

*Waltham City Council Minutes of the meeting of June 11, 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 Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Waddick and Vizard. (13) Councillors Brasco and Tarallo arrived after the call of the roll. (15) Present

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

The Clerk read rule 29A for the upcoming public hearings.

**Public Hearings  
SPECIAL PERMIT**

Continued from 5-29-12

Due notice having been given, President Waddick reconvened the public hearing questions from Councillors on May 29, 2012. Waltham Ventures, LLC, 119 Bare Hill Road, Boxford, MA 01921 and Chipotle Mexican Grill of Colorado LLC, 1401 Wynkoop St. Suite 500 Denver Colorado hereby petitions the City Council for Special Permit pursuant to S3.5 of Zoning Ordinance to operate a business Chipotle Mexican Grill under the zoning classification 3.229 Fast-Food Establishment. The proposed 2,333 sq. ft. restaurant (A2) is a approved Use Group within this Zoning District. The restaurant is to have 41 seats with 235 sf of “unseated Public Floor Area. The Petitioners ask the City to grant the restaurant a Fast Food Service designation.

The locus is known and numbered as 1006 Main Street and 1022 Main Street and is shown in the “Atlas, City of Waltham, Massachusetts 1988”, as Map 58, Block 18, Lot 21 and Map 58, Block 18, Lot 18.

The property is situated in a Business B Zoning District.

The legal owners of the locus and to property 1006 Main Street, and to property 1022 Main Street is Waltham Ventures, LLC, u/d/t dated March 22, 2012,

Present Waddick asked for questions from Councillors. Councillor Marchese had questions regarding the traffic. Joseph Connors, Attorney for the property owner stated that the traffic report was supplied to the members of the City Council. The traffic report had taken into consideration the traffic from other projects. Councillor Logan had questions on the LLC. Attorney Connors would supply the Ordinance and Rules Committee with responses. President Waddick closed the public hearing and referred the special permit to the Ordinance & Rules Committee.

**FUEL STORAGE**

Due notice having been given, President Waddick opened the public hearing on the petition of TC Saracen, LLC, Owner and Petitioner, with an address of 2 Oliver Street, 6<sup>th</sup> floor Boston, MA 02109 hereby petition the City Council for a fuel storage license for a 396 vehicle parking garage. Property located at 36 River Street, Waltham, MA. President Waddick asked if anyone present wanted to speak in favor of the petition. Philip McCourt, Attorney for the petitioner spoke in favor. President Waddick asked if anyone wanted to stand in favor of the petition. There being none. President Waddick asked if anyone wanted to speak in opposition to the petition. There being none. President Waddick asked if anyone wanted to stand in opposition to the petition. There being none. President Waddick closed the public comment portion of the

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hearing and opened it to questions from Councillors. Councillor Marchese had questions regarding the location of the generators. Councillor Marchese requested that the Committee be supplied plans of the location of the generator. Councillor Curtin inquired if the garage had a rise to it. Attorney McCourt stated that he would supply all the answers to Councillor Curtin question to the committee. President Waddick closed the public hearing and referred the matter to the Ordinances & Rules Committee.

Councillor Romard moved to take the Special Permit for Boston Properties before the fuel application. On a voice vote, the special permit was taken first.

**SPECIAL PERMIT**

Due notice having been given, President Waddick opened the public hearing on the petition for Trustees of Zee Em Trust II, Owner, and Boston Properties Limited Partnership, Petitioner, both with an address of Boston Properties Limited Partnership, 800 Boylston Street, Suite 1900, Boston, MA 02199 hereby petition the City Council for a Special Permit pursuant to the provisions of Article 3, Section 3.5, subsection 3.511 and 3.521 and Article 8, Section 8.6 to allow for an increase in Floor Area Ratio (FAR) to 1.2 pursuant to Section 8.651 and to allow for a Mixed-Use Development pursuant to Section 8.643 and to allow for Dimensional Relief pursuant to Sections 8.652 and 8.66 for the revitalization and construction of a mixed use project with a maximum square footage of 425,659 with required parking on the property located at 470, 486 and 504 Totten Pond Road (Atlas Map 31, Block 005, Lot 0001). The development will have a total FAR (floor area ratio) of 1.2. The property is in a Limited Commercial District and Limited Commercial Revitalization Area Overlay Zoning District. President Waddick asked if anyone present wanted to speak in favor of the petition. Speaking in favor Philip McCourt, Attorney for the petitioner. Standing in favor were none. No one stood or spoke in opposition. President Waddick closed the public comment portion of the hearing and opened it to questions from Councillors. Responding to questions from the Councillors were Michael Cantacupla, Richard Monopoly, Robert Nagi and Chris Lovett all representing Boston Properties. Councillor Romard disclosure that he meet with the developer and had not formed an opinion on the project. Councillor Romard inquired if it was a new special permit or a modification. In accordance with our ordinances, it was a new special permit. Councillor Romard inquired about the traffic. His concerns were with entrances, exits and the flow traffic inside the project. Councillor Romard also inquired if the restriction from the original special permit would still be in effect. It was stated that all previous restrictions would be withheld. Councillor Curtin questioned would there be an increase in revenue to the city. The response was yes. If the Bus shelters would be large enough to handle the area. The response was yes. If the curb cuts would be the same. The answer was yes. If liquor licenses would be needed, Boston Properties would know more once tenants were secured. Councillor Logan, author of the overlay district asked why Boston Properties had to change the design. Their response was the competition for office space in the area. The changes cause the need for a new special permit. Councillor Logan asked if union labor would be used, Boston Properties had used Union labor in the past. Councillor Vizard requested that local people be hired for the project. Councillor Darcy requested that scales be added to the plans. Councillor Darcy also inquired about the number of bike racks. Councillor Darcy inquired why the project has taken so long. Mr. Cantacupla stated a condition of the original special permit was that the completion of the Winter Street bridge project needed to be achieved. Councillor Tarallo requested that the petitioner do a comparison of the original special permit and the present petition. Councillor Tarallo also had concerns regarding curb cuts. Councillor McMenimen

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inquired about the matter table on the City Council docket regarding Mayor's veto of the fifth amendment City Council Order # 30971 was settled. Councillor McMenimen made a request to have the question answered by the Law Department. Councillor Tarallo requested an extension of time.

President Waddick closed the public hearing and referred the matter to the Ordinances & Rules Committee.

**Special Permit Time Extension**

Trustees of Zee Em Trust II, Owner, and Boston Properties Limited Partnership, Petitioner, both with an address of Boston Properties Limited Partnership, 800 Boylston Street, Suite 1900, Boston, MA 02199 is granted an extension of time to act on a special permit with mutual agreement for properties located at 470, 486, and 504 Totten Pond Road until October 30, 2012. The roll was called voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, and Vizard. By a 14 too 0 vote, the time extension was granted. Order # 31749

**Fuel Storage**

The Trustees of Zee Em Trust II, Owner, and Boston Properties Limited Partnership, Petitioner, both with an address of Boston Properties Limited Partnership, 800 Boylston Street, Suite 1900, Boston, MA 02199 hereby petition the City Council for a fuel storage license for two (2) office buildings. The project includes one parking garage for 1448 vehicles, one emergency generator with 4000 gallons of diesel fuel storage, and one emergency generator with 5000 gallons of diesel fuel storage. Property located at 470, 486 and 504 Totten Pond Road.

President Waddick asked if anyone present wanted to speak in favor of the petition. Speaking in favor Philip McCourt, Attorney for the petitioner Standing in favor were none. No one stood or spoke in opposition. President Waddick closed the public comment portion of the hearing and opened it to questions from Councillors. Councillor Romard inquired if there was an elevator. The response was one. Councillor Romard had concerns regarding stormwater. Attorney McCourt assured the Councillor all questions would be answered in committee. President Waddick closed the public hearing and referred the matter to the Ordinances & Rules Committee.

**Communications from the Mayor**

**1.** Respectfully request the acceptance of a grant in the amount of \$ 41,992.00 from NStar. This grant will be used to replace 285 mercury vapor streetlights to energy efficient LED street lights. It is anticipated there will be an annual usage savings of \$26, 202.00.  
Referred to the Finance Committee

**2.** Respectfully request a transfer of fund in the amount of \$25,00.00 from account #001-420-5100-5112 CPW- Wages to account # 001-420-5400-5394-47 CPW- Paving Projects. This transfer is requested to supplement the existing budget for the purchase of asphalt to repair pot holes for the remainder of the fiscal year.  
Referred to the Finance Committee

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**3.** Respectfully request an appropriation in the amount of \$50,000.00 from Unreserved Fund Balance to account # 001-220-5100-5131 Fire-Overtime. These funds are needed to cover overtime cost for the remainder of the fiscal year.

Referred to the Finance Committee

**4.** Respectfully request a transfer of funds in the amount of \$42,000.00 from account # 600-440-5400-5690 Sewer – MWRA Assessment to account # 600-440-5200-Sewer – General Expenses. These funds will be used to cover operating expenses of sewer operation and maintenances for the remainder of the fiscal year.

Referred to the Finance Committee

**5.** Respectfully request a transfer of funds in the amount of \$55,127.00 from account # 600-440-5400-5690 Sewer – MWRA Assessment to account # 610-452-5400-5690 Water –MWRA Assessments. The final FY2012 MWRA assessment was determined after the adoption of the City’s budget. This will properly allocate the assessment between the water and sewer funds.

Referred to the Finance Committee

**6.** Respectfully request a transfer of funds in the amount of \$8,000.00 from account #600-440-5400-5690 Sewer – MWRA Assessment to account # 600-440-5400-5394-49 Sewer – Service Repairs. These funds will be used to cover the unanticipated expense of sewer repair at 260 Lexington Street.

Referred to the Finance Committee

**7. a-**Respectfully request an appropriation in the amount of \$ 50,000.00 from Fund Balance Reserved for Handicap Projects account # 237-560-2300-3591 to account # 237-560-2315-5205 Handicap – Police Details.

Referred to the Finance Committee

**b-**Respectfully request an appropriation in the amount of \$5,000. 00 from Fund Balance Reserved for Handicap Projects account # 237-560-2300-3591 to account # 237-560-2330-5205 Disabilities – Senior Center – Door Openers- Restrooms.

Referred to the Finance Committee

**c-**Respectfully request an appropriation in the amount of \$20,000.00 from Fund Balance Reserved for Handicap Projects account # 237-560-2300-3591 to account # 237-560-2331-5205 Disabilities- Fire- Thermo Cameras.

Referred to the Finance Committee

**Late file Communication**

Councillor Curtin moved to accept the late file communication. On a voice vote, the late file communication was accepted.

Respectfully submit RFP responses for 92 Felton Street (1), 25 Lexington Street (1),685 Lexington Street (North Branch Library (3) and other matters regarding 14 Church Street and South Branch Library 80 Hall Street.

Referred to the RFP Committee

*Licenses All license are referred to the License and Franchises Committee*

**Tabled 5-29-12**

Draft minutes 6-11-12

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That the sum of \$325,000 be appropriated for water improvements; that to meet this appropriation the Treasurer, with the approval of the mayor, is authorized to borrow the sum of \$325,000 under the provisions of Massachusetts General Laws, Chapter 44, Section 8; That the Treasurer, with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (MWRA) and in connection therewith to enter into a loan agreement and/or security agreement with the MWRA with respect to such loan; that the Mayor is authorized to contract for and expend any Federal, State or other available aid for the project, including any grant related to such project from the MWRA. having had a first reading is before the City Council for a second reading. Councillor Stanley moved to take the loan order off the table for a second and final reading. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, Vizard. By a 14 to 0 vote, the loan order was adopted. Order # 31741

**Tabled 5-29-12**

General Ordinance Amending Fuel Storage Licenses having had a first reading is before the City Council for a second reading.

**New Business**

**Special Permit Time Extension**

200 Moody Street, LLC be granted permission by the City Council for an extension of time to act on a special permit with mutual agreement until Wednesday, October 31, 2012 for property located at 210 Moody Street.

Councillor Tarallo moved to suspend the rules and act on the Special Permit time extension without committee reference. On a voice vote, for suspension of rules was adopted. Councillor Tarallo moved to grant the time extension. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the time extension was granted. Order # 31747

**Special Permit Time Extension**

Watch City Ventures LLC, 121 High Street c/o Berkley Investments, Inc. 121 High Street, Boston, Massachusetts 02110 hereby petition the Waltham City Council for 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 Wednesday, October 31, 2012. Councillor Tarallo moved to suspend the rules and act on the Special Permit time extension without committee reference. On a voice vote, for suspension of rules was adopted. Councillor Tarallo moved to grant the time extension.

The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the time extension was granted. Order # 31745

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**Special Permit Time Extension**

Hilltop 110 Bear Hill LLC, 1575 Tremont Street PH 2, Boston MA, 02120 hereby petition the Waltham City Council for an extension of time to act on a special permit with mutual agreement for property located at 110 Bear Hill Road until October 30, 2012.

Councillor Tarallo moved to suspend the rules and act on the Special Permit time extension without committee reference. On a voice vote, for suspension of rules was adopted.

Councillor Tarallo moved to grant the time extension. The roll was called. Voting yea were Councillors Brasco, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. Voting nay was Councillor Curtin. By a 13 to 1 vote, the time extension was granted. Order # 31746

**Special Permit Time Extension**

1019 Trapelo LLC, Tachien Yu, Manager, 675 VFW Parkway #128, Chestnut Hill, MA 02467 hereby petition the Waltham City Council for an extension of time to act on a special permit with mutual agreement for property located at 1019 Trapelo Road until October 30, 2012 Councillor Tarallo moved to suspend the rules and act on the Special Permit time extension without committee reference. On a voice vote, for suspension of rules was adopted.

Councillor Tarallo moved to grant the time extension.

The roll was called. Voting yea were Councillors Brasco, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. Voting nay was Councillor Curtin. By a 13 to 1 vote, the time extension was granted. Order # 31744

**Special Permit Time Extension**

Petitioner, PD Winter Street, LLC with an address c/o Jan Machnik, Davis Marcus Partners, 930 Winter Street, Waltham, Massachusetts 02451 hereby petitions the City Council for an extension of time to act on a special permit with mutual agreement for properties located at 850, 910 and 920-940 Winter Street until October 31, 2012.

Councillor Tarallo moved to suspend the rules and act on the Special Permit time extension without committee reference. On a voice vote, for suspension of rules was adopted. Councillor

Tarallo moved to grant the time extension. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the time extension was granted. Order # 31743

**Special Permit Time Extension**

8 Newton Street LLC, 130 Rumford Avenue, Suite 21, Newton, Massachusetts 02466; and the Legal Owner of 8 Newton Street & 468 Main Street being Gordon Realty, Inc., P.O. Box 87007-07, Milton Village, Massachusetts 02187-0007, and the Legal Owners of 462 Main Street & 462 Next Main Street being: M&P, LLC; The Harriet G. Goldman Family, LLC; Barbara Gordon Lushman Family LLC; and Kaplan Properties, LLC, all - c/o Harriet G. Goldman Family, LLC, P.O. Box 870007, Milton, Massachusetts 02187 hereby petition the City Council for an extension of time to act on a special permit with mutual agreement for properties located at 8 Newton Street 468, 462 and 462 next Main Street until October 31, 2012.

Councillor Tarallo moved to suspend the rules and act on the Special Permit time extension without committee reference. On a voice vote, for suspension of rules was adopted.

Councillor Tarallo moved to grant the time extension. The roll was called. Voting yea were

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Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the time extension was granted. Order # 31748

**Resolutions**

Councillors Curtin and LeBlanc presented a resolution commending the Waltham Fire and Police Departments on the drill conducted at the Beaver Street train crossing. Councillor Curtin moved to adopt the resolution without committee reference. On a voice vote, the resolution was adopted.

**Committee Reports**

**Licenses and Franchises Committee**

The Licenses and Franchises Committee recommended that the renewal of the Second Hand Dealer License for Game Stop, 1092 Lexington Street be granted.

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

On a voice vote, the Second Hand Dealer License was granted.

The Licenses and Franchises Committee recommended that the renewal of the Second Hand Dealer License for Lexington Music, 402 Moody Street be granted.

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

On a voice vote, the Second Hand Dealer License was granted.

The Licenses and Franchises Committee recommended that the renewal of the Second Hand Dealer License for Curio Vintage, 379 Moody Street be granted.

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

On a voice vote, the Second Hand Dealer License was granted.

The Licenses and Franchises Committee recommended that the Mass Port letter for Richard Bykuleka, 115 South Street be denied.

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

The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the Mass Port Letter was denied.

The Licenses and Franchises Committee recommended that the Bus Route permission for Boston Super Transportation, Inc. President Wade Suleiman, 3600 Mystic Valley PKWY #210 Medford and Treasurer El Baciti, 40 St Margaret Street, Dorchester be denied.

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

The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the permission for the bus route was denied.

The Licenses and Franchises Committee recommended that **NSTAR ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC** be granted permission as amended to relocate the following

**Main Street– Northerly side approximately 166'± feet west of Cutting Lane**

**Install one (1) New Pole 183 / 134-X**

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**Remove one (1) existing pole**

Councillor Logan moved the action of the Committee be the action of City Council. On a voice vote, the amended order was adopted. Order # 31725

The Licenses and Franchises Committee recommended that **NSTAR ELECTRIC COMPANY** be granted permission as amended to install the following: .

**Main Street-** Easterly from manhole #20736 approximately 298' ± feet east of Cutting Lane. A distance of about 49' ± feet - conduit

Councillor Logan moved the action of the Committee be the action of City Council. On a voice vote, the order was adopted. Order # 31732

The Licenses and Franchises Committee recommended that SPC MAIN STREET LLC and D. W. White Construction, Inc. be granted permission as amended for the following.

**Main Street-** 100 feet West of Cutting Lane to Sheridan Street (approximately 900 linear feet) and across Main Street at Border Road (approximately 150 linear feet)

This work is necessary to install the new signal system at the new entrance for the redevelopment of the above referenced project. Property located at 1265 Main Street.

Councillor Logan moves the action of the Committee be the action of City Council. On a voice vote, the order was adopted. Order # 31731

**Public Works Committee**

The Public Works Committee recommended that Plympton Avenue be resurfaced pursuant to General Ordinances Section 16-80 as amended by Ordinance # 30920 with betterments to be assessed in the most beneficial formula to the residents.

Councillor Rourke moved the action of the Committee be the action of City Council . The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the order was adopted. Order # 31740

**Ordinances and Rules Committee**

The Ordinances and Rules Committee recommended that the Special Permit for 144 Moody Street be granted. Councillor Tarallo moved the action of the Committee be the action of City Council. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote the special was granted. Order # 31750

The Ordinances and Rules Committee recommended that the Personal Changes in the FY2013 budget be acted on as follows:

An Ordinance Amending Article V of Chapter 2 of the General Ordinance Entitled

“Compensation” Be it ordained by the City Council of the City of Waltham as follows:

Article V of Chapter 2 of the General Ordinance Entitled “Compensation,” Section 2-29.

Classification of Positions, subsection B.2, Non-Union Positions Paid on Salary Rates, as most recently amended, is hereby further amended by changing the Salary Grade of the following position as stated: Assistant Director – Public Health from Grade 15 to Grade 16 be given a first reading.

Councillor Tarallo moved the action of the Committee be the action of City Council

Councillor Logan requested a roll call. The roll was called. Voting for the first reading were

Councillors Curtin, Darcy, Giordano, Marchese, McMenimen, Rourke, and Tarallo. voting nay



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were Councillors Brasco, Doucette, LeBlanc, Logan, Romard, Stanley, and Vizard. The motion for a first reading did not carry. The ordinance amendment was placed on file.

An Ordinance Amending Article V of Chapter 2 of the General Ordinance Entitled "Compensation" Be it ordained by the City Council of the City of Waltham as follows: Article V of Chapter 2 of the General Ordinance Entitled "Compensation," Section 2-29. Classification of Positions, subsection B.2, Non-Union Positions Paid on Salary Rates, as most recently amended, is hereby further amended by changing the Salary Grade and title of the following position as stated: Director of Park and Recreation Grade 17 to Director of Recreation Grade 19 Be placed on file.

Councillor Tarallo moved the action of the Committee be the action of City Council The roll was called to place the Ordinance amendment on file. Voting yea were Councillors Brasco, Curtin, Doucette, Giordano, LeBlanc, Logan, Marchese, Romard, Rourke, Stanley, and Vizard. Voting not to file were Councillors Darcy, McMenimen, and Tarallo. By an 11 to 3 vote, the Ordinance Amendment has been placed on file.

An Ordinance Amending Article II of Chapter 6 of the General Ordinance Entitled "Fire Department"

Be it ordained by the City Council of the City of Waltham as follows:

Article II of Chapter 6 of the General Ordinance Entitled "Fire Department," Section 6-17 Composition and organization generally., subsection 6-17 (a) (3), as most recently amended, is hereby further amended by deleting "Ten members who shall hold the office of captain;" and replacing it with the following "Eleven members who shall hold the office of captain, one of whom shall be known as captain training/admin;"

Councillor Tarallo moved the action of the Committee be the action of City Council The roll was called for a first reading Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Marchese, McMenimen, Romard, Rourke, Stanley, and Tarallo, Voting nay were Councillors Logan and Vizard. Ordinance Amendment has had a first reading. By a 12 to 2 vote, the ordinance was given a first reading.

An Ordinance Amending Chapter 14 of the General Ordinance Entitled "Police Department"

Be it ordained by the City Council of the City of Waltham as follows:

Chapter 14 of the General Ordinance Entitled "Police Department," Section 14-2 Composition., subsection 14-2 (a), as most recently amended, is hereby further amended by deleting "Sixteen police officers who shall hold the office of sergeant;" and replacing it with the following "Seventeen police officers who shall hold the office of sergeant;"

Councillor Tarallo moved the action of the Committee be the action of City Council The roll was called for a first reading Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. Voting nay was Councillor Logan. Ordinance Amendment has had a first reading. By a 13 to 1 vote, the ordinance was given a first reading.

**Committee of the Whole**

The Committee of the Whole recommended that the appointment of Mr. J. Michael Garvin, 4 Kristin Drive, North Chelmsford as Traffic Engineer appointed by the Traffic Commission be confirmed.

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Councillor Doucette moved the action of the Committee be the action of City Council. The roll was called. Voting yea was Councillor Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, Vizard. By a 14 to 0 vote, the appointment was confirmed.

The Committee of the Whole recommended that the appointment of Mr. Robert J. Waters, Jr., of 501 Lexington Street, Waltham as Housing Supervisor, formerly Housing Director, for a three-year term be confirmed.

Councillor Doucette moved the action of the Committee be the action of City Council. The roll was called. Voting yea was Councillor Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the appointment was confirmed.

The Committee of the Whole recommended that the resolution regarding the posting of the FY2012 Budget on the Website be placed on file.

Councillor Doucette moved the action of the Committee be the action of City Council. On a voice vote, the resolution was placed on file.

The Committee of the Whole recommended that the resolution of the acquisition of 17 Spruce Street be placed on file.

Councillor Doucette moved the action of the Committee be the action of City Council. On voice vote, the resolution was placed on file.

**Finance Committee**

The Finance Committee recommended that the City Council accept a gift from Watertown Savings Bank in the amount of \$2,000.00.

Councillor Curtin moved the action of the Committee be the action of City Council. On a voice vote, the order was adopted. Order # 31733

The Finance Committee recommended that the City Council accept a gift of \$10,285.00 through a 2012 Edward Byrne Memorial JAG (Justice Assistance Grant) Program.

Councillor Doucette moved the action of the Committee be the action of City Council. On a voice vote, the order was adopted. Order # 31723

The Finance Committee recommended that the City Council accept two separate grants from the Massachusetts Emergency Management Agency (MEMA). The first grant is the FFY2012 HMEP grant in the amount of \$2,532.33.

Councillor Curtin moved the action of the Committee be the action of City Council. On a voice vote, the order was adopted. Order # 31735

The second is the FFY2010 EMPG grant in the amount of \$ 22,000.00

Councillor Curtin moved the action of the Committee be the action of City Council. On a voice vote, the order was adopted. Order # 31734

The Finance Committee recommended that the City Council accept a gift of off-site infrastructure improvements from SPC Main Street LLC.

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

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On a voice vote, the order was adopted. Order # 31739

The Finance Committee recommended that the City Council accept a gift of sewer improvements from SPC Main Street LLC.

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

On a voice vote, the order was adopted. Order # 31738

The Finance Committee recommended approval by the City Council of Easement Relocation Agreement and Plans SPC to construct a new City sewer at its sole cost and expense at 1265 Main Street, Waltham.

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

The roll was called. Voting for the relocation were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the order was adopted. Order # 31736

The Finance Committee recommended approval by the City Council of the Maintenance Agreement to be attached thereto and incorporated by reference to the Easement Relocation Agreement at 1265 Main Street, Waltham.

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

The roll was called. Voting for the relocation were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. By a 14 to 0 vote, the order was adopted. Order # 31737

Trustees of Zee Em Trust II, Owner, and Boston Properties Limited Partnership, Petitioner, both with an address of Boston Properties Limited Partnership, 800 Boylston Street, Suite 1900, Boston, MA 02199 is granted an extension of time to act on a special permit with mutual agreement for properties located at 470, 486, and 504 Totten Pond Road until October 30, 2012. The roll was called. Voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, Vizard, By a 14 to 0 vote, the order was adopted. Order # 31749

**Ad-hoc Committee for Recommending Appointees to the CPC**

The Ad-hoc Committee for Recommending Appointees to the CPC recommended the following that

Diana Young                      Kevin Dwyer                      Francis P. Craig                      Daniel Melnechuk  
be confirmed for an other term expiring in one year concurrent with the following fiscal year on the CPC Committee.

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

Councillor Rourke moved to act on the appointments collectively.

The roll was called. Voting for all the appointees were Councillors Brasco, Curtin, Darcy, Doucette, LeBlanc, Logan, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. Voting nay was Councillor Giordano. By a 13 to 1 vote, the appointments were confirmed.

*Waltham City Council Minutes of the meeting of June 11, 2012,  
City Council Chambers, 610 Main Street, Waltham*

**Ordinances and Rules Committee 6-11-12**

That Ordinances and Rules Committee recommended that the special permit for 110 Bear Hill Road be granted. The roll was called voting yea were Councillors Brasco, Curtin, Darcy, Doucette, Giordano, LeBlanc, Marchese, McMenimen, Romard, Rourke, Stanley, Tarallo, and Vizard. Voting nay was Councillor Logan. By a 13 to 1 vote, the special permit was granted. Order # 31751

**Public Announcement**

That the Office of Campaign and Political Finance will hold a one hour seminar on Wednesday July 18, 2012 @ 6:30 PM in the City Council Chambers 610 Main Street Waltham

Councillor Marchese moved to adjourn. On a voice vote, the City Council adjourned at 11:30 PM.

Adjourn