

Waltham City Council  
Minutes of the Meeting of  
November, 28, 2016

---

Council President Marchese called the meeting to order at 7:31PM.

Kara Wilson, Clerk Pro Tem clerked the meeting.

President Marchese made announcements.

The Clerk pro tem called the roll of the City Council and The Board of Survey and Planning.

**Call of the Roll:**

City Council

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

Absent: None

Board of Survey and Planning

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

Absent: DeVito

The Clerk Pro Tem recited the Council Prayer followed by President Marchese 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.

Councillor LeBlanc moved to approve the minutes from 10/24/2016. All were in favor. Minutes approved.

The Clerk Pro Tem read Rule 86.

The Clerk Pro Tem read the call of the zoning amendment hearing: Zoning Ordinance Amendment at 1025 – 1075 Main Street for The Davis Companies.

Councillor Logan moved to waive the reading of the hearing notice. All were in favor.

Michael Connors, Connors & Connors LLC, 6 Lexington Street, Waltham, Attorney for petitioner spoke in favor of the petition. They are looking to amend a zoning map.

Lorenzo Laronge, owner of car place next to property spoke in a neutral position 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 Marchese closed this portion of the public hearing and opened the hearing to questions from Councillors.

Councillors Romard, Logan, Vizard, O'Brien, McMenimen asked questions to the petitioner.

Councillor Romard motioned to hear from an off Council member. All were in favor. Mr. Paul Querry, VP of Development for Davis Companies, spoke on the petition.

With no further questions from Councillors and Survey and Planning Board Members President Marchese referred the matter to the Ordinances and Rules Committee.

The Survey and Planning Board will meet be having a public meeting on Wednesday, December 7, 2016 at 6pm at Government Center to discuss this matter.

President Marchese called a two minute recess.

### **Communications from the Mayor**

1. The Mayor respectfully requested an appropriation in the amount of \$9,200 from Unreserved Fund Balance to account #001-121-5400-5303-02 Mayor-Appraisal Air Rights. These funds will be used for an appraisal of the air rights for above the parking lot for property located at 230-234 Moody Street.

President Marchese referred the matter to the Finance Committee.

2. The Mayor respectfully requested a transfer of funds in the amount of \$10,500.00 to fund the first year of the three year collective bargaining agreement between the City and the Mechanics' Union for the period July 1, 2016 to June 30, 2019.

President Marchese referred the matter to the Finance Committee.

3. The Mayor respectfully requested acceptance of grant of \$9,000.00 from the Executive Office of Public Safety and Security to be distributed in three \$3,000.00 activations. These funds will be used for Drive Sober or Get Pulled Over (December 9, 2016 – January 1, 2016), Click It or Ticket (May 8, 2017 – May 29, 2017), and Drive Sober or Get Pulled Over (August 14, 2017 – September 4, 2017). The grant does require matching funds in the amount of 25%, which will be absorbed through the Waltham Police Department's operating budget, with no additional funding will be required or requested from the City of Waltham.

President Marchese referred the matter to the Finance Committee.

4. The Mayor respectfully requested a transfer of capital improvement funds in the amount of \$40,000 to fund the installation of four (4) rapid rectangular flashing beacon (RRFB) crosswalk lights. They will be installed at the DCR Bike Path crossings on the northern side of the Charles River at the following locations:

- Prospect Street at Charles River Bridge
- Moody Street at Charles River Bridge
- Newton Street at Charles River Bridge
- Farwell Street at Charles River Bridge

President Marchese referred the matter to the Long Term Debt Committee.

Councillor Darcy thanked the Mayor for finding the funding for this matter.

5. The Mayor respectfully requested an appropriation in the amount of \$3,500 from Unreserved Fund Balance to account #001-121-5800-6413 Mayor- Copy Machine. These funds will be used for a replacement copy machine as the existing machine is no longer operating effectively.

President Marchese referred the matter to the Finance Committee.

6. The Mayor respectfully requested a transfer of traffic impact funds in the amount of \$32,355.00. This transfer will fund the design bid for traffic signal improvements at the River Street, Farwell Street and Seyon Street intersection.

President Marchese referred the matter to the Finance Committee.

### **Applications for Licenses and Permits**

President Marchese referred all matters to the License and Franchise Committee

1. Class 2 Dealers License renewal – 215 Lexington St. - Fuller Motor Inc.
2. Class 2 Dealers License renewal – 43 Sun St. – Elm Street Garage Inc.

## **Resolutions**

### **1. Garden Club**

Councillor McMenimen moved to suspend the rules and approve the matter without committee reference. All were in favor. Resolution was approved.

### **2. Alternative Water Sources**

Councillor Darcy spoke on the resolution. President Marchese referred the matter to the Economic and Community Development Committee.

### **3. Sledding at Owl Hill**

Councillor Darcy spoke on the resolution. President Marchese referred the matter to the Fernald Use Committee.

## **Committee Reports**

### **License & Franchise**

1. The License and Franchise Committee recommended the Class 3 Dealers renewal for Route 128 Used Auto Parts at 40 Green Street be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

2. The License and Franchise Committee recommended the Class 2 Dealers renewal for Route 128 Used Auto Parts at 40 Green Street be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

3. The License and Franchise Committee recommended the Class 2 Dealers renewal for Euro Auto Brokers at 22 Common Street be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

4. The License and Franchise Committee recommended the Class 2 Dealers renewal Boston Muffler & Brake Inc. at 251 Lexington Street be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

5. The License and Franchise Committee recommended the Class 2 Dealers renewal for Diamond Auto at 614 Moody Street be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

6. The License and Franchise Committee recommended the Class 2 Dealers renewal for Hull Corp. dba Little Foreign Car at 50 Thayer Road be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

7. The License and Franchise Committee recommended the Extended Hours for WOW at 47 Foundry Ave be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

8. The License and Franchise Committee recommended the Secondhand Dealers License for Black Lotus Cards & Games located at 1275 Main Street be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

### **Long Term Debt**

1. The Long Term Debt Committee recommended the loan authorization for \$555,000 for CPW equipment be approved for a first reading. Councillor Waddick moved that the action of the Committee be the action Council. All were in favor and the matter was approved. Councillor Waddick moved to table the matter on the Council Floor. All in favor.

2. The Long Term Debt Committee recommended the transfer \$115,000 for CPW equipment be approved. Councillor Waddick moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

### **Public Works & Public Safety**

1. The Public Works and Public Safety Committee recommended the petition for a 17-25 at 42 Felton Street be approved with conditions. Councillor Vizard moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

2. The Public Works and Public Safety Committee recommended the petition for a 17-25 at 54 Albemarle Road be denied. Councillor Vizard moved to accept a late filed communication. All were in favor. Councillor Vizard moved to accept the letter to withdraw without prejudice from the petitioner. All were in favor. Roll call requested.

All in favor: Brasco, Darcy, Giordano, LeBlanc, Logan, McLaughlin, McMenimen, Romard, Rourke, Vizard, Vidal, Marchese, O'Brien

Opposed: None

Absent: None

Matter was approved.

### **Finance Committee**

1. The Finance Committee recommended \$54,000 for renovations at the Prospect Street Fire Station be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

2. The Finance Committee recommended the grant of \$152,176 for State 911 PSAP for the FY2017 be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

3. The Finance Committee recommended the Managers Union request of an \$18,000 appropriation for the executive assistants out of grade pay be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

4. The Finance Committee recommended \$35,000 to be put towards the purchase of an SUV for the Fire Department be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

5. The Finance Committee recommended \$248,500 to fund the first of a three year agreement between the City and the PPO Union be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

6. The Finance Committee recommended the grant of \$32,046 for training costs for the 911 system be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

7. The Finance Committee recommended the bid for the Nathaniel at Banks Condo Unit #103 for \$400,300 be approved. Councillor McMenimen moved that the action of the Committee be the action Council. Roll call required.

All in favor: Brasco, Darcy, Giordano, LeBlanc, Logan, McLaughlin, McMenimen, Romard, Rourke, Vizard, Vidal, Marchese, O'Brien

Opposed: None

Absent: None

Matter was approved.

8. The Finance Committee recommended the bid for the Nathaniel at Banks Condo Unit #209 for \$375,027 be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved. All in favor: Brasco, Darcy, Giordano, LeBlanc, Logan, McLaughlin, McMenimen, Rourke, Vizard, Vidal, Marchese, O'Brien

Opposed: Romard

Absent: None

Matter was approved.

9. The Finance Committee recommended \$36,400 for Connors Park and Prospect Hill Park improvements be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

10. The Finance Committee recommended a \$3500 donation to the Waltham Fire Department for smoke and CO Detectors be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

11. The Finance Committee recommended \$115,000 for the Warming Shelter be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

12. The Finance Committee recommended \$9,175 for the Treasurers signing machine and postage replacement be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

### **Ordinances & Rules**

1. The Ordinances and Rules Committee recommends the 1265 Main Street Special Permit Modification be approved. Councillor Logan moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

2. Councillor Logan moved to recommit the Quitclaim Deed matter back to the Ordinances and rules Committee. All were in favor and the matter was approved.

### **Committee of the Whole**

1. The Committee of the Whole recommends \$4200 for the Elm street appraisal be approved. Councillor LeBlanc moved that the action of the Committee be the action Council. All were in favor and the matter was approved.
2. The Committee of the Whole recommends the loan authorization of \$18,000,000 for the 3 parcels on the Stigmatine's property be approved for a first reading. Councillor LeBlanc moved that the action of the Committee be the action Council. On the motion Councillors Logan, Waddick and Romard spoke on the matter. All were in favor and the matter was approved. Councillor LeBlanc moved to table the matter on the council floor. All were in favor.

### **Unfinished Business and Other Business**

1. FY22 Capital Budget letter  
President Marchese referred the matter to the Long Term Debt Committee. Councillor LeBlanc made a request for Mr. Forte to give the Council an estimate for the division of the Council room by the next committee meeting. Request was approved.
2. CPC Recommendation for an appropriation \$95,000 of CPA Funds for French American Victory Club
3. CPC FY2016 State Matching Funds Allocation

### **Tabled Items**

- Secondhand dealers Ordinance Amendment (First reading 11/14/2016)  
Councillor Logan moved to take the secondhand dealers amendment form the table. All were in favor. Councillor Logan moved to approve the matter for a second reading. All were in favor. Matter approved. Councillor Logan moved to place the matter back on the table. All in favor. Matter tabled.
- Personnel Resolution
- 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
- Minutes 2/22/2016

There being no further matters before the City Council, Councillor LeBlanc moved to adjourn. All were in favor. The motion was adopted on a voice vote. President Marchese declared the meeting adjourned at 9:20p.m.

Respectfully submitted by:  
Kara Wilson  
Executive Assistant of the City Clerk  
December 20, 2016

Approved by the City Council: \_\_\_\_\_