

Waltham City Council  
Minutes of the Meeting of  
March 13, 2017

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President LeBlanc called the meeting to order at 7:30pm.

The Clerk Pro Tem Kara Wilson called the roll of the City Council.

**Call of the Roll:**

**City Council**

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

Absent: None

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

The Clerk Pro Tem read Rule 86.

The Clerk Pro Tem called the matter of the first public hearing: 17-25 Petition at 36 Thornton Road. Bret Francis, Attorney for the petitioner spoke in favor of the petition.

One person 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 of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Giordano and O'Brien asked questions to the petitioner. With no further questions from Councillors President LeBlanc referred the matter to the Public Works and Public Safety Committee.

The Clerk Pro Tem called the matter of the second public hearing: Cellco Partnership dba Verizon Wireless Special Permit for a Wireless Antenna at 170 High Street

John Weaver, Attorney for the petitioner spoke in favor of the petition. Daniel Jordan, 130 High Street who is a resident across the street spoke in opposition of the petition. With no one else in support and no one else in opposition and no one in a neutral position of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillor Logan asked about a battery backup installation instead of the generator installation for the backup alternative.

Councillor Rourke asked questions to the petitioner. Don Hayes, Radiation Specialist from Hampstead, NH answered questions regarding radiation safety. Attorney Weaver spoke in rebuttal to the petition. With no further questions from Councillors President LeBlanc referred the matter to the Ordinances & Rules Committee. Councillor Giordano rose to a point of clarification.

The Clerk Pro Tem called the matter of the third public hearing: Cellco Partnership dba Verizon Wireless Special Permit for a Wireless Antenna at 1107 Lexington Street

John Weaver, 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 of the petition, President LeBlanc closed this portion of the public hearing and opened the hearing to questions from Councillors.

Councillor Darcy asked questions to the petitioner. Don Hayes, Radiation Specialist from Hampstead, NH answered questions regarding the RF output. With no further questions from Councillors President LeBlanc referred the matter to the Ordinances & Rules Committee.

### **Communications from the Mayor**

1. The Mayor respectfully requested authorization to grant Charles River Canoe & Kayak a Section 10A permit to put a temporary float on the Cronin's Landing Dock.

Referred to the License and Franchise Committee.

2. The Mayor respectfully requested an appropriation in the amount of \$100,000 from Unreserved Fund Balance to account #001-424-5800-5213 Wires-Street Light Upgrades. These funds will be used to continue upgrading public roadway lighting to more efficient L.E.D. street lights. The amount requested is to purchase lights/supplies and provide police detail services as needed. The installation will be performed by City employees.

Referred to the Finance Committee.

3. The Mayor respectfully requested an appropriation of funds in the amount \$265,144 to award the low and responsible bid for the hydrant replacement project.

Referred to the Finance Committee.

4. The Mayor respectfully requested an appropriation in the amount \$53,240 from Unreserved Fund Balance to account #001-245-5800- 6610 Wires-Traffic Design (Lexington St/Bacon St/Totten Pond Rd). These funds will be used to award the traffic design services bid for the intersections of Lexington Street, Bacon Street and Totten Pond Road to the lowest responsive and responsible bidder (STV).

Referred to the Finance Committee.

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

President LeBlanc referred all matters to the License and Franchise Committee.

1. The License and Franchise Committee recommends the Extended Hours – 677 Moody St. - Dragon Chef be approved.

2. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – Rosenthal Dorms be approved.

3. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – The Village be approved.

4. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – Massell Quad be approved.

5. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – North Quad be approved.

6. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – East Quad be approved.

7. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – Ridgewood be approved.

8. The License and Franchise Committee recommends the Lodging House Renewal – 77 Prospect St. – Teresa Jones be approved.

## **Resolutions**

Autism Speaks Resolution – Sponsored by Councillor Marchese and President LeBlanc

The clerk read the Resolution.

Councillor Marchese spoke on the Resolution.

Councillor Marchese moved to table the Resolution on the Council floor. Matter was tabled by a voice vote.

Gregory Street Resolution – Sponsored by Councillor Fowler

The Clerk read the Resolution.

Councillor Fowler spoke on the resolution.

President LeBlanc referred the matter to the Economic and Community Development Committee

Fernald Zoning Resolution – Sponsored by Councillors Darcy and McLaughlin

Councillor Darcy spoke on the Resolution.

President LeBlanc referred the matter to the Ordinances and Rules Committee

## **Committee Reports**

### **License & Franchise**

1. The License and Franchise Committee recommends the Extended Hours – 677 Moody St. - Dragon Chef be approved. Councillor Brasco moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

Councillor Brasco moved to approved matters number #2-7 collectively. All were in favor and matters were approved.

2. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – Rosenthal Dorms be approved.

3. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – The Village be approved.

4. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – Massell Quad be approved.

5. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – North Quad be approved.

6. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – East Quad be approved.

7. The License and Franchise Committee recommends the Lodging House Renewal – 415 South St. - Brandeis University – Ridgewood be approved.

8. The License and Franchise Committee recommends the Lodging House Renewal – 77 Prospect St. – Teresa Jones be approved. Councillor Brasco moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

9. The License and Franchise Committee recommends the Grant of Location at 152 Grove Street be approved. Councillor Brasco moved that the action of the Committee be the action Council.

All were in favor and the matter was approved by a voice vote.

### **Finance Committee**

1. The Finance Committee recommends the acceptance of a grant in the amount of \$104,290.00 from the Executive Office of Elder Affairs to be used by the Council on Aging for several programs that benefit senior citizens be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

2. The Finance Committee recommends an appropriation in the amount of \$90,000.00 from Unreserved Fund Balance to the Fire-Overtime account be approved. Councillor McMenimen

moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

3. The Finance Committee recommends an appropriation in the amount of \$420,000.00 from Unreserved Fund Balance to CPW/Snow accounts be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

4. The Finance Committee recommends the acceptance of a financial grant in the amount of \$2,000.00 from Mt. Auburn Hospital to provide social outreach and addiction counseling within the Health Department. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

5. The Finance Committee recommends an appropriation in the amount of \$11,540.00 to fund the purchase of additional licenses for the professional engineering staff to access the GIS system without sharing under the current licensing permissions be approved. Councillor McMenimen moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

### **Economic and Community Development Committee**

1. The Economic and Community Development Committee recommends the Traffic Plan Resolution be filed. Councillor Fowler moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

### **Ordinances & Rules**

1. The Ordinances and Rules Committee recommended a time extension for 202 225 305 Second Ave. LLC be approved. Councillor Rourke moved that the action of the Committee be the action Council. Roll call required.

Approved: Brasco, Fowler, Giordano, Logan, Marchese, McLaughlin, O'Brien, Vidal, Waddick, LeBlanc, D., LeBlanc, R., Rourke, Romard, McMenimen, Darcy

Opposed: None

Absent: None

### **Unfinished Business & Other Business**

- Council Budget for 2017-2018

Councillor Logan spoke on the matter. He made a motion to ask for an extension until April 11, 2017. Request was approved by a voice vote.

President LeBlanc referred the matter to the Committee of the Whole

- Invoice from Minuteman Press for \$566.00

President LeBlanc referred the matter to the Finance Committee

- Invoice from Fast Signs for \$155.66

President LeBlanc referred the matter to the Finance Committee

- Appointment of Chair of the Ad Hoc Committee for recommending Appointees to the CPC  
President LeBlanc appointed Councillor Darcy to chair Committee

### **Tabled Items**

- Zoning Ordinance Amendment Veto for Order #33649 (Tabled 2/27/2017)

Councillor Logan moved to take the Veto Order off of the table. All in favor. Councilor Logan moved to release the two law department's opinions 178-2016 and 16-2017 dated 2/24/2017. On the motion Councillor McMenimen asked if they were confidential. The Chair declared a two minute recess. President LeBlanc called the meeting back in session at 8:57p.m.

The request was approved by a voice vote. Councillor Logan moved to place matter back on table. Matter was tabled by a voice vote.

- Minutes from Executive Session Meeting on 11/8/2010
- Minutes from 1/23/2017
- 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

Councillor Logan moved to go into executive session to approve executive session minutes from 2010 and 2011 and to have Kara Wilson clerk the session. Only Councillors serving at that time were able to vote. Roll call required.

Approved: Brasco, Darcy, Giordano, Logan, Marchese, McMenimen, Romard, Waddick, LeBlanc, D.,

Opposed: None

Absent: None

At 9:06pm Full Council was back in session.

Councillor Logan moved to approve the minutes from 10/11/2011. Matter was approved by a voice vote.

Councillor Logan moved to discharge the matter regarding filling the vacancy of the Assistant City Clerk. All in favor. Councillor Logan moved to amend the procedures to state the change "from five minutes to one questions per applicant".

Councillors Rourke and McMenimen spoke on the matter. President LeBlanc explained the interview process for the twenty-one individual's that met the qualifications. Interviews are set for Saturday March 18, 2017 beginning at 9a.m.

Councillor McMenimen spoke on the process. Councillors Darcy asked about follow up to the questions? Roll call requested.

Approved: Brasco, Giordano, Logan, Marchese, Waddick, LeBlanc, D., Fowler, LeBlanc, R., McLaughlin, Rourke, Vidal

Opposed: Darcy, McMenimen. O'Brien, Romard

Absent: None

Matter was approved. Councillor Logan moved to recommit to the Committee of the Whole.

Matter was approved by a voice vote.

Councillor Giordano moved to adjourn. President LeBlanc declared the meeting adjourned at 9:14p.m.

Respectfully submitted by:

Kara Wilson

Executive Assistant of the City Clerk

April 1, 2017

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