

City Council Docket
August 3, 2015

The City Council Meeting will be held on Monday, August 3, 2015 at 7:00 PM in the Council Chamber at City Hall, 610 Main Street, Waltham and the following matters and others will be considered.

Accepting minutes from June 22, 2015

Public Hearings

Notice is hereby given that the City Council will hold a joint Public Hearing with the Board of Survey and Planning in the City Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, August 3rd, 2015 at 7:00 pm on the following application:

AN ORDINANCE AMENDING CHAPTER 21 OF THE GENERAL ORDINANCES OF THE CITY OF WALTHAM ENTITLED "ZONING"

Chapter 21 of the General Ordinance of the City of Waltham entitled "Zoning," as most recently amended, is hereby further amended as follows:

ARTICLE VIII entitled "Incentive Zoning," Section 8.4 entitled "Riverfront Overlay District special permit (RF)," Section 8.458 thereof entitled "Parking Requirements" is hereby amended by deleting the following:

- (a) The parking requirements for development pursuant to a Riverfront Overlay District special permit shall conform to the parking requirements set forth in Section 5.2 of this chapter. Further, all at-grade parking lots shall be screened on all sides by a strip of land at least four feet wide, densely planted with evergreen shrubs or trees forming an opaque screen. At planting, said screen shall have a height of at least three feet and shall be maintained after one year at a minimum height of four feet, but not more than six feet. Where appropriate for reasons of safe sight lines or access, the screening requirements may be reduced.

and inserting in place thereof the following:

- (a) The parking requirements for development pursuant to a Riverfront Overlay District special permit shall conform to the parking requirements set forth in Section 5.2 of this chapter, except that the parking requirement for multi-family residential developments located within one thousand feet (1,000') of an active commuter rail station shall be 1.5 spaces per unit. The one thousand feet shall be measured in a direct line from the closest point of the commuter rail station to the closest point of the development. Further, all at-grade parking lots shall be screened on all sides by a strip of land at least four feet wide, densely planted with evergreen shrubs or trees forming an opaque screen. At planting, said screen shall have a height of at least three

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feet and shall be maintained after one year at a minimum height of four feet, but not more than six feet. Where appropriate for reasons of safe sight lines or access, the screening requirements may be reduced.

Public Hearing

Notice is hereby given that City Council will hold a Public Hearing in the City Council Chamber at City Hall, 610 Main Street, Waltham, MA on Monday, August 3, 2015 at 7:00 p.m. on the following application:

Robert Kaitz with an address of 731 Moody Street, Unit 22, Waltham, MA 02453 as the owner of the property located at 90 Amherst Avenue, Waltham, MA petitions the Waltham City Council for permission under the provisions of Section 17-25 for the installation of utilities. The property is numbered 90 Amherst Avenue. All work is to be done in accordance with the provisions of said Section 17-25.

Public Hearing

Notice is hereby given that the City Council will hold a Public Hearing in the Council Chamber at City Hall, 610 Main Street, on Monday, August 3, 2015 at 7:00 PM on the following application:

Repaving of Hawthorne Road said section being a partial Private Way be paved from 90 Hawthorne Road to 105 Hawthorne Road. This is in accordance with the Ordinance 24947, Section 17-80 of the City of Waltham.

Legal Notice

Loan Order for Street Resurfacing

That the sum of \$5,749,000 be appropriated for street resurfacing and to raise the appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow the sum of \$5,749,000 under the provisions of Massachusetts General Laws, Chapter 44, Section 7, Clause 6 or any other borrowing authority.

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Communications from Mayor

- 1. TO: The City Council**
RE: 25 Lexington Street, First Floor
2 Garage Bays to the Rear of 21 Lexington Street

Dear Councillors:

Enclosed please find the evaluation from the Proposal Review Committee (PRC) for the above.

- 2. TO: The City Council**
RE: Fitch School

Dear Councillors:

Enclosed please find the evaluation from the Proposal Review Committee (PRC) for both the lease and sale of 14 Ash Street pursuant to RFPs that were advertised for sale or lease.

The PRC is recommending sale of the property. Please be advised that time is of the essence with regard to the sale proposal.

- 3. TO: The City Council**
RE: MAPC Pedestrian and Bicycle Traffic Enforcement Pilot Program Grant

Dear Councillors:

I respectfully request acceptance of a \$40,000 grant from Metropolitan Area Planning Council for Pedestrian and Bicycle Traffic Enforcement Pilot Program.

I have enclosed a communication from the Chief of Police. Chief Keith MacPherson or his designee will be available to answer any questions you may have regarding this request.

- 4. TO: The City Council**
RE: Data Verification

Dear Councillors:

I respectfully request adoption of the attached loan order in the amount of \$144,200 to provide funding for the third year of the tri-annual data verification of real property for FY2016.

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Also attached is a copy of a letter dated July 20, 2015 that was received from the Chairman of the Board of Assessors. Mr. Goode will be available to answer questions concerning this request.

5. TO: The City Council
RE: Laborers' Union Contract

Dear Councillors:

I respectfully request a transfer of funds totaling \$1,096,053 to fund the collective bargaining agreement between the City and the Laborers' Union for the period July 1, 2011 to June 30, 2016. This amount includes the funding needed to provide retroactive adjustments to June 30, 2015 and to adjust the FY2016 department budgets that employ members of the Laborers' Union. This funding request is the result of a settlement agreement that was negotiated between the City and the Union. The financial considerations resulting from this negotiation are consistent with the other City unions.

FROM:

Auditor – Collective Bargaining #001-135-5400-5111 \$1,096,053

TO:

Building – Wages FT	#001-192-5100-5112	\$140,917
CPW – Wages FT	#001-420-5100-5112	\$500,680
CPW Snow – Overtime	#001-421-5100-5131	\$ 14,586
Council on Aging – Wages FT	#001-541-5100-5112	\$ 10,924
Water Meters – Wages FT	#610-454-5100-5112	\$ 14,031
Water Operations – Wages FT	#610-452-5100-5112	\$125,047
Sewer Operations – Wages FT	#600-440-5100-5112	\$120,048
Library – Wages FT	#001-610-5100-5112	\$ 21,073
Library – Wages PT	#001-610-5100-5122	\$ 2,006
Recreation – Wages FT	#001-630-5100-5112	\$ 10,665
Recreation Rink – Wages FT	#640-630-5100-5112	\$ 36,387
Traffic – Wages FT	#001-480-5100-5112	\$ 31,069
Parking Mgmt – Wages PT	#232-480-5100-5122	\$ 3,399
Wires – Wages FT	#001-245-5100-5112	\$ 62,950
Building – Clothing	#001-192-5200-5581	\$ 300
CPW – Clothing	#001-420-5200-5581	\$ 925
Council on Aging – Clothing	#001-541-5200-5581	\$ 25
Water Operations – Clothing	#610-452-5200-5581	\$ 225
Sewer Operations – Clothing	#600-440-5200-5581	\$ 200
Library – Clothing	#001-610-5200-5581	\$ 63
Recreation – Clothing	#001-630-5200-5581	\$ 25

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Recreation Rink – Clothing	#640-630-5200-5581	\$	75
Traffic – Clothing	#001-480-5200-5581	\$	50
Parking Mgmt – Clothing	#232-480-5200-5581	\$	13
Wires – Clothing	#001-245-5200-5581	\$	100

Attached is a copy of a memo from the City Auditor concerning this request.

- 6. TO: The City Council**
RE: Council Approval of Loan Order for WCC Roof

Dear Councillors:

Please see the enclosed communication from the City Auditor together with a new Order to comply with the publication and vote requirements.

- 7. TO: The City Council**
RE: 3 Keach Terrace

Dear Councillors:

Enclosed please find a communication from Sarah Shields regarding the above. Please advise if there is any interest. If so, I will follow the same procedure with regard to land.

- 8. TO: The City Council**
RE: Santa Buckley vs. City of Waltham

Dear Councillors:

I respectfully request an appropriation of funds in the amount of \$35,000 from the Stabilization Fund to Law – Judgements, Claims and Settlements #001-151-5400-5760. These funds will be used to settle a law suit of Santa Buckley. Enclosed please find a communication from the Law Department dated July 22, 2015. Attorney Luke Stanton will be available to answer any questions you may have regarding this matter.

- 9. TO: The City Council**
RE: Hawthorne Road Paving

Dear Councillors:

I respectfully request an appropriation of funds in the amount of \$22,000 from the Stabilization Fund to CPW – Paving Projects (Hawthorne Road) #001-420-5800-6740. These funds will be used for the paving of the private way portion of Hawthorne Road.

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10. TO: The City Council

RE: Water Improvements – Bear Hill Road and Second Avenue

Dear Councillors:

I respectfully request a transfer of capital improvement funds in the amount of \$85,000 to fund the design and bidding services of a water replacement project for Bear Hill Road and Second Avenue.

FROM:

#613-450-2010-7400 Water Improvements – General
\$85,000

TO:

#613-450-2010-7470 Water Improvements – Design (Bear Hill Rd/Second Ave)
\$85,000

Attached is a copy of a memo that was received from the City Engineer. Mr. Casazza will be available to answer questions concerning this request.

Attached is a copy of a letter dated July 30, 2015 that was received from the CPW Assistant Director. Mr. Chiasson will be available to answer questions concerning this request.

Under separate cover, I attach the Order for the Estimated Assessments.

11. TO: The City Council

RE: Cedar and Oak Street Reconstruction and Utilities

Dear Councillors:

I respectfully request approval of the attached loan authorization in the amount of \$2,200,000. The funds will be used for the street and sidewalk reconstruction and sewer and drain utilities of Cedar Street and Oak Street. This matter is out to bid. The bid amount will be forwarded as soon as available.

Attached is a copy of a letter that was received from the City Engineer. Mr. Casazza will be available to answer questions concerning this request.

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12. TO: The City Council

RE: Hawthorne Road Estimated Assessments Betterment Order

Dear Councillors:

Enclosed please find the Estimated Assessments Betterment Order for Hawthorne Road.

13. TO: The City Council

RE: Beaver Street Culvert Reconstruction

Dear Councillors:

I respectfully request a transfer of capital improvement funds in the amount of \$62,113.39 to fund the soil removal cost of the Beaver Street Culvert Reconstruction project as follows.

From: #603-440-2006-7300 (Sewer/Drain – General)

To: #603-440-2006-7370 (Beaver St Culvert Project)

Amount \$14,865.26

From: #603-440-2010-7300 (Sewer/Drain – General)

To: #603-440-2010-7370 (Beaver St Culvert Project)

Amount \$47,248.13

Total Transfer Amount \$62,113.39

Attached is a copy of a letter that was received from the City Engineer. Mr. Casazza will be available to answer questions concerning this request.

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Tabled Matters

Tabled from 3/23/2015

Resolution regarding Charlotte Smith

Tabled from 6/22/2015

Amend Sections 2.2 and 3.1 of the City Charter

Tabled from 6/22/2015

Loan authorization for 5,759,000 for paving. 1st reading 6/22/15

Tabled from 6/22/15

Resolution for Luke Stanton, Massachusetts Coach of the Year

New Business

1. Article v of Chapter 2 of the General Ordinances of the city of Waltham entitled "Compensation" Section 2-30 B2 as most recently amended is hereby amended by adding the following stipend: School Safety Officer \$3105 for services as Safety Officer to the Consolidated Public Works Department, School Department and other departments where necessary, and subject to all other conditions of said subsection 2-30 B2. (First reading given 11/10/2014)
2. Request from Marc Rosenfeld looking for a Letter of Support or Letter of Non – Opposition relative to location of a Registered Marijuana Dispensary.
3. Application for Special Permit to allow modifications to existing Special Permit #32094 to eliminate screening of rooftop mechanicals and to allow Saturday trash pickups at 1019 Trapelo Road.

Resolutions

The Waltham Board of License Commissioners

Council will recess to Committees.