

Waltham City Council
Minutes of the Meeting of
January 9, 2017

Madam Clerk Pro Tem McMenimen called the meeting to order at 7:34pm.

The Clerk pro tem called the roll of the City Council.

Call of the Roll:

City Council

Present: Councillors Darcy, LeBlanc, Logan, McMenimen, O'Brien, Rourke, Vidal, Fowler, Giordano, McLaughlin, Romard, Marchese, Brasco, Waddick

Absent: None

The Clerk Pro Tem recited the Council Prayer followed by leading all present in the Pledge of Allegiance.

Councillor Giordano asked for a moment of silence for all our military that have served; past and present.

Clerk Pro Tem opened up nominations for President of the City Council.

Councillor Marchese nominated Diane P. LeBlanc for President of the City Council.

With no further nominations Clerk Pro Tem closed nominations.

Clerk Pro Tem called the roll for President.

Councillors Darcy, LeBlanc, Logan, McMenimen, O'Brien, Rourke, Vidal, Fowler, Giordano, McLaughlin, Romard, Marchese, Brasco, Waddick 14-0 Diane P. LeBlanc was unanimously voted as the City Council President for 2017. President LeBlanc made brief remarks thanking the Council and acknowledging her family and friends.

Kara Wilson took over as Clerk Pro Tem.

Councillor Logan moved to accept the Council Rules of 2015 as the Council Rules for 2017. All were in favor. Rules were adopted.

President LeBlanc appointed Robert G. Logan as the Vice President of the City Council for 2017.

The Clerk Pro Tem called the roll. Councillors Darcy, LeBlanc, Logan, McMenimen, O'Brien, Rourke, Vidal, Fowler, Giordano, McLaughlin, Romard, Marchese, Brasco, Waddick 14-0 Robert G. Logan was unanimously voted as the City Council Vice President for 2017.

Councillor Logan moved to approve the minutes from Special Meeting on 11/28/2016. All were in favor. Minutes approved.

Councillor Logan moved to approve the minutes from Special Meeting on 12/12/2016. All were in favor. Minutes approved.

The Clerk Pro Tem read Rule 86.

The Clerk Pro Tem called the matter of the first public hearing: Zoning Amendment
Councillor Logan spoke in favor of the zoning amendment. Leon Navickas, 282 Moody St. Waltham, a business owner in Waltham, spoke in favor of the petition. Two 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 on the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors.

Councillors McMenimen, Darcy and Board of Survey and Planning members Creonte and Maroney asked questions to the petitioner.

With no further questions from Councillors President LeBlanc referred the matter to the Ordinances & Rules Committee.

The Chair of the Board of Survey & Planning stated that the board will be meeting on Thursday January 12, 2017 in the CPW Office on Lexington St. at 7pm to discuss this matter.

The Clerk Pro Tem read the call of the second public hearing: Zoning District Map Amendment Michael Connors, Connors & Connors LLC, Lexington St. Waltham, attorney for 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 on the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Romard, Vidal, Waddick, Darcy asked questions to the petitioner.

With no further questions from Councillors President LeBlanc referred the matter to the Ordinances & Rules Committee.

The Chair of the Board of Survey & Planning stated that the board will be meeting on Thursday January 12, 2017 in the CPW Office on Lexington St. at 7pm to discuss this matter.

The President called for a two minute recess.

The Clerk Pro Tem read the call of the second public hearing: Grant of Location for Eversource on Gore St.

Maureen Carroll, Representative for Eversource 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 on the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. No Councillors had questions at this time. The President referred the matter to the License and Franchise Committee.

Communications from the Mayor

1. The Mayor respectfully requested an appropriation in the amount of \$82,611 from Unreserved Fund Balance to account #001-192-5200-5245 Building – Repairs & Maintenance.

President LeBlanc referred the matter to the Finance Committee.

2. The Mayor respectfully requested acceptance of a gift of \$300.00 from New Light Korean Church to the City of Waltham Fire Department for appreciation for their service to the Waltham Community.

President LeBlanc referred the matter to the Finance Committee.

3. The Mayor respectfully requested acceptance of a gift of \$300.00 from New Light Korean Church to the City of Waltham Police Department for appreciation for their service to the Waltham Community.

President LeBlanc referred the matter to the Finance Committee.

4. The Mayor respectfully requested an appropriation in the amount of \$7,550 to fund the purchase of three (3) computers and related workstation equipment. These computers will be furnished with the capability to operate AutoCAD, GIS and other high usage systems required

for the Engineering Department for the Assistant City Engineer, Junior Civil Engineer and the Water/Sewer Superintendent employees.

President LeBlanc referred the matter to the Finance Committee.

5. The Mayor respectfully requested an appropriation in the amount of \$25,000 to fund the purchase of a Ford Fusion Hybrid vehicle for the Assessing Department.

President LeBlanc referred the matter to the Finance Committee.

Applications for Licenses and Permits

President LeBlanc referred all matters to the License and Franchise Committee

- Extended Hours Renewal - 205 Willow St. - Pro Tech Automotive & Tire Center Inc.
- Extended Hours Renewal – 12 Harvard St – CVS Pharmacy
- Class 1 Motor Vehicle Renewal – 85 Linden St – Aston Martin of New England Lotus Inc.
- Class 2 Motor Vehicle Renewal- 196 High St. - JJJ Auto Retailers Inc.
- Class 2 Motor Vehicle Renewal – 53 Felton St. – Pilgrim Auto Body Inc.
- Class 2 Motor Vehicle Renewal – 477 Main St. – Chrislin’s Auto Inc. dba Metrowest Motors
- Class 2 Motor Vehicle Renewal – 251R High Street – Classic Cars Inc.
- Lodging House Renewal – 240 Crescent St – Torrington Properties Inc.
- Lodging House Renewal – 118 – 120 Robbins St. – Martin Reilly Realty
- Lodging House Renewal – 44-46 Chester Ave - Martin Reilly Realty
- Lodging House Renewal – 20-22 Adams St. – Martin Reilly Realty
- Lodging House Renewal – 11-13 Walnut St. - Martin Reilly Realty
- Lodging House Renewal – 26 Myrtle St – Michael Cotton
- Lodging House Renewal – 403 River St – Dennis Dyer
- Lodging House Renewal – 107 Adams St – Dennis Dyer
- Lodging House Renewal – 10-12 Maple St – Mark Leger

Resolutions

Fire Fighters Retirement – sponsored by Councillor McMenimen

The Clerk Pro Tem read the Resolution and read off all the names and years of service for the seven retiring Fire Fighters.

Councillor McMenimen spoke on the Resolution and the retirees.

Councillor McMenimen moved to suspend Rule 39 and act on matter without committee reference. All were in favor. Councillor McMenimen moved to suspend the rules and move approval of the Resolutions collectively. All were in favor. Resolutions were approved.

Unfinished Business and Other Business

- Filling a vacancy – Under the provisions of Section 4-3 of the City Charter, there shall be a Joint Convention Meeting of the City Council and the Waltham School Committee to elect a person to fill a School Committee vacancy until the first Sunday in January following the next regular municipal election.

President LeBlanc moved to suspend the Rules for Council to remain in recess for longer than thirty minutes. All were in favor. President LeBlanc moved to recess in order for the next order of business to be heard. All were in favor. Council recessed at 8:43pm.

The Mayor called the joint convention meeting between the Waltham School committee and the Waltham City Council to order.

The Honorable Mayor McCarthy ran the meeting set under the provisions of the City Charter Section 4-3. Councillor Brasco moved to have Kara Wilson serve as the Clerk Pro Tem for the Joint convention. All were in favor.

Councillor Waddick moved to approve Robert rules as the official Rules of the Joint Convention. All were in favor.

Mr. John Frassica moved to nominate Elizabeth AlJammal to fill the vacancy of the School Committee. Margaret Donnelly second the motion to nominate Elizabeth AlJammal.

Councillor McMenimen rose to a point of order asking how many votes one would need to be elected. The response was 10 votes.

With no further nominees presented, Mayor McCarthy closed the nominations.

Clerk Pro tem read the roll for vote on the vacant seat on the School Committee.

Roll Call

School Committee

Margaret Donnelly voted for Elizabeth AlJammal

John A. Frassica II voted for Elizabeth AlJammal

John B. Graceffa voted for Elizabeth AlJammal

Stephen Rando, Jr. voted for Elizabeth AlJammal

Edmund Tarallo voted for Elizabeth AlJammal

City Council

Paul J. Brasco voted for Elizabeth AlJammal

George A. Darcy III voted for Elizabeth AlJammal

William H. Fowler voted for Elizabeth AlJammal

Joseph M. Giordano Jr. voted for Elizabeth AlJammal

Robert G. Logan voted for Elizabeth AlJammal

Gary J. Marchese voted for Elizabeth AlJammal

John J. McLaughlin voted for Elizabeth AlJammal

Kathleen B. McMenimen voted for Elizabeth AlJammal

Patrick J. O'Brien voted for Elizabeth AlJammal

Daniel P. Romard voted for Elizabeth AlJammal

Stephen F. Rourke voted for Elizabeth AlJammal

Carlos A. Vidal voted for Elizabeth AlJammal

Robert J. Waddick voted for Elizabeth AlJammal

Diane P. LeBlanc voted for Elizabeth AlJammal

Totals (19)

The vote was unanimous for Elizabeth AlJammal to fill the vacancy.

The Mayor declared Elizabeth AlJammal the elected candidate for the vacant School Committee seat. The Mayor introduced Mrs. AlJammal to the Council and School Committee.

- Swearing in of the new School Committee Member

Justice of the Peace, Barbara Peterson swore in Mrs. Elizabeth AlJammal, as the newest School Committee Member.

Mrs. AlJammal spoke and thanked everyone and looked forward to getting to work.

Councillor Logan moved to adjourn the joint convention. Mr. Graceffa second the motion. The Mayor declared the meeting adjourned at 915pm.

- Filling a vacancy – Under the provisions of Section 2-6 of the City Charter, the Council will elect a Councillor At Large to fill an unexpired term.

President LeBlanc reconvened the Council at 920pm.

Councillor Marchese stood and explained a process of rules he believed would assist with filling the vacancy of Councillor at Large vacant seat. Councillor Marchese moved to accept the rules as the format for the evenings vote. On the motion Councillor Brasco moved to strike a line that said “Each nominee may speak for a maximum of 2minutes about their candidacy.” Councillors Romard, Waddick, McMenimen, Vidal, and Giordano all spoke on the motion.

Roll call was requested to vote on the vote to strike the sentence from the proposed rules.

All in favor: Brasco, Darcy, Fowler, Giordano, McLaughlin, McMenimen, Waddick, LeBlanc

Opposed: Logan, Marchese, O’Brien, Romard, Rourke, Vidal

Absent: None

With a vote of 8 in favor and 6 opposed the vote to strike the sentence for nominees not to have to speak was approved.

Councillor Darcy moved to strike all three elimination rounds. Roll call was requested.

All in favor: Darcy

Opposed: Logan, Marchese, O’Brien, Romard, Rourke, Vidal, Brasco, Fowler, Giordano, McLaughlin, McMenimen, Waddick, LeBlanc

Absent: None

With a vote of 1 in favor and 13 opposed the vote to strike the elimination rounds did not pass.

Councillor Marchese moved to accept amended rules. On the motion Councillors McMenimen and Logan spoke.

Roll call requested.

All in favor: Logan, Marchese, O’Brien, Romard, Rourke, Vidal, Brasco, Fowler, Giordano, McLaughlin, McMenimen, Waddick, LeBlanc

Opposed: Darcy

Absent: None

With a vote of 13 in favor and 1 opposed the amended rules for the process of nominating a new Councillor passed.

President LeBlanc opened up nomination from the Councillor vacancy.

Councillor Logan moved to nominate Sarafina Collura. Councillor Logan spoke for two minutes about the nominee. Councillor Giordano rose and nominated Joseph LaCava for the Councillor vacancy. Councillor Giordano spoke for two minutes on the candidate. Councillor Waddick rose and nominated Randall J. LeBlanc for the vacancy. Councillor Waddick spoke for two minutes about the nominee. Councillor Vidal rose and nominated Clarence Richardson for the vacancy. Councillor Vidal spoke for two minutes on the candidate. Councillor Marchese rose and nominated Sarafina Collura for the vacancy. He spoke for two minutes on the candidate. Councillor Rourke rose in support of Clarence Richardson as a nominee.

With no further nominations President LeBlanc closed nominations for the vacancy of the City Councillor.

All in favor: Logan, Marchese, O’Brien, Romard, Rourke, Vidal, Brasco, Fowler, Giordano, McLaughlin, McMenimen, Waddick, LeBlanc, Darcy

Opposed: None

Absent: None

With a vote of 14 in favor and none opposed the nomination were officially closed.

Using the rules stated prior the first round of voting began.

Round One

Paul J. Brasco voted for Joseph LaCava
George A. Darcy III voted for Clarence Richardson
William H. Fowler voted for Randall LeBlanc
Joseph M. Giordano Jr. voted for Joseph LaCava
Robert G. Logan voted for Sarafina Collura
Gary J. Marchese voted for Sarafina Collura
John J. McLaughlin voted for Sarafina Collura
Kathleen B. McMenimen voted for Randall LeBlanc
Patrick J. O'Brien voted for Randall LeBlanc
Daniel P. Romard voted for Sarafina Collura
Stephen F. Rourke voted for Clarence Richardson
Carlos A. Vidal voted for Clarence Richardson
Robert J. Waddick voted for Randall LaCava
Diane P. LeBlanc voted for Sarafina Collura
Totals (14)

Votes:

Sarafina Collura had 5 votes
Joseph LaCava had 2 votes
Randall LeBlanc had 4 votes
Clarence Richardson had 3 votes

With no nominee receiving the 8 votes needed to be elected Round Two of voting began.

Round Two

Paul J. Brasco voted for Joseph LaCava
George A. Darcy III voted for Randall LeBlanc
William H. Fowler voted for Randall LeBlanc
Joseph M. Giordano Jr. voted for Joseph LaCava
Robert G. Logan voted for Sarafina Collura
Gary J. Marchese voted for Sarafina Collura
John J. McLaughlin voted for Sarafina Collura
Kathleen B. McMenimen voted for Randall LeBlanc
Patrick J. O'Brien voted for Randall LeBlanc
Daniel P. Romard voted for Sarafina Collura
Stephen F. Rourke voted for Clarence Richardson
Carlos A. Vidal voted for Clarence Richardson
Robert J. Waddick voted for Randall LaCava
Diane P. LeBlanc voted for Sarafina Collura
Totals (14)

Votes:

Sarafina Collura had 5 votes
Jospeh LaCava had 2 votes
Randall LeBlanc had 5 votes
Clarence Richardson had 2 votes

With no nominee receiving the 8 votes needed to be elected Round Three of voting began.

Round Three

Paul J. Brasco voted for Joseph LaCava
George A. Darcy III voted for Randall LeBlanc
William H. Fowler voted for Randall LeBlanc
Joseph M. Giordano Jr. voted for Joseph LaCava
Robert G. Logan voted for Sarafina Collura
Gary J. Marchese voted for Sarafina Collura
John J. McLaughlin voted for Sarafina Collura
Kathleen B. McMenimen voted for Randall LeBlanc
Patrick J. O'Brien voted for Randall LeBlanc
Daniel P. Romard voted for Sarafina Collura
Stephen F. Rourke voted for Clarence Richardson
Carlos A. Vidal voted for Clarence Richardson
Robert J. Waddick voted for Randall LaCava
Diane P. LeBlanc voted for Sarafina Collura
Totals (14)

Votes:

Sarafina Collura had 5 votes
Jospeh LaCava had 2 votes
Randall LeBlanc had 5 votes
Clarence Richardson had 2 votes

With no nominee receiving the 8 votes needed to be elected and following the Rules approved for the process of the election President LeBlanc stated since there was a tie the bottom two nominees would be eliminated from moving on the next round of voting. Councillor Darcy argued the fact the rules state the nominee would be eliminated not nominee. President LeBlanc ruled that both nominees with the least amount of votes after the third round would be eliminated. Both Joseph LaCava and Clarence Richardson would not move on to the fourth round of voting.

Round Four.

Paul J. Brasco voted for Randall LeBlanc
George A. Darcy III voted for Randall LeBlanc
William H. Fowler voted for Randall LeBlanc
Joseph M. Giordano Jr. voted for Randall LeBlanc
Robert G. Logan voted for Sarafina Collura
Gary J. Marchese voted for Sarafina Collura
John J. McLaughlin voted for Sarafina Collura

Kathleen B. McMenimen voted for Randall LeBlanc
Patrick J. O'Brien voted for Randall LeBlanc
Daniel P. Romard voted for Sarafina Collura
Stephen F. Rourke voted for Randall LeBlanc
Carlos A. Vidal voted for Randall LeBlanc
Robert J. Waddick voted for Randall LaCava
Diane P. LeBlanc voted for Randall LaCava
Totals (14)

Votes:

Sarafina Collura had 4 votes

Randall LeBlanc had 10 votes

By a vote of 10 to 4 Randall J. LeBlanc was elected as the next Councillor At large

The President congratulated the new Councillor.

- Swearing in of the new Councillor At Large

Justice of the Peace, Barbara Peterson swore in Mr. Randall J. LeBlanc, as the newest City Councillor.

Councillor Randall LeBlanc spoke and thanked everyone for this opportunity.

President LeBlanc went around the room and introduced Councillor LeBlanc to the full Council.

Tabled Items

- 554 Lexington Street
- Mayors request for Fernald Property acreage for school (50 acres: 25 CPA/25 non CPA) submitted August 22, 2016
- 950 Winter Street Fuel Storage License

There being no further matters before the City Council, Councillor Logan moved to adjourn.

All were in favor. The motion was adopted on a voice vote.

President LeBlanc declared the meeting adjourned at 10:20p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

January 19, 2017

Approved by the City Council: _____