

Waltham City Council
Minutes of the Meeting of
June 11, 2018

President LeBlanc called the meeting to order at 7:30pm.
The Clerk Pro Tem called the roll of the City Council.

Call of the Roll:

City Council

Present: Councillors Darcy, Logan, McMenimen, Fowler, McLaughlin, Romard, LeBlanc, D., Mackin, Harris, Lacava, LeBlanc, R., Brasco, Stanley, Vidal

Absent: None

Board of Survey & Planning

Present: Barrett, Callahan, Creonte, Duffy, DeVito, Tarallo, Moroney

Absent: None

The Clerk Pro Tem recited the Council Prayer followed by President LeBlanc leading all present in the Pledge of Allegiance. Councillor Logan asked for a moment of silence for all our military that have served; past and present.

The Clerk Pro Tem read Rule 86.

First Public Hearing: Zoning Amendment for definition and table of uses for Arcades Electronic Game Center.

Councillor Logan, 109 Taylor Street, Waltham spoke in favor of the amendment. James York of Natick, MA, Owner of Game Underground located at 349 Moody Street, spoke in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Logan, Romard spoke on the matter. Board of Survey and Planning Chairman Mr. Creonte asked questions regarding the amendment. With no further questions President LeBlanc closed the public hearing and referred the matter to the Ordinances and Rules committee. Chairman Creonte stated the Board of Survey and Planning will be discussing this matter immediately following the public hearing in the Hoover Room. President LeBlanc declared a two minutes recess.

Second Public Hearing: 17-80 on Priscilla Lane

Councillor Brasco recused himself from these hearing because he is an abutter of these petitions.

Councillor Darcy, 93 Hobbs Road, Waltham spoke in favor of the petition. Councillor Darcy moved to accept a late filed communication for the Mayor pertaining to these hearings and referred to the Public Works and Public Safety Committee. Thirty plus people stood in support on the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Romard asked questions to Councillor Darcy. Councillors McMenimen, LeBlanc, R., spoke on and asked questions on the petition. With no further questions Councillor Darcy moved to recess the hearing until June 25, 2018. All were in favor and matter was recessed.

Third Public Hearing: 17-80 on Mountain Road

Councillor Darcy, 93 Hobbs Road spoke in favor of the petition. Thirty-Six people stood in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position

of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Darcy moved to recess the hearing until June 25, 2018. All were in favor and matter was recessed.

Fourth Public Hearing: 17-80 on Goldencrest Avenue

Councillor Darcy, 93 Hobbs Road spoke in favor of the petition. Thirty-Five people stood in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Darcy moved to recess the hearing until June 25, 2018. All were in favor and matter was recessed.

Fifth Public Hearing: 17-80 on Crestview Road

Councillor Darcy, 93 Hobbs Road spoke in favor of the petition. Councillor Brasco, 19 Crestview Road, Waltham spoke in favor of the petition. He thanked Mr. Cardillo, Mr. Tracey, and Mr. Rooney for coming up with some possible creative ways to get this project completed. Thirty-Five people stood in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Darcy moved to recess the hearing until June 25, 2018. All were in favor and matter was recessed.

Sixth Public Hearing: 17-80 on Carol Lane

Councillor Darcy, 93 Hobbs Road spoke in favor of the petition. Edward Mirabito, 17 Carol Lane, Waltham spoke in favor of the petition. Thirty-Six people stood in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Darcy moved to recess the hearing until June 25, 2018. All were in favor and matter was recessed.

Seventh Public Hearing: 17-80 on Brennan Avenue

Councillor Darcy, 93 Hobbs Road spoke in favor of the petition. Winnie Windsor, Trustee of the Farrell Trust at 78 Goldencrest, Waltham asked what the difference is between private and public ways. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Darcy explained the difference between private and public ways. Councillor Darcy moved to recess the hearing until June 25, 2018. All were in favor and matter was recessed.

President LeBlanc declared a one minute recess and came back to order at 8:48p.m.

Eighth Public Hearing: Fuel Storage License for Brandeis University at 415 South Street
Michael R. Connors, Attorney at 6 Lexington Street, Waltham, representing Brandeis University, spoke in favor of the petition. Councillor Mackin recused herself. Attorney Connors explained this is an amendment to the license they already hold. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Romard, Logan and Harris asked questions to the petitioner. With no further questions President LeBlanc referred the matter to the License and Franchise Committee.

Ninth Public Hearing: Extended Hours at 34-36 Elm Street, Despensa Familiar Inc. Michael R. Connors, Attorney at 6 Lexington Street, Waltham, representing Despensa Familiar, spoke in favor of the petition. Eight people stood in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor LaCava asked questions to Lillian Rojas, owner of the property. Councillor Romard asked questions on the petition. Councillor LaCava moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Lacava moved approval of extended hours for the petitioner. All were in favor and matter was approved.

Tenth Public Hearing: 17-25 at 850- 940 Winter Street for Davis Marcus Partners, Inc. Michael R. Connors, Attorney at 6 Lexington Street, Waltham, representing the petitioner, spoke in favor of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Romard and McMenimen asked questions to the petitioner. With no further questions President LeBlanc referred the matter to the Public Works Committee.

Eleventh Public Hearing: 17-25 at Lincoln Street and portion of Glen Circle for Charles P. Mantenuto Philip McCourt, Attorney at 15 church Street, Waltham, representing the petitioner spoke in favor of the petition. Five stood in favor of the petition. Richard Blustuth, 46 Glen Circle, Waltham spoke in opposition of the petition. Dave Westner, 45 Glen Circle, Waltham, spoke in opposition of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Fowler, Romard, Vidal all asked questions to the petitioner. Mr. Blustuth spoke in rebuttal of the petition. With no further questions President LeBlanc referred the matter to the Public Works Committee.

The twelfth public hearing for the 17-25 on Lexington Street was recessed at the last Council meeting and will remain recessed until next meeting.

Councillor McMenimen rose to accept the late filed communication from the Mayor. The Clerk Pro Tem read the communication. All were in favor. The matter was referred the matter to the Public Works Committee.

Communications from the Mayor

1. The Mayor respectfully requested an appropriation in the amount of \$195,000.00 to pay overtime expenses for the Fire Department for the remainder of the fiscal year. Referred to the Finance Committee.
2. The Mayor respectfully requested an appropriation in the amount of \$8,000.00 to fund the banking fees of the Parking Meters program for the remainder of FY2018. The fees are an expense of the pay-by-phone app and are dependent on the amount of activity by users. Referred to the Finance Committee.
3. The Mayor respectfully requested a transfer in the amount of \$10,000.00 for unemployment expenses for the remainder of FY2018. Referred to the Finance Committee.

4. The Mayor respectfully requested the following financing transactions totaling \$175,000.00 plus accrued interest to fund the reconstruction of the Church Street Parking Lot project. This amount will fund the award for the construction contract and police details for the project. Referred to the Finance Committee.
5. The Mayor respectfully requested a transfer of funds in the amount of \$18,000.00 for the additional electrical supplies expenses that have been needed during the fiscal year for the Wires Dept. Referred to the Finance Committee.
6. The Mayor respectfully requested a transfer in the amount of \$12,000.00 for pre-employment physical expenses for the remainder of FY2018. This request is for new hires including eight (8) firefighters awaiting entrance to the Fire Academy. Referred to the Finance Committee.
7. The Mayor respectfully requested an appropriation of funds in the amount of \$127,500.00. These funds will be used to fund the sewer project in the Woerd Avenue bridge area. Referred to the Finance Committee.

Applications & Licenses

1. Secondhand Dealers License renewal –Compustar Inc. at 563 Moody Street – Danny Chang
Referred to the License and Franchise Committee

Orders, Ordinances & Resolutions

- Pride Month Resolution Sponsored by Councillors Mackin, LaCava, Darcy, Harris
The Clerk Pro Tem read the resolution. Councillor Mackin, sponsor of the Resolution, spoke in favor of the Resolution. President LeBlanc referred the matter to the Economic and Community Development Committee.
- Solar Panel Resolution sponsored by Councillor Randy LeBlanc and Councillor Logan
The Clerk Pro Tem read the resolution. Councillor LeBlanc, sponsor of the Resolution, spoke in favor of the Resolution. President LeBlanc referred the matter to the Ordinances and Rules Committee.

Committee Reports

License and Franchise

1. The License and Franchise Committee recommended the secondhand dealer license for Clean Out Your House, Inc. dba Buy & Consign in Waltham at 1250 Main Street be approved. Councillor Brasco moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Finance Committee

1. The Finance Committee recommended the appropriation in the amount of \$250,000 for HVAC services and anticipated maintenance and utility bills for the remainder of the fiscal year be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
2. The Finance Committee recommends the acceptance of the FFY 2018 EOPSS Child Passenger Safety (CPS) Equipment Grant in the amount of \$2,625.00 be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

3. The Finance Committee recommended the transfer of traffic impact funds in the amount of \$14,000.00 to purchase a video detection system on Lexington Street be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
4. The Finance Committee recommended an appropriation in the amount of \$5,000.00 for the purchase of a copy machine in the Building Dept. be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
5. The Finance Committee recommended the acceptance of 50 Narcan Nasal Kits from the Newton Wellesley Hospital to the Health Dept. be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
6. The Finance Committee recommended the transfer of \$4,200.00 to fund the increase in the clothing allowance that was included in the collective bargaining agreement between the City and the Dispatcher's Union be approved. Councillor McMenimen moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Long Term Debt & Capital Planning

1. The Long Term Debt & Capital Planning Committee recommends the transfer of capital improvement funds totaling \$17,855.00 to purchase one vehicle for the meter reading staff of the Engineering Dept., Water and Sewer Divisions be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.
2. The Long Term Debt & Capital Planning Committee recommends the transfer of capital improvement funds totaling \$1,907.94 for the purchase of a laptop in the Clerk's Office to be used for automating the marriage license application process be approved. Councillor Darcy moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote.

Ordinances & Rules

1. The Ordinances and Rules Committee recommends the zoning ordinance amendment for cellular equipment at educational institutions be approved for a second reading. Councillor McLaughlin moved that the action of the Committee be the action of the Council. All were in favor and matter was approved by a voice vote. Councillor McLaughlin moved to suspend the rules and give the matter a third and final reading. Roll call required.

In favor: Logan, Fowler, McLaughlin, LeBlanc, D., Mackin, Harris, Lacava, LeBlanc, R., Brasco, Stanley, Vidal

Opposed: McMenimen, Romard, Darcy

Absent: None

Matter is approved.

2. The Ordinances and Rules Committee recommends time extension for One Moody Street, 45 Moody Street, 694, 696, 700, 710, 716 Main Street be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council.

In favor: Logan, Fowler, McLaughlin, LeBlanc, D., Mackin, Harris, Lacava, LeBlanc, R., Brasco, Stanley, Vidal, McMenimen, Romard, Darcy

Opposed: None

Absent: None

Matter is approved.

3. The Ordinances and Rules Committee recommends the minor modification to Special Permit #33889 at 1074 & 1110 Lexington Street – Chipolte be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Councillor LeBlanc recused himself. Roll call required.

In favor: Logan, Fowler, McLaughlin, LeBlanc, D., Mackin, Harris, Lacava, Brasco, Stanley, Vidal, McMenimen, Romard, Darcy

Opposed: None

Absent: None

Matter is approved.

4. The Ordinances and Rules Committee recommends the minor modification to Special Permit #25762 for the Bishops Forest Condo Association be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll call required.

In favor: Logan, Fowler, McLaughlin, LeBlanc, D., Mackin, Harris, Lacava, Brasco, Stanley, Vidal, McMenimen, Romard, Darcy, LeBlanc, R.

Opposed: None

Absent: None

Matter is approved.

5. The Ordinances and Rules Committee recommends the General Ordinance Amendment 17-25 Bond for Newly Paved Streets be approved for a first reading. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Councillor McMenimen rose for an explanation of amendment. Councillor McLaughlin explained that each street opening will need to carry its own bond. All were in favor and matter was approved for a first reading. Councillor McLaughlin moved to recommit matter to the Ordinances and Rules Committee. All were in favor and matter was recommitted.

Unfinished Business & Other Business

- CPC recommendation for CPA funds Historic Preservation for windows at the Boiler House of the Lowell Mill for \$300,000.00. Councillor Logan recused himself.

Referred to the Long Term Debt Committee

- CPC recommendation for CPA funds at Veteran's Field \$75,000.00

- Referred to the Long Term Debt Committee

- CPC recommendation for CPA funds totaling \$800,000.00 for Affordable Housing vouchers at the Leland Home.

Referred to the Long Term Debt Committee

- CPC recommendation for CPA funds for the restoration of the Council Bowl and Cedar Hill fountain at the Girl Scouts Camp totaling \$379,500.00

Referred to the Long Term Debt Committee

Councillor Logan moved accept a late filed communication from the Mayor regarding paving Midland, Crestview and Mountain Roads. All were in favor. Matter was referred to the Long Term Debt Committee.

Councillor Fowler moved to adjourn. President LeBlanc declared the meeting adjourned at 10:08p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

June 21, 2018

Approved by the City Council: _____