

***Waltham City Council Minutes of the meeting of March 26, 2012,
City Council Chambers, 610 Main Street, Waltham***

President Waddick called the regular meeting of the Waltham City Council to order at 8:00 P.M. City Clerk Rosario C. Malone called the roll. Present at roll call were Councillors Brasco, Curtin, Darcy, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Tarallo, Stanley, Waddick and Vizard. (14)

The Clerk read the Council prayer, then the President led the City Council in the Pledge of Allegiance.

Councillor Giordano requested a moment of silence for our men and women in the armed services serving around the world. A moment of silence was observed.

Councillor Curtin moved to suspend the rules in order to take a resolution out of order. On a voice vote, the rules were suspended and the resolution was taken out of order. Councillor Curtin introduced the Waltham's Show Choir Music Unlimited. On behalf of the City Council, he thanked the director and all the talented students. The City Council was entertained by several musical selections. Councillor Curtin moved for approval. On a voice vote, the resolution was adopted.

President Waddick declared a two-minute recess.
President Waddick called the Council back to order.

Councillor Logan moved to accept the minutes of the meeting of March 12, 2012 as amended. On a voice vote, the motion was adopted and the minutes were accepted.

Communications from the Mayor

The Clerk read the following communications from the Mayor and each, in turn, was referred to the appropriate committee by President Waddick as indicated below:

1. Respectfully request acceptance of green metal fencing (approximately 1,000 feet) Berkeley Investments, Inc.
Referred to the Finance Committee

2. Respectfully request a transfer of capital improvement funds in the amount of \$ 50,000.
From:
Building Renovations- Moody Street Fire Station - # 310-192-2006-5256
To:
Building Renovations – Police Station Roof- # 310-192-2006-6249
Referred to the Long Term Debt Committee

3. Respectfully request a transfer of funds in the amount of \$ 28,000.00
From:
CPW – Snow Rental Equipment - # 001-421-5200-5276
To:
CPW – Paving Projects - # 001-420-5400-5394-47
Referred to the Finance Committee

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4. Respectfully request approval of the LIP Proposed Regulatory /Agreement and Marketing Materials for the Watch Factory project.
Referred to the Ordinance and Rules Committee

Licenses All license are referred to the License and Franchises Committee

Tabled 3-26-12

THAT THE SUM OF \$96,125 BE APPROPRIATED FOR BUILDING RENOVATIONS, AND TO RAISE THIS APPROPRIATION, THE TREASURER, WITH THE APPROVAL OF THE MAYOR, IS AUTHORIZED TO BORROW THE SUM OF \$96,125 UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7, CLAUSE 3A OR ANY OTHER BORROWING AUTHORITY.

WHS CULINARY ARTS	\$96,125
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AND

THAT THE SUM OF \$668,750 BE APPROPRIATED FOR EQUIPMENT, AND TO RAISE THIS APPROPRIATION, THE TREASURER, WITH THE APPROVAL OF THE MAYOR, IS AUTHORIZED TO BORROW THE SUM OF \$668,750 UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7, CLAUSE 9 OR ANY OTHER BORROWING AUTHORITY.

WHS CLASSROOM FURNITURE	\$ 20,000
TECHNOLOGY UPGRADES	\$208,750
COMPUTER EQUIPMENT	\$300,000

INTERACTIVE CLASSROOM TECHNOLOGY	\$100,000
DATA CLOSET A/C IMPROVEMENTS	\$ 40,000

AND

THAT THE SUM OF \$388,674 APPROPRIATED FOR BUILDING CONSTRUCTION TO BE BORROWED UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 44 AS AUTHORIZED BY COUNCIL ORDER #28980 DATED APRIL 25, 2000 BE HEREBY RESCINDED.

PHASE 1 - GENERAL	\$388,674
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AND

THAT THE SUM OF \$376,201 APPROPRIATED FOR ARCHITECTURAL SERVICES TO BE BORROWED UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7, CLAUSE 21 AS AUTHORIZED BY COUNCIL ORDER #29198 DATED MARCH 12, 2001 BE HEREBY RESCINDED.

PHASE 2 – GENERAL	\$351,861
PHASE 2 – MACARTHUR	\$ 7,055
PHASE 2 – NORTHEAST	\$ 17,285

having had a first reading.

Councillor Stanley moved that the matter be taken from the table. On a voice vote, the motion was adopted and the matter was taken from the table. Councillor Stanley moved for a second and final reading. The roll was called. Voting yea were Brasco, Curtin, Darcy, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Vizard. By a 13 to 0 vote, the loan order was adopted. Order # 31688.

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THAT THE SUM OF \$164,185 BE APPROPRIATED FOR EQUIPMENT AND TO RAISE THIS APPROPRIATION, THE TREASURER, WITH THE APPROVAL OF THE MAYOR, IS AUTHORIZED TO BORROW THE SUM OF \$164,185 UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7, CLAUSE 9.

POLICE

Unmarked Vehicle (1)	\$27,500
Motorcycles (2)	\$38,000
Vests/Helmets (replacements)	\$ 8,000
Vests/Helmets (cruisers) (26)	\$52,000
Vests/Helmets (SRT Unit) (11)	\$32,615
Cell block alarm system	\$ 6,070

Having had a first reading, a second and final reading.

Councillor Stanley moved that the matter be taken from the table. On a voice vote, the motion was adopted and the matter was taken from the table. Councillor Stanley moved for a second and final reading. The roll was called. Voting yea were Brasco, Curtin, Darcy, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Vizard. By a 13 to 0 vote, the loan order was adopted. Order # 31689

General Ordinance Amendment amending Chapter 2 of the General Ordinances Section 2-187(3) Sheet metal permits having had a first reading is before the City Council for a second reading and a third reading. Councillor Tarallo moved for a second and final reading. The roll was called. Voting yea were Brasco, Curtin, Giordano, LeBlanc, Logan, Marchese, Romard, Rourke, Stanley, Tarallo and Vizard. Voting nay were Councillors McMenimen and Darcy. By a 11 to 2 vote, the General Ordinance Amendment was adopted. Order # 31687

The Law Department forwarded a communication regarding the Shotclock review on 144-146 Moody Street. Councillor Tarallo moved to accept the review and to forward the review to the petitioner's attorney. On a voice vote, the matter was forwarded to Attorney Scott Lacey, attorney for the petitioner.

The Law Department forwarded a communication regarding the Shotclock review on 39 Sachem Street.

Councillor Tarallo moved to accept the review and to forward the review to the petitioner's attorney. On a voice vote, the matter was forwarded to Attorney Scott Lacey, attorney for the petitioner.

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New Business

Watch City Ventures LLC, 121 High Street c/o Berkley Investments, Inc. 121 High Street, Boston, Massachusetts 02110 requested an extension of time to act on a special permit with mutual agreement for properties located at 183-241 Crescent Street, 261 Crescent Street, 267-269 Crescent Street 180 Crescent Street and 224 Crescent Street until May 31, 2012.

Councillor Tarallo moved to act on the matter without committee reference. On a voice vote, the request was approved. Councillor Tarallo moved to grant the time extension. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Vizard. By a 13 to 0 vote, the time extension was granted. Order # 31693

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200 Moody Street, LLC requested an extension of time to act on a special permit with mutual agreement until May 31, 2012 for property located at 210 Moody Street.

Councillor Tarallo moved to act on the matter without committee reference. On a voice vote, the request was granted. Councillor Tarallo moved to grant the time extension. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Vizard. By a 13 to 0 vote, the time extension was granted. Order # 31692

Clear Wireless, LLC, an affiliate of Sprint Wireless Broadband Company, LLC and Nextel Communications of the Mid-Atlantic, Inc., 303 Wyman Street, Waltham, MA 02451; American Tower, 10 Presidential Way, Woburn, MA 01801, and Hilltop 110 Bear Hill LLC, 34 Bear Hill Road, Weston, MA 02493 requested an extension of time to act on a special permit with mutual agreement until May 31, 2012 for property located at 110 Bear Hill Road, Waltham.

Councillor Tarallo moved to act on the matter without committee reference. On a voice vote, the request was granted. Councillor Tarallo moved to grant the time extension. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Vizard. By a 13 to 0 vote, the time extension was granted. Order # 31691

Hilltop 110 Bear Hill LLC, 1575 Tremont Street PH 2, Boston MA, 02120 petition the Waltham City Council with mutual agreement for an extension of time to act on a special permit until May 31, 2012.

Councillor Tarallo moved to act on the matter without committee reference. On a voice vote, the request was granted. Councillor Tarallo moved to grant the time extension. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Vizard. By a 13 to 0 vote, the time extension was granted. Order # 31690

Request for a Mass Port Letter for Inna Boguslavskaya, 133 Bishops Forest Drive, Waltham. Referred to the Licenses and Franchises Committee

Resolutions

Councillor Logan presented a resolution relative to Hawkers and Peddlers. Referred to the Ordinance and Rules Committee.

Councillor Logan presented a resolution relative to the Cherry Sheet account. Councillor Logan requested that City Council suspend the rules and act on the resolution without committee reference. On a voice vote, the suspension of the rules was granted. Councillor Logan moved to adopt the resolution. On a voice vote, the resolution was adopted. Councillor Logan submitted a requested. That a copy of the resolution be forwarded to the Waltham's Legislative Delegation. On a voice vote, the request was adopted.

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Councillor Logan presented a resolution relative to the process for issuance of fuel storage licenses.

Referred to the Licenses and Franchises Committee

Committee Reports

Licenses and Franchises Committee

The Licenses and Franchises Committee recommended that the permission requested by Nstar to install conduit at South Street - Westerly @ pole 23/8 approximately 100' \pm feet north of Charles Street. A distance of about 6' \pm feet – conduit e granted.

Councillor Logan moved the action of the Committee be the action of the City Council.

On a voice vote, the request for conduit was granted. Order # 31694

The Licenses and Franchises Committee recommended that the permission be granted to Lizzy's Ice Cream for table and chairs be granted.

Councillor Logan moved the action of the Committee be the action of the City Council.

On a voice vote, the request for table and chairs was granted.

Long Term Debt Committee

The Long Term Debt Committee recommended that the loan order in the amount of \$ 56,500.00 to provide funding for the purchase of a copy machines for the following departments as recommended in the FY2013 capital improvement plan.

Assessors	\$ 9,000.
Clerk	\$13,500.
Health	\$ 9,000.
Personnel	\$ 7,000.
Traffic	\$ 9,000.
Treasurer	\$ 9,000..

Councillor Stanley moved that the loan order be given a first reading. On a voice vote, the loan order was given a first reading.

Economic and Community Development Committee

The Economic and Community Development Committee recommended that the Community Block Grant Budget for 2012-2013 be approved.

Councillor Brasco moved the action of the Committee be the action of the Council.

The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo and Vizard.

By a 13 to 0 vote, the order was adopted. Order # 31686

Ordinances and Rules Committee

The Ordinanc and Rules Committee recommended that the resolution relative to the Green Community be adopted.

Councillor Tarallo moved the action of the committee be the action of the City Council.

On a voice vote, the resolution was adopted.

Councillor Tarallo moved to adjourn. On a voice vote, the City Council adjourned at 9:15 PM.