

City Council Docket
July 31, 2017

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, July 31, 2017 at 7:30 pm. The following matters and others may be considered.

Approval of Minutes from Council Meetings:
6/26/2017

Public Hearing
17-25

Timothy Regan, Manager of Gale, LLC of 100 Hammond Street, Waltham, Massachusetts (“Petitioner”) and 56 Whittier, LLC (“Owner”) of 251 River Street, Waltham, Massachusetts (“Locus”) hereby petitions the City Council for the necessary Authorization to open the street at 251 River Street, Waltham, Massachusetts pursuant to the provisions of Article 1, Section 17-25 Ordinances of the City of Waltham to grant access to the street for a curb cut at the Locus. The property is shown in Atlas Page 061, Block 029, Lot 0011. The property is situated in the Residence B Zoning District.

Public Hearing
Fuel Storage

In accordance to Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, the Gordon Charles River Falls Company, with an address of 190 Moody Street, Waltham MA 02453, as Petitioner and Owner of the Francis Cabot Lowell Mill at 190 Moody Street, hereby petitions the City Council to locate on the premises at 190 Moody Street an emergency diesel fuel generator containing 472 gallons in total.

Public Hearing
Grant of Location

Respectfully represents NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY, a company incorporated for the transmission of electricity for lighting, heating or power, that it 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, said conduits and manholes to be located substantially as shown on the plan made by A. Debenedictis, Dated May 25, 2017 and filed herewith, under the following public way or ways of said City:

Ash Street-Southeasterly from pole 7/12-2X approximately 32 feet west of Moody Street install 5 ± feet conduit.

Public Hearing
Fuel Storage

Kimco Realty Corp. (Applicant), petitions the Waltham City Council for the issuance of a License for Storage of Petroleum Products, as it relates to 375 Main Street and 49-53 Linden Street, Waltham, MA (Assessors sheet/block/parcels R061 009 0002; R061 009 0001 (project locus), as follows: A License for Storage of Petroleum Products, pursuant to General Ordinances, Chapter 8,

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§8-105, related to underground fuel storage tanks being proposed at the project locus, in connection with a retail fuel establishment, and associated site improvements.

Public Hearing
Grant of Location

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. companies subject to Chapter 166 of the General Laws (Ter.Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified. WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the City Council may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plans made by A. Debenedictis, Dated May 23, 2017 and filed herewith, upon, along and across the following public way or ways of said City:

Trapelo Road -Westerly side approximately 24 feet northwest of Alderwood Road. Install one (1) new hip guy and anchor from pole 274/52

Public Hearing
Grant of Location

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY, a company incorporated for the transmission of electricity for lighting, heating or power, that it 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, said conduits and manholes to be located substantially as shown on the plan made by A. Debenedictis, Dated June 6, 2017 and filed herewith, under the following public way or ways of said City:

Gardner Street - Easterly from pole 116/1 approximately 23 feet south of Pine Street a distance of 45 ± feet of conduit

Public Hearing
Special Permit

Premier Storage Investors, LLC, of 530 Oak Court Drive, Suite 185, Memphis, Tennessee 38117, as Petitioner; and PSI Atlantic Waltham MA, LLC, c/o Premier Storage Investors, LLC, of 530 Oak Court Drive, Suite 185, Memphis, Tennessee 38117, as the Owner hereby petition the City Council of the City of Waltham to grant a special permit for an increase in Floor Area Ratio (FAR) to 1.31 pursuant to § 3.511 and § 3.521 of the Zoning Ordinance of the City of Waltham. The subject premises is shown in the "Atlas City of Waltham, Massachusetts" as: Page 48, Block 2, Lot 9 151-155 Bear Hill Road. The above property is located entirely in a Commercial Zoning District.

Communications from the Mayor

1. The Mayor respectfully requests approval of an appropriation of Chapter 90 funds totaling \$1,261,000.00:

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FROM:

New appropriation – CH90	FY2017 allotment	\$1,261,000.00
<u>TOTAL</u>	<u>\$1,261,000.00</u>	

TO:

CH90 – Street Resurfacing/Sidewalks	#300-420-2017-6710	\$1,261,000.00
<u>TOTAL</u>	<u>\$1,261,000.00</u>	

This amount is to fund the resurfacing of the following:

<u>STREET/SIDEWALK</u>	<u>AMOUNT</u>
Main Street	\$1,200,000.00
Main Street (Sidewalks Eddy to Nathan)	\$ 61,000.00
<u>TOTAL</u>	<u>\$1,261,000.00</u>

2. The Mayor respectfully requests acceptance of 27 boardroom chairs from Raytheon. We will pick them up upon acceptance.

3. The Mayor respectfully requests a transfer of funds in the amount of \$19,000.00 as follows:

FROM:

Stabilization Fund	#250-135-7405-5205	\$19,000.00
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TO:

Central Telephone Service Communication	#001-156-5200-5340	\$19,000.00
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These funds will be used to pay FY2017 telephone arrearages. Enclosed please find copies of the IT Department FY2017 and FY2018 budgets, line item #5340 Communication.

4. The Mayor respectfully requests a transfer of funds in the amount of \$56,000.00 as itemized below for the purchase of an Animal Control vehicle for the Police department.

FROM:

Stabilization Fund – Reserve for Police CIP	#250-135-7412-5205	\$56,000.00
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TO:

Police – Animal Control Vehicle	#001-210-5800-6412	\$56,000.00
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This vehicle will replace the 2001 Ford Econoline van that needs to be retired due to age and condition. In addition the current vehicle is not in compliance with a recent state law requiring a heated/cooled space for the transport of animals in extreme temperatures.

5. The Mayor respectfully requests acceptance of 604B Water Quality Assessment and Planning Grant in the amount of \$17, 092.00. These funds will be used to prepare design plans for improvement of the Storm water quality runoff to the Charles River.

6. The Mayor respectfully requests for City Council to Enact Zoning Ordinance Moratorium on Multi-Family Luxury Housing

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7. The Mayor respectfully requests approval of the following transfers which total \$552,130.10 to fund the Lexington Street Sewer Improvement Project. These transfers will supplement the existing Lexington Street Sewer Improvement account #603-440-2006-7395 \$74,819.90 to fund the project.

8. The Mayor respectfully requests a transfer of funds totaling \$1,163,550.00 (as itemized below) to fund the first year (FY2017) and the second year (FY2018) of the three year collective bargaining agreement between the City and the Firefighters' Union for the period July 1, 2016 to June 30, 2019. In addition, the contract includes agreement on reforms the City was seeking pertaining to Other Post-Employment Benefits (OPEB) and the IRS reporting requirement on uniform allowances. The most significant item of agreement is an enhanced medical benefit to provide screenings/testing for the *early detection* of cancer, heart, lung and other illnesses in firefighters.

TRANSFER FROM:

Auditor – Collective Bargaining #001-135-5400-5111 \$1,163,550.00

TRANSFER TO:

Fire – Salary	#001-220-5100-5111	\$ 405,420.00
Fire - Wage	#001-220-5100-5112	\$ 645,080.00
Fire – EMT	#001-220-5200-5146	\$ 6,125.00
Fire – Uniform Allowance	#001-220-5500-5190	\$ 106,925.00

9. The Mayor respectfully submits a request that the City Council acquire a minimum of 25 acres or as many acres as possible on the Stigmatines Fathers and Brothers property requested by the School Committee at a Special meeting that was held on July 20, 2017.

10. The Mayor respectfully submits a request the City Council to acquire the entire Stigmatines Fathers and Brothers property requested by the School Building Committee at a Special meeting that was held on July 24, 2017.

11. The Mayor respectfully submits a request for the entire one hundred and ninety acres, the entire Fernald Property, for the exact metes and bounds for the new Waltham School Complex in response to the City Council's request to the School Committee held on July 20, 2017

Resolutions

1. Community Thank You Resolution - Sponsored by Councillor McMenimen, President LeBlanc, Councillor Logan
2. Fire Station Resolution - Sponsored by Councillor Fowler
3. State Building Code Resolution – Sponsored by Councillor Logan

Unfinished Business & Other Business

- Time extension for Special Permit at 96 Linden Street
- Fiscal year 2017 open purchase orders (Carried forward)
- 81 Wyman Street alternations to Special Permit

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Tabled Items

- Fuel Storage Application at 746 South Street
- Minutes from 1/23/2017, 5/8/2017
- 950 Winter Street Fuel Storage License
- 14 Church Street

Recess to Committees

All City Council Committees Meet

Committee Reports

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City Council Rule 58
For Informational Purposes Only

1. Enclosed please find information that I have received from MMA regarding the marijuana bill. Also enclosed is the Waltham's municipal vote on question 4. I know the City Council is working on it, but as you know there are some key provisions that may impact cities including Waltham