

City Council Docket
June 22, 2015

The City Council Meeting will be held on Monday, June 22, 2015 at 7:30 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 8, 2015

Public Hearings

Notice is hereby given that the City Council will hold a Public Hearing in the Council Chamber at City Hall on Monday, June 22, 2015 at 7:30 PM on the following application:

Resurfacing of Gregory Street said section being a Private Way be resurfaced from the southern lot line of 95 Gregory Street to the corner of Gregory Street and Smart Street. This is in accordance with the provision Ordinance #24947, Section 17-80 of the City of Waltham.

Betterments to be assessed.

GRANT OF LOCATION

NSTAR Electric Company, d/b/a Eversource Energy, a company incorporated for the transmission of electricity for lighting, heating or power, desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the City Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way or ways of said City:

Winter Street – At and northerly from Third Avenue a distance of about 58 feet – conduit.

Third Avenue – At and southerly from Winter Street a distance of about 535 feet – conduit, and install two (2) manholes – MH 30112 and MH 30113.

Prospect Hill Lane – At and easterly from Third Avenue a distance of about 218 feet – conduit, and install one (1) manhole – MH 30114.

In connection therewith, petitioner shall remove certain electric and utility poles owned by NSTAR Electric Company numbered 536/1, 537/1, 537/2, 537/3, 537/4, 587/45, and 587/46.

GRANT OF LOCATION

RCN Telecom Services of Massachusetts, Inc. hereby respectfully requests your consent to the location of communication cables as hereinafter described for the transmission and distribution of communications signals in and under the following streets, lanes, highways and places of the City of Waltham and of the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said facilities and accomplish the objective of said company and to

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be used in common with said company's permitted licensees; and the digging up and opening the ground to lay or place same:

Excavation and placement of three manholes and a total of approximately 1,450 feet of 4 inch communication conduits within and underneath Third Avenue and Prospect Hill Lane abutting the properties known as 470-504 Totten Pond Road and 70 Third Avenue in said Waltham and within and underneath Winter Street near the intersection of Winter Street and Totten Pond Road in said Waltham.

At the time of hearing interested parties may be heard. Complete information regarding this matter is on file in the City Clerk's Office at City Hall during regular hours.

GRANT OF LOCATION

MCIMetro Access Transmission Services of Massachusetts, Inc. (d/b/a Verizon Business) hereby requests a grant of location for the transmission and distribution of communications signals and cable, to be used in common by said company and said company's permitted licensees, and for the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said transmission and distribution facilities to be used in common by said companies, in order to accomplish the objectives of said companies, and the digging up and opening the ground to lay or place the same in and under the following streets, lanes, highways and places of the City of Waltham:

Excavation and placement of one manhole and approximately 165 feet of 4 inch communication conduits within and underneath the intersection of Third Avenue, Totten Pond Road and Winter Street and abutting the property known as 470-504 Totten Pond Road in said Waltham.

At the time of hearing interested parties may be heard. Complete information regarding this matter is on file in the City Clerk's Office at City Hall during regular hours.

GRANT OF LOCATION

Verizon New England Inc. hereby requests a grant of location for the transmission and distribution of communications signals and cable, to be used in common by said company and said company's permitted licensees, and for the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said transmission and distribution facilities to be used in common by said companies, in order to accomplish the objectives of said companies, and the digging up and opening the ground to lay or place the same in and under the following streets, lanes, highways and places of the City of Waltham:

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Excavation and placement of one manhole and a total of approximately 350 feet of 4 inch communication conduits within and underneath Third Avenue at the intersection of Third Avenue and Prospect Hill Lane and abutting the properties known as 470-504 Totten Pond Road and 70 Third Avenue in said Waltham.

At the time of hearing interested parties may be heard. Complete information regarding this matter is on file in the City Clerk's Office at City Hall during regular hours.

GRANT OF LOCATION

Comcast Cable Inc. hereby requests a grant of location for the transmission and distribution of communications signals and cable, to be used in common by said company and said company's permitted licensees, and for the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said transmission and distribution facilities to be used in common by said companies, in order to accomplish the objectives of said companies, and the digging up and opening the ground to lay or place the same in and under the following streets, lanes, highways and places of the City of Waltham:

Excavation and placement of four manholes and a total of approximately 490 feet of 4 inch communication conduits within and underneath various sections of Third Avenue and Prospect Hill Lane abutting the properties known as 470-504 Totten Pond Road and 70 Third Avenue in said Waltham and within and underneath two sections of Winter Street near the intersection of Winter Street and Totten Pond Road.

At the time of hearing interested parties may be heard. Complete information regarding this matter is on file in the City Clerk's Office at City Hall during regular hours.

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Communications from Mayor

- 1. TO: The City Council**
RE: Veterans Skating Rink

Dear Councillors:

I respectfully request a transfer of funds totaling \$14,990 from existing Veterans Skating Rink capital improvement accounts to new accounts for the purpose of installing wood in three (3) areas of the Veterans Skating Rink roof trusses. This remediation work was identified and recommended in the inspection report conducted this past March by an independent structural engineer as part of a safety assessment by the City of Waltham.

FROM:

#643-630-2010-6464	Rink – Boards/Hot Water Tank	\$ 443
#640-630-5800-6423	Rink – Safety Systems	\$ 3,005
#640-630-5800-6710	Rink – Walkway	\$ 6,272
#640-630-5800-6464	Rink – Equipment	\$ 5,270
		<u>\$14,990</u>

TO:

#643-630-2010-6423	Rink – Safety Systems	\$ 443
#640-630-5800-6423	Rink – Safety Systems	\$14,547
		<u>\$14,990</u>

- 2. TO: The City Council**
RE: MASSDEP Sustainable Materials Recovery Program Grant

Dear Councillors:

I respectfully request acceptance of a grant from the MASSDEP Sustainable Materials Recovery Program in the Amount of \$2,000. These funds will be used for recycling collection equipment in the cafeterias at the Northeast School, Fitzgerald School and McDevitt School. This will increase the participation in the program by three schools, joining the Plympton and MacArthur Schools.

- 3. TO: The City Council**
RE: Mechanics' Union Agreement

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$94,227 (as itemized below) to fund the collective bargaining agreement between the City and the

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Mechanics' Union for the period July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 CPW wage budget.

<u>FY2014</u>	<u>\$22,241 (actual)</u>
<u>FY2015 (July 1 – June 6)</u>	<u>\$32,401 (actual)</u>
<u>FY2015 (June 7 – June 30)</u>	<u>\$ 1,785 (estimate)</u>
<u>FY2016</u>	<u>\$37,800 (estimate)</u>

Total \$94,227

APPROPRIATE FROM:

Unreserved Fund Balance \$22,241

TRANSFER FROM:

Mayor – Collective Bargaining #001-121-5400-5111 \$34,186
Auditor – Collective Bargaining #001-135-5400-5111 \$37,800

<u>TO:</u>		<u>FY2015</u>	<u>FY2016</u>
CPW	#001-420-5100-5112	\$49,401	\$37,800
CPW-Snow	#001-421-5100-5131	\$ 7,026	\$ 0

4. TO: The City Council
RE: Managers' Union Agreement

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$643,185 (as itemized below) to fund the collective bargaining agreement between the City and the Managers' Union for the period July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 respective department's salary budget.

<u>FY2014</u>	<u>\$152,352 (actual)</u>
<u>FY2015 (July 1 – June 6)</u>	<u>\$188,173 (actual)</u>
<u>FY2015 (June 7 – June 30)</u>	<u>\$ 12,644 (estimate)</u>
<u>FY2016</u>	<u>\$290,007 (estimate)</u>
<u>Total</u>	<u>\$643,185</u>

APPROPRIATE FROM:

Unreserved Fund Balance \$152,352

TRANSFER FROM:

Mayor – Collective Bargaining #001-121-5400-5111 \$200,826
Auditor – Collective Bargaining #001-135-5400-5111 \$290,007

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<u>TO:</u>		<u>FY2015</u>	<u>FY2016</u>
Building	#001-192-5100-5111	\$57,663	\$56,961
City Clerk	#001-161-5100-5111	\$15,631	\$12,196
Voter Reg	#001-163-5100-5111	\$ 9,407	\$ 6,816
CPW	#001-420-5100-5111	\$53,406	\$44,727
CPW-Snow	#001-421-5100-5131	\$ 2,113	\$ 0
Engineer	#001-410-5100-5111	\$11,751	\$18,354
Water Adm	#610-450-5100-5111	\$45,080	\$34,577
Health	#001-510-5100-5111	\$39,125	\$29,376
IT	#001-155-5100-5111	\$68,570	\$51,588
Paine Estate	#001-670-5100-5111	\$ 8,797	\$ 6,230
Parking Meters	#232-480-5100-5111	\$ 2,943	\$ 0
Police – Animal	#001-210-5100-5111	\$ 9,313	\$ 6,774
Dispatch	#001-215-5100-5111	\$ 9,716	\$ 7,382
Wires	#001-245-5100-5111	\$19,663	\$15,026

5. TO: The City Council
RE: Firefighters’ Union JLMC Award

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$2,228,536 (as itemized below) to fund the collective bargaining agreement between the City and the Firefighters’ Union for the period July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 Fire salary/wage budget. This funding request is the result of an arbitration award of the Joint Labor Management Committee (JLMC).

<u>FY2014</u>	<u>\$ 422,235 (actual)</u>
<u>FY2015 (July-May)</u>	<u>\$ 725,501 (actual)</u>
<u>FY2015 (June)</u>	<u>\$ 57,800 (estimate)</u>
<u>FY2016</u>	<u>\$1,023,000 (estimate)</u>

Total \$2,228,536

APPROPRIATE FROM:

Unreserved Fund Balance \$ 591,464

TRANSFER FROM:

Mayor – Collective Bargaining	#001-121-5400-5111	\$ 614,072
Auditor – Collective Bargaining	#001-135-5400-5111	\$1,023,000

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TO:

Fire Salary FT (FY2015)	#001-220-5100-5111	\$ 476,823
Fire Salary FT (FY2016)	#001-220-5100-5111	\$ 410,000
Fire Wage FT (FY2015)	#001-220-5100-5112	\$ 728,713
Fire Wage FT (FY2016)	#001-220-5100-5112	\$ 613,000

- 6. TO: The City Council
RE: Police Superior Officers' Union Agreement**

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$1,910,259 (as itemized below) to fund the collective bargaining agreement between the City and the Police Superior Officers' Union for the period July 1, 2010 to June 30, 2013 and July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2011, FY2012, FY2013 and FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 Police salary budget. Attached is a list of the actual amounts owed to each member by rank of the Superior Officers' Union for the period July 1, 2010 to June 6, 2015.

<u>FY2011</u>	<u>\$ 44,858 (actual)</u>
<u>FY2012</u>	<u>\$ 139,183 (actual)</u>
<u>FY2013</u>	<u>\$ 262,244 (actual)</u>
<u>FY2014</u>	<u>\$ 390,524 (actual)</u>
<u>FY2015 (July-June 6)</u>	<u>\$ 473,473 (actual)</u>
<u>FY2015 (June 7 – June 30)</u>	<u>\$ 41,677 (estimate)</u>
<u>FY2016</u>	<u>\$ 558,300 (estimate)</u>
<u>Total</u>	<u>\$1,910,259</u>

APPROPRIATE FROM:

Unreserved Fund Balance	\$1,006,038
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TRANSFER FROM:

Mayor – Collective Bargaining	#001-121-5400-5111	\$ 345,921
Auditor – Collective Bargaining	#001-135-5400-5111	\$ 558,300

TO:

Police Salary FT (FY2015)	#001-210-5100-5111	\$1,345,459
Police Salary FT (FY2016)	#001-210-5100-5111	\$ 555,000
Police Uniforms (FY2015)	#001-210-5500-5190	\$ 6,500
Police Uniforms (FY2016)	#001-210-5500-5190	\$ 3,300

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7. TO: The City Council
RE: Arterial Streets

Dear Councillors:

I respectfully request approval of the attached loan authorization in the amount of \$5,749,000 for the paving of the streets itemized below.

Streets

Bacon Street/full length plus sidewalk repairs	\$412,000
Lexington Street (Lexington Line to Bacon St.)	\$850,000
Guard rail and sidewalk ridge – Windsor	\$ 50,000
Moody Street/full length	\$610,000
Newton Street	\$368,000
Prospect Street	\$272,000
South Street/full length plus portion sidewalk repair	\$663,000
Trapelo Road (Smith St. to Lexington St.)	\$489,000
Trapelo Road (Lexington Street to Marguerite)	\$433,000
Trapelo Road (west) sidewalks north side and south side survey and sidewalk	\$975,000
Waverley Oaks Road	<u>\$627,000</u>
TOTAL	\$5,749,000

8. TO: The City Council
RE: South Street/Highland Street Traffic Signal Project

Dear Councillors:

I respectfully request a transfer of capital funds in the total amount of \$150,000 as itemized below. This amount will be combined with existing funds in several traffic impact accounts to award the construction bid and provide a 5% contingency for the South Street/Highland Street traffic signal project.

FROM:

Traffic – Paint Machine Trailer	#310-480-2005-6441	\$ 0.51
Traffic – Winter St Bridge	#310-480-2006-6610	\$21,627.75

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Traffic – Trapelo/Forest	#310-480-2010-6730	\$12,605.57
Traffic - Trapelo/Forest Signals	#310-480-2010-6830	\$32,867.13
Traffic – Summer/Lyman Signals	#310-480-2010-6840	\$ 15.00
Traffic – Prospect Hill Diversion	#310-480-2006-6620	\$82,884.04

TO:

Traffic – South/Highland Signals	#310-480-0000-6850	\$150,000
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- 9. TO: The City Council**
RE: Transfer of CIP Funds

Dear Councillors:

I respectfully request a transfer of capital improvement funds totaling \$2,405,366.36 as itemized on the attached worksheet. This amount represents the excess funds from capital projects that have been completed or no longer needed according to the department head. The funds will be transferred in a dollar for dollar manner to a general capital improvement account to be established for each of the departments that have surplus funds. Once the funds have been transferred into each department's general capital improvement account, they will be applied to another item in the recommended capital improvement program for their department.

- 10. TO: The City Council**
RE: Planning Retirement Payroll

Dear Councillors:

I respectfully request an appropriation of funds in the amount of \$1,975 from Unreserved Fund Balance to Planning – Salaries #001-175-5100-5111. These funds will be used to pay the accrued vacation time owed to an employee who will be retiring on June 26, 2015.

- 11. TO: The City Council**
RE: School Department CIP

Dear Councillors:

I respectfully request a transfer of funds totaling \$520,500 as itemized below to fund several capital improvement items for the School Department.

FROM:

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Stabilization Fund – Reserve for School CIP #250-135-7414-5205	\$520,500
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TO:

School – Data Communication Switch Upgrade	\$ 30,000
School – Wireless – WHS & Northeast School	\$200,000
School – Expanded 1:1 Initiative for Grade 6 Students and WHS Grade10 Teachers)	\$290,500

12. TO: The City Council
RE: FICA Medicare Payroll Tax

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$200,000 (as itemized below) to fund the City’s match (1.45% of salary) of the FICA Medicare payroll tax to June 30, 2015. This is a mandatory payroll tax withholding for employees who were hired on or after April 1, 1986.

APPROPRIATE FROM:

Unreserved Fund Balance	\$ 90,000
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TRANSFER FROM:

Auditor – Certification Charges	#001-750-5200-0000	\$ 40,000
Auditor – Interest on BANS	#001-750-5200-5925	\$ 30,000
Auditor – Interest on Tax Refunds	#001-750-5200-5930	\$ 40,000

TO:

Auditor – FICA Medicare	#001-914-5200-5185	\$200,000
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Tabled Matters

Tabled from 1/12/2015

Bemis Street Resurfacing Petition

Tabled from 3/23/2015

Resolution regarding Charlotte Smith

Tabled from 6/8/2015

Amend Sections 2.2 and 3.1 of the City Charter

Tables from 6/8/2015

Resolutions for the Waltham Police Department NASRO Awards

New Business

The order authorizing the Mayor to sign the final version of said deed in acceptance of said gift of the Berry Farm Land for park land.

Massport Letter Application for Abbas Dia 37 Gorham Street

Request for an extension of time 1019 Trapelo Rd. LLC. 1019 Trapelo Rd. Waltham

Resolutions

Double poles within the City of Waltham
Senior Center Parcels of Land

**Committee Reports
License and Franchises**

The License and Franchise Committee recommends that 275 Wyman Street Fuel Storage be **Approved**.

Finance Committee

The Finance Committee recommends the transfer of \$2,078,000 from Mayor Collective Bargaining to Police Wages (FY2015) be **Approved**.

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The Finance Committee recommends the transfer of \$590K from Auditor Collective Bargaining to Police Wages (FY2016) be **Approved**.

The Finance Committee recommends the transfer of \$104,000 from CPW Trash Disposal to CPW Vehicle Repair \$35K, Vehicle Supplies \$35K, Environ Serv \$4K & Paving Projects \$30K be **Approved**.

The Finance Committee recommends the Appropriations of \$70,000 from UFB to Worker's Comp Medical be **Approved**.

The Finance Committee recommends the Mayor's Recommended Municipal Budget of \$160,272,463 FY2016 be **Approved**.

The Finance Committee recommends the Mayor's Recommended Municipal School Budget of \$77,181,798 FY2016 be **Approved**.

The Finance Committee recommends the Mayor's Recommended Municipal Parking Meter Budget of \$334,421 be **Approved**.

The Finance Committee recommends the Mayor's Recommended Revolving Accounts (Clerks, Aging & Recreation) FY2016 be **Approved**.

Ordinances and Rules

The Ordinance and Rules Committee recommends that NStar/Eversource request for approximately six feet of conduit at River Street and Farwell Street be **Approved**.

The Ordinance and Rules Committee recommends that the Zone Change – 385 Trapelo Road be placed on file.

Public Works

The Public Works Committee recommends the Transfer and Appropriation of CH90 funds totaling \$3,486,370 be **Approved**.

Long Term Debt

Long Term Debt Committee recommends that the Community Preservation Budget in the amount of \$170,997.00 for the FY 2016 be **Approved**.

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Long Term Debt Committee recommends the transfer of \$500,000 for paving of School Street be **approved**.

Committee of the Whole

Committee of the Whole recommends the Re-appointment of Joan Garniss to Board of Library Trustees be **Approved**.

Committee of the Whole recommends the Appointment of Edward Wack to the Biosafety Committee be **Approved**.

Committee of the Whole recommends the Appointment of Michelle Feeley to the Biosafety Committee be **Approved**.