

Waltham City Council  
Minutes of the Meeting of  
December 27, 2016

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

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

**Call of the Roll:**

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

Absent: None

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 11/28/2016. All were in favor. Minutes approved.

Councillor LeBlanc moved to take the minutes from February 22, 2016 off of the table. All were in favor. Councillor LeBlanc moved to approve the minutes from February 22, 2016. All were in favor. Minutes were approved.

The Clerk Pro Tem read Rule 86.

The Clerk Pro Tem called the matter of the first public hearing: 17-25 at 141 Ash Street Attorney Phillip McCourt, representing the petitioner spoke in favor of the petitioner. Chris Attardo, the petitioner spoke in favor of the petition. Carmen Rodriguez, 135 Ash Street spoke in opposition of the petition. Two people stood in favor of the petition. One person stood in opposition 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 Rourke and Vidal asked questions to the petitioner. With no further questions from Councillors President Marchese referred the matter to the Public Works and Public Safety Committee.

**Applications for Licenses and Permits**

1. Class 2 Dealers License Renewal – 143 Prospect St. - Prospect Automobile Sale & Service Inc. President Marchese referred the matter to the License and Franchise Committee

**Resolutions**

Filling Vacancy – Assistant City Clerk – Sponsored by Councillor LeBlanc  
Councillor LeBlanc spoke on the Resolution. President Marchese referred to the Committee of the Whole.

Resolution amending term of the Assistant City Clerk - Sponsored by Councillor Logan, McMenimen and Rourke

Councillor Logan spoke on the resolution. President Marchese referred the resolution to the Ordinances and Rules Committee.

### **Committee Reports**

#### **Committee of the Whole**

1. The Committee of the Whole recommended the communications regarding 3 Keach Terrace be filed. 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 recommended the resolution regarding Waverly Oaks Train Station be filed. Councillor LeBlanc moved that the action of the Committee be the action Council. All were in favor and the matter was approved.
3. The Committee of the Whole recommended the resolution regarding the purchase of 476 & 486 Main Street be filed. Councillor LeBlanc moved that the action of the Committee be the action Council. All were in favor and the matter was approved
4. The Committee of the Whole recommended the resolution regarding Early Voting be filed. Councillor LeBlanc moved that the action of the Committee be the action Council.
5. The Committee of the Whole recommended the resolution regarding overflow of the homeless shelter be filed. Councillor LeBlanc moved that the action of the Committee be the action Council. All were in favor and the matter was approved
6. The Committee of the Whole recommended the resolution regarding Waltham Youth & Community Coalition be filed. Councillor LeBlanc 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 & Public Safety Committee recommended the 17-25 at 51 Thornton Road be approved with conditions. Councillor McLaughlin 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 & Rules Committee recommended the request to withdraw without prejudice for the Davis Companies at 1025 – 1075 Main Street zoning amendment be approved. Councillor Logan moved that the action of the Committee be the action Council.  
Roll call required.  
All in favor: Darcy, Giordano, LeBlanc, Logan, McLaughlin, Rourke, Vizard, Vidal, O'Brien, Brasco, Waddick  
Opposed: McMenimen, Romard  
Absent: None  
President Marchese did not vote.  
Matter was approved.
2. The Ordinances & Rules Committee recommended the amendment to the special permit at 123 Bishops Forest Drive for the extension of a deck be approved. Councillor Logan moved that the action of the Committee be the action Council. Roll call required.

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

Opposed: McMenimen, Romard

Absent: None

President Marchese did not vote.

Matter was approved.

3. The Ordinances & Rules Committee recommended the Resolution regarding Senior Tax Work off Program be filed. Councillor Logan moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

4. The Ordinances & Rules Committee recommended the Resolution regarding deadlines for resolutions be filed. Councillor Logan moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

5. The Ordinances & Rules Committee recommended the matter regarding the request for City Planner's Role be filed. Councillor Logan moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

6. The Ordinances & Rules Committee recommended the matter regarding an inspectional service department be filed. Councillor Logan moves that the action of the Committee be the action Council. All were in favor and the matter was approved.

7. The Ordinances & Rules Committee recommended the matter regarding financial services department be filed. Councillor Logan moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

8. Councillor Logan moved to carry over into 2017 all remaining docket matters. All were in favor. Matter was approved.

### **License & Franchise**

1. The License and Franchise Committee recommended the Resolution for the Home Rule Petition for Liquor Licenses be approved as amended. Councillor Rourke spoke on the matter. He moved recommit the matter back to the License and Franchise Committee. All were in favor. Matter recommitted.

2. The License and Franchise Committee recommended the grant of location at 11 Alder Street be approved with conditions. 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 825 Main Street Don's Service Center 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 extended hours at 573 Main Street for J&T Shun dba Asia Wok 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 Lodging House Renewal at 24-26 High 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 Lodging House Renewal at 755 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.
7. The License and Franchise Committee recommended the Lodging House Renewal at 21-23 Pine 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.
8. The License and Franchise Committee recommended the Lodging House Renewal at 94 Adams 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.
9. The License and Franchise Committee recommended the Lodging House Renewal at 52-54 Bedford 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.
10. The License and Franchise Committee recommended the Lodging House Renewal at 124-126 Ash 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.
11. The License and Franchise Committee recommended the Lodging House Renewal at 12 Lowell 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.
12. The License and Franchise Committee recommended the Lodging House Renewal at 17-19 Chestnut 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.
13. The License and Franchise Committee recommended the Lodging House Renewal at 2 Appleton 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.
14. The License and Franchise Committee recommended the Lodging House Renewal at 6 Park Place be approved. Councillor Rourke moved that the action of the Committee be the action Council. All were in favor and the matter was approved.
15. The License and Franchise Committee recommended the Lodging House Renewal at 24-26 High 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 \$20,922 for professional testing around the power plant at the Fernald be approved. Councillor Waddick moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

2. Councillor Waddick moved to carry over into 2017 all remaining docket matters. All were in favor. Matter was approved.

### **Finance Committee**

1. The Finance Committee recommended a \$200 donation from Connors & Connors LLC for lights on the common be approved. Councillor Brasco 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 tax exemption notification resolution be filed. Councillor Brasco moved that the action of the Committee be the action Council. All were in favor and the matter was approved.

Councillor Giordano moved to carry over all business matters listed on the Veterans Services Committee Docket into 2017. All were in favor. Matter approved.

Councillor Darcy moved to carry over all business matters listed on the Economic and Community Development Committee Docket into 2017. All were in favor. Matter approved.

### **Tabled Items**

- \$555,000 Loan authorization for CPW (first reading 11/28/2016, published 12/8/2016)

Councillor Waddick moved to take this matter off of the table. All were in favor.

Councillor Waddick moved to give the mater a third and final reading. All were in favor. Roll call required.

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

Opposed: None

Absent: None.

Matter was approved.

- Secondhand Dealer's Ordinance Amendment (First reading 11/14/2016, published 11/24/2016)

Councillor Logan moved to take the matter off of the table. All were in favor. Councilor Logan moved to give the matter another second reading. All were in favor. Matter approved.

Councillor Logan moved to suspend the rules and act on the matter without committee reference. All were in favor. Councillor Logan moved to give the matter a final reading. Roll call required.

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

Opposed: None

Absent: None.

Matter was approved.

Councillor Vizard moved to collectively take the tabled matters 554 Lexington St., Mayors request for Fernald Property, 950 Winter St. Fuel Storage and carry the matters over into 2017. All were in favor. Matter approved.

Councillor McMenimen moved to take the Personnel Resolution tabled matter and carry them into 2017. All were in favor. Matter approved.

- 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

Councillor McLaughlin moved to carry over all 2016 Fernald Use business matters into 2017. All were in favor. Matter approved.

Councillor Rourke moved to carry over all 2016 Small cell Antenna business matters into 2017. All were in favor. Matter approved.

At 8:13pm President Marchese recessed the Council to meet in Committees.

At 9pm President Marchese called the council meeting back in session.

Councillor LeBlanc moved to carry over into 2017 all remaining docket matters. All were in favor. Matter was approved.

Councillor McMenimen stood in memorium of Winifred Whitmore that had recently passed away. Councillor Romard also stood in spoke of Winifred Whitmore.

Councillor Brasco moved to approve \$513,633 in funds for reallocation of school projects. All were in favor. Matter was approved.

Councillor Brasco moved to approve a transfer of \$20,900 to fund the design for the MacArthur School Playground. All were in favor. Matter was approved.

Councillor Brasco moved to carry over into 2017 the remaining docket matters. All were in favor. Matter was approved.

Councillor Vizard moved to file the Resolution of Firefighters. All were in favor. Matter was filed.

Councillor Vizard moved to carry over all Public Works and Public Safety Committee matters into 2017. All were in favor. Matter was approved.

Councillor Rourke moved to approve the lodging house renewal application for 104 Adams St. All were in favor. Matter was approved.

Councillor Rourke moved to approve the lodging house renewal application for 49-51 Brown St. All were in favor. Matter was approved.

Councillor Rourke moved to approve the lodging house renewal application for 74 Adams St. All were in favor. Matter was approved.

Councillor Rourke moved to approve the Class II Dealers License Renewal at 143 Prospect St. All were in favor. Matter was approved.

Councillor Rourke moved to carry over into 2017 all remaining docket matters. All were in favor. Matter was approved.

President Marchese spoke to the Council and thanked them for a great two years as President.

There being no further matters before the City Council, Councillor Giordano moved to adjourn. All were in favor. The motion was adopted on a voice vote. President Marchese declared the meeting adjourned at 9:10p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

January 13, 2017

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