

DATE: 3/17/2014 CITY OF WALTHAM - EXECUTIVE SESSION

IN THE MATTER OF: ACQUISITION OF ARVED FARM

It is moved by K. MCMEHLEN

That this governmental body hold an executive session.

INVITE MAYOR, SKEAYLWADICK (ENV SPEC)

A Roll was called (See Attached Roll Call).

All votes taken in Executive Session must be recorded Roll Call Votes.

The Clerk of this Executive Session is designated as PHIL CENDRANT

A Quorum being present and a Majority having voted to go into Executive Session, the Chair states that:

1. This meeting convened in open session and
 - ☒ a. Notice and posting of the meeting was given, or
 - ☐ b. The meeting is an emergency meeting.
2. After the Executive Session the meeting.
 - ☒ a. Will reconvene in open session
 - ☐ b. Will not reconvene.
3. The purpose or purposes of this Executive Session are:
 - A. ☐ To deliberate upon matters involving individuals where the individuals involved have been notified in writing of the meeting and have not requested an open meeting, and regarding:
 - ☐ 1. The reputation and character of the individual
 - ☐ 2. The physical condition and mental health of the individual
 - ☐ 3. The discipline or dismissal of a public officer, employee, staff member or individual
 - ☐ 4. A complaint or charge brought against a public officer, employee, staff member or individual.
 - B. ☒ To deliberate upon matters which, if done in open meeting could detrimentally affect the position of the City, and regarding:
 - ☐ 1. Collective bargaining
 - ☐ 2. Strategy with respect to Collective Bargaining
 - ☒ 3. Strategy with respect to litigation
 - ☒ 4. The purchase, exchange, lease or value of real property.
 - C. ☐ To deliberate matters regarding:
 - ☐ 1. The deployment of security personnel or devices, e.g., a sting operation
 - ☐ 2. Allegations of criminal misconduct.
 - D. ☐ To comply with the provisions of a General Law or special law or Federal Grant in Aid requirement, the specific law being _____
 - E. ☐ In the initial screening process, to review resumes and interview candidates for employment, if an open meeting would have a detrimental effect in obtaining qualified candidates.
 - F. ☐ To meet with a mediator regarding litigation or decision.

4. All of the foregoing is hereby made part of the official minutes of this body.

Records of an Executive Session are public only after the matter is resolved.

8:50 # (2)

City of Waltham
Committee of the Whole - Open Session

Date MARCH 17, 2014

(RW) Matter GO INTO EXEC SESSION, PER CLERK, RECONVENE OPEN SESSION
DRAFT TAKING ORDER / MARGO FARMS, ACQUISITION OF RE
STEVEN WADDICK, MAYOR

Roll Call Vote

Councillor Brasco	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Darcy	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Fowler	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Giordano	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor LeBlanc	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Logan	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor McLaughlin	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor McMenimen	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor O'Brien	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Romard	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Rourke	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Stanley	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Councillor Vizard	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
President Waddick	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
Vice President Marchese	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN
TOTAL	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	<input type="checkbox"/>	ABSTAIN

Ruling PASSED

①

EXECUTIVE SESSION
ARRIGO FARM

3/17/2014

8:45 PM

MAYOR + SHERYL WADDICK IN ATTENDANCE

R.L. SHOULD A PHASE 2 ENVIRONMENTAL STUDY BE DONE

SHERYL W. PHASE 1 DETERMINES IF PH2 IS NEEDED. PH1 TESTING DOES NOT WARRANT PH2, CNP WOULD BE PROTECTED

S.R. REPORT - CONCERN RAISED ABOUT PORTION OF THE BARN WAS NOT ACCESSIBLE

SHERYL W. HER REVIEW OF REPORT DID NOT RAISE A CONCERN! DOES SEE SOME POTENTIAL CONCERNS FOR FUTURE USE

KMc READ SECTION OF REPORT (S. WADDICK OPINION)

SHERYL W. WORK DONE IN PHASE 1 IS ALL THAT IS REQUIRED, DID NOT FIND A NEED FOR PHASE 2

KMc. CONCERN ABOUT WHAT IS COMING INTO PROPERTY FROM ADJUTING PROPERTIES

SHERYL W. FLOW IS AWAY FROM THE FARM, NOT COST EFFECTIVE TO DO A PHASE 2.

EX.SESSON 3/17/2014

②

KMe. WFD DID NOT RESPOND TO THE REQUEST FROM THE CONSULTANT.

QUESTIONS ABOUT ENVIRONMENTAL CLEAN UP COSTS — ARE WE RESPONSIBLE?

B.F. CONSULTANT FELT PHASE 2 WAS NOT NECESSARY, STENY WADDICK REVIEWED IT, BELIEVES CONSULTANT'S REPORT IS FINE.

G.D. IF WE ACQUIRE + WE FIND SOMETHING, IS CONSULTANT LIABLE?

G.D. MAYOR, HOW DO WE PROCEED, MAYOR HAS REVIEWED PAPER WORK AND FUNDING REQUEST FOR APPLICATION \$2.75M - CITY PRICE TO PAY, REST IS FOR CONTINGENCY.

MAYOR TITLE SEARCH IS NEEDED, NEED TO WAIT.

MAYOR NO PROBLEM W/ ATTY WADDICK, BUT A SIMILAR SITUATION OCCURRED IN WESTON + IT WAS HELD UP.

MAYOR CONCERN ABOUT ARSENIC IN SOIL.

MAYOR WILL CONFERENCE W/ ATTY WADDICK

EX SESSION 3/17/2014

(2)

KMc DOES COMM OF MASS REQUIRE ARSENIC TESTING
BY SELLER?

MOTION TO ADJOURN EX SESSION (A) 9:20 PM

ROLL CALL VOTE - 15 YES

MOTION PASSES - 9:20 PM

PAUL CENTOFANTI

COW CLERK EX SESSION

City of Waltham
Committee of the Whole - EXECUTIVE SESSION

Date

3/17/2014

Maker

Motion

ADJOURN EX SESSION + RECONVENE OPEN SESSION
(A) 9:20 PM

Roll Call Vote

Councillor Brasco	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Darcy	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Fowler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Giordano	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor LeBlanc	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Logan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor McLaughlin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor McMenimen	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor O'Brien	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Romard	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Rourke	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Stanley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Councillor Vizard	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
President Waddick	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
Vice-President Marchese	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSENT	<input type="checkbox"/>
TOTAL	<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT	<input type="checkbox"/>

Ruling

MOTION PASSES