended the Class Two License renewal for Pilicy Auto & Yacht Inc-Pilicy Auto Sales, Inc. at 935R Main Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
10. The Licenses and Franchises Committee recommended the Class Two License renewal for Waltham Auto Tow, Inc. at 279R Crescent Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Finance

1. The Finance Committee recommended the requests to dedicate two existing benches at the Paine Estate in recognition of Mr. & Mrs. Goodwin be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved
2. The Finance Committee recommended a transfer of funds totaling \$129,000.00 to fund the design services for the structural phases for the Embassy Parking Garage renovations be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved
3. The Finance Committee recommended the requests to dedicate two city benches: one in recognition of Janice Palmer and one in recognition of Joseph and Virginia LaRosa be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved
4. The Finance Committee recommended the acceptance of a Green Communities Competitive Grant in the amount of \$198,000.00 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved

5. The Finance Committee recommended the acceptance of a Sustainable Materials Recovery Program (SMRP) Municipal Grant from the Massachusetts Department of Environmental Protection in the amount of \$24,500.00 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

Unfinished Business & Other Business

- CPC Recommendation for Allocation of CPA Funds for Renovation and Creation of a Group Home. Referred to the Long Term Debt & Capital Planning Committee.

Tabled Items

- Mayor's Communication regarding a confidential update for 101 School Street
 - Mayor's Communication regarding a confidential update for 0 Prospect Hill Road
- Clerk Vizard read the tabled items. Councillor McLaughlin made a motion that was approved by a voice vote to combine the Mayor's Communication regarding a confidential update for 101 School Street and the Mayor's Communication regarding a confidential update for 0 Prospect Hill Road. Councillor McLaughlin made a motion that was approved by a voice vote to take the combined communications off the table. Councillor McLaughlin made a motion to release the combined Communications to the public. The motion was approved by a voice vote. Councillor McLaughlin made a motion to file the Mayor's Communication regarding a confidential update for 101 School Street and the Mayor's Communication regarding a confidential update for 0 Prospect Hill Road. The motion was approved by a voice vote and the two communications were filed.

With no further matters Councillor LeBlanc moved to adjourn. The motion was approved by a voice vote. President McMenimen declared the meeting adjourned at 8:36 p.m.

Respectfully submitted by:

Cathy Magliarditi

Executive Assistant to the City Clerk

October 30, 2023