

***City Council Docket***  
***June 28, 2021***

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham, MA on Monday, June 28, 2021 at 7:30 pm. The following matters and others may be considered.

**Approval of Minutes**

Special Meeting Minutes of 6/21/2021

Regular Meeting Minutes of 6/14/2021

**Public Hearing**

**17-25**

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY petitions the City Council for permission under the provisions of Section 17-25 to open a public way as follows:

Third Avenue - Westerly at Prospect Hill Lane A distance of approximately 223± feet – conduit

**Public Hearing**

**Grant of Location**

VERIZON NEW ENGLAND INC. requests permission to lay and maintain underground conduits, with the wires and cables to be placed therein, under the surface of the following public way or ways:

Felton St:

Place one four-inch (4") conduit approximately 50' from existing pole, P.100-1, located on the northerly side on Felton St in a southeasterly direction to private property located on the southerly side of Felton St.

This petition is necessary to accommodate new construction.

Also for permission to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

**Public Hearing**

**Secondhand Dealers**

Teresa Coppola Jones of 31 Whetlowe Road, Newton, MA petitions the City Council for a secondhand dealers license at 77 Prospect St. for Pali Thrifts & Gifts.

**Public Hearing**

**Special Permit**

Waltham Cannabis, Inc. 130 South Royalston Road, Royalston, Massachusetts 01368, and Michael Polacco, Trustee of Full House Realty Trust 100 Felton Street, Suite 201, Waltham, Massachusetts 02452, collectively as Petitioners, hereby petition the City Council for a Special Permit pursuant to §3.5 and Article XI §12.1 to 12.13 of the Zoning Ordinance to operate a marijuana establishment or marijuana retailer as defined by §12.21 of the Zoning Ordinance. The locus is known and numbered as 1254-1256 Main Street and is shown in the "Atlas, City of Waltham, Massachusetts 1988", as Map 5 Block 9 Lot 1.

The property is situated in a Commercial Zoning District.

The Legal Owner of the locus is Michael Polacco, Trustee of the Full House Realty Trust, 100 Felton Street, Suite 201, Waltham, Massachusetts 02453.

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**Communications from the Mayor**

1. The Mayor respectfully requests an appropriation of funds in the amount of \$26,000 to fund the remaining telephone expenses for FY2021.
2. The Mayor respectfully requests an appropriation in the amount of \$500,000 from Unreserved Fund Balance to the Stabilization Fund-General in order for the City to have funds available until the DOR certifies the City's "free cash" usually in or around the month of October.
3. The Mayor respectfully requests a transfer in the amount totaling \$100,000 to fund the City's match (1.45% of salary) of the FICA Medicare payroll tax to June 30, 2021.
4. The Mayor respectfully requests acceptance of a gift of two sets of Piety Corner Club wooden chairs from Kathleen B. McMenimen for the City Hall Museum Room.
5. The Mayor respectfully requests that the City Council accept the Local Option Excise on Retail Marijuana Sales G.L. c. 64N sub section 3 and with a rate of 3%.
6. The Mayor respectfully requests approval to sign changes to a Regulatory Agreement by DHCD regarding 315 College Farm Road.
7. The Mayor respectfully requests a transfer of funds in the amount of \$11,448 to adjust the FY2022 PT salary accounts between the Mayor's Office and the Assessor's Department.
8. The Mayor respectfully requests to go into executive session to discuss a confidential matter relating to a property in the City.
9. The Mayor respectfully requests acceptance of an ordinance amendment for Human Resources.
10. The Mayor respectfully requests acceptance of a donation of a painting of the Charles River and Elm Street Bridge area from Vinny Mula for the City Hall Museum Room.
11. The Mayor respectfully requests acceptance of a donation of a Watch Factory Article donation from the Shaughnessy/Flannery Family for the City Hall Museum.
12. The Mayor respectfully request a transfer of funds in the total amount of \$250,000 to fund building maintenance and repair expenses to be incurred at the building located at the Arrigo Farm on Warren Street and at the Fernald property.
13. The Mayor respectfully requests an appropriation in the amount of \$225,000 to fund the expected deficit in the Worker's Compensation account.
14. The Mayor respectfully requests temporary occupancy of the Fitch School Gymnasium for the distribution of food for Healthy Waltham.

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15. The Mayor respectfully requests an appropriation in the amount of \$89,000 to fund the expected deficit in the Unemployment Insurance account. The expected deficit of \$89,000 reflects pending transfers from the School Department, offsets to the unemployment expenses from the State and offsets through the CARES Act.
16. The Mayor respectfully requests a transfer of funds in the amount of \$12,500 to purchase Library furnishings on two pending purchases orders for the Library Department.
17. The Mayor respectfully requests clarification on the Water Fire for the Charles River.
18. The Mayor respectfully requests an appropriation in the amount of \$17,060 to fund the Phase One engineering services for the improvements of the drain system that outlets Chester Brook.
19. The Mayor respectfully requests approval of a financing transaction totaling \$9,131,596 including a transfer and appropriation of Chapter 90 funds and a transfer of bond funds toward numerous streets.

**Applications and Licenses**

**Orders, Ordinances & Resolutions**

**Committee Reports**

**Licenses and Franchises**

1. The Licenses and Franchises Committee recommends the Fortune Teller renewal for James Spanks of 12 Sartell Road be approved.
2. The Licenses and Franchises Committee recommends the secondhand dealers renewal at 100 River Street for Jwaze LLC (Platos Closet) be approved.

**Committee of the Whole**

1. The Committee of the Whole recommends the permanent appointment of Kevin O'Connell of Waltham, MA as Chief of Police for Waltham, MA be approved.
2. The Committee of the Whole recommends the LIP application package for 99 Moody Street be approved.

**Economic and Community Development**

1. The Economic and Community Development Committee recommends the Ward 5 Precinct 2 Voting Location Resolution be filed without prejudice.
2. The Economic and Community Development Committee recommends the Fitch School Recreation Uses Resolution be approved.

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**Finance**

1. The Finance Committee recommends a transfer of traffic impact funds totaling \$9,186.24 towards funding of a Rectangular Rapid Flashing Beacon (RRFB) at 25 Lexington Street be approved.
2. The Finance Committee recommends acceptance of a donation of a copy of the Waltham Jaycees City Directory for the City Hall Museum Room from Stuart McCallum, 214 Warren Street.
3. The Finance Committee recommends an appropriation in the amount of \$82,000 to fund several minor capital items be approved.
4. The Finance Committee recommends acceptance of a donation of a 1924 City of Waltham municipal employee outing photograph from Mary Ellen Ryan of Waltham for the City Hall Museum be approved.
5. The Finance Committee recommends acceptance of a grant from the federal government for the American Rescue Plan Act (ARPA) Grant Funds program in the amount of \$24,068,916 as well as a portion of the Middlesex County allotment for \$12,120,520 totaling the estimated grant of \$36,189,436 and further recommends acceptance of the initial deposit of the grant in the amount of \$11,406,694.50.
6. The Finance Committee recommends an appropriation to fund the Water and Sewer Operations and Maintenance (O&M) payroll expenses for the remainder of the FY2021 be approved.
7. The Finance Committee recommends a transfer of funds totaling \$37,800 for the upgrade to the outdated security system at the Municipal Center which covers the City Yard, the Public Vehicles Garage and the Water and Sewer garage be approved.
8. The Finance Committee recommends acceptance of grant funding from the Commonwealth of Massachusetts Department of Mental Health in the amount up to \$43,000 to the Waltham Police Department for the Pre-Arrest Jail Diversion Program/Edinburgh be approved.
9. The Finance Committee recommends the Video Monitors in Council Chamber Resolution be approved.

**Ordinances and Rules**

1. The Ordinances and Rules Committee recommends the Special Permit application at 225 Waverly Oaks Road be approved.
2. The Ordinances and Rules Committee recommends the FY202 Compensation Ordinance Amendment – Social Worker be approved for a first reading.
3. The Ordinances and Rules Committee recommends the Zoning Amendment for Medical Marijuana Treatment Centers and Cultivation Operations be approved for a first reading.

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4. The Ordinances and Rules Committee recommends the Special Permit Modification of Order #34341 at 265 Bear Hill Road be approved.

**Long Term Debt**

1. The Long Term Debt and Capital Planning Committee recommends the CPC recommendation for the fiscal year 2022 budget for \$177,172 be appropriated to the Administration Account for FY2022 be approved.

2. The Long Term Debt and Capital Planning Committee recommends the CPC recommendation for an allocation of CPA Funds for the replacement of the HVAC system at the French American Victory Club for \$83,150 be withdrawn.

3. The Long Term Debt and capital Planning Committee recommends the CPC recommendation for an allocation of CPA Funds for the replacement of the roofing system at Beaver Brook Apartments for \$771,050.78 be approved.

**Public Works and Public Safety**

1. The Public Works and Public Safety Committee recommends the 17-25 at Bear Hill Road and Hickory Drive be approved.

2. The Public Works and Public Safety Committee recommends the Gas Leak Resolution be approved.

**Unfinished Business & Other Business**

- Time extension for Special Permit application at 305 Second Avenue – Middlesex Integrative Medicine, Inc.
- Withdrawal of Special Permit application at 49-53 Linden Street for New Creek, LLC and CBRE
- Time extension for Special Permit application at 196 Bear Hill Road for Medical & Adult-use Cannabis Dispensary
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- Minor Modification to Special Permit Order #34870 at 790 Main Street
- Disclosure of executive session minutes from Law Department

**Tabled Items**

- Open Meeting Law Complaint

**Recess to Committees**  
**Committee Reports**

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**Rule 58**  
**For Informational Purposes Only**