

Waltham City Council
Minutes of the Meeting of
April 11, 2016

Council President Marchese called the meeting to order at 7:32PM.

City Clerk Rosario Malone clerked the meeting.

President Marchese made announcements.
The Clerk called the roll of the City Council.

Call of the Roll:

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

The Clerk recited the Council Prayer, and then President Marchese led all present in the Pledge of Allegiance.
Councillor LeBlanc asked for a moment of silence for all our military that have served; past and present.

Councillor LeBlanc moved to suspend Rule 8 and take a matter out of order. All were in favor and the matter was approved. Councillor LeBlanc requested the W.O.A (Waltham Overcoming Addiction) Resolution be read. The clerk read the resolution. Councillor LeBlanc stood and spoke on the matter/Resolution. Councillor LeBlanc moved to suspend Rule 9 and hear from an off committee member. All were in favor. Julie Bunch, Founder of W.O.A. spoke and explained the organization and the call for action they are trying to take in Waltham. Councillor LeBlanc moved to suspend Rule 39 and approve the matter without committee reference. All were in favor. Councillor LeBlanc moved approval of the resolution. All were in favor and the resolution was approved.

Councillor McLaughlin moved to suspend Rule 8 and take a matter out of order. All were in favor. Councillor McLaughlin requested the Clerk read the Waltham Youth Hockey Resolution. The Clerk read the Resolution. Councillor McLaughlin spoke on the Resolution. Councillor McLaughlin moved to suspend Rule 9 to hear from a non-Council member. All were in favor. Jay Ferrearo, coach of the state championship hockey team spoke of the resolution. The team was all present to hear and receive their accolades. Councillor McLaughlin moved to suspend Rule 39 and to act on the matter without committee reference. All were in favor. Councillor McLaughlin moved to approve the Resolution. All were in favor and the Resolution was approved.
The President called a two minute recess.

Public Hearings

The Clerk read the call of the first public hearing.
Petitioner Nick Semakula, owner of Quality Designz LLC hereby petitions the City of Waltham to grant a second hand dealers license for his business located at 431 River Street.
Nick Semakula, 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 Marchese closed this portion of the public hearing and opened the hearing to questions from Councillors.

Councillor Logan asked questions to the petitioner. There were no further questions from Councillors. President Marchese closed the public hearing and referred the matter to the License and Franchise Committee.

Public Hearings

The Clerk read the second public hearing.

Petitioner Aurelio G. Molina, Owner of Auto Systems hereby petition the City Council to grant a second hand dealers license for his business which will be located at 49 Prospect St.

Councillor Logan moved to accept the letter of withdrawal for Autos Systems Inc. Second Hand Dealers License. All were in favor. Matter was withdrawn.

Public Hearings

The Clerk read the third public hearing.

The Nationalgrid hereby respectfully requests your consent to the location of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the City of Waltham and of the pipes, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 350feet more or less of 20 inch and 12 inch gas main. in Gore St., Waltham. From existing 12 inch gas main in Main St., southerly to the proposed Regulator Station @ Colonial Ave., and from the proposed Regulator Station to the existing 12 inch and 6 inch gas mains. All of which to replace and abandon the existing Regulator Station at Main St.

There was not any representation from the petitioner. Councillor Logan moved to recess the public hearing and to continue the hearing at the next City Council meeting held on April 25, 2016. All were in favor. Hearing was recessed.

Public Hearings

The Clerk read the fourth public hearing

The Nationalgrid hereby respectfully requests your consent to the location of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the City of Waltham and of the pipes, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 215 feet more or less of 4 inch gas main. in Floral Cir., Waltham. From existing 4 inch gas main in Linden St., easterly to house #12 for a new gas service.

There was not any representation from the petitioner. Councillor Logan moved to recess the public hearing and to continue the hearing at the next City Council meeting held on April 25, 2016. All were in favor. Hearing was recessed.

Public Hearings

The Clerk read the fifth public hearing

The Nationalgrid hereby respectfully requests your consent to the location of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the City of Waltham and of the pipes, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same: To install and maintain approximately 215 feet more or less of 8 inch gas main. in Prospect Hill Rd., Waltham. From existing Regulator Station, northerly to the proposed 8 inch gas main in Elson Rd. Waltham.

There was not any representation from the petitioner. Councillor Rourke moved to recess the public hearing and to continue the hearing at the next City Council meeting held on April 25, 2016. All were in favor. Hearing was recessed.

Communications from the Mayor

The Mayor respectfully requests an appropriation in the amount of \$45,000 from Unreserved Fund Balance to account #001-220-5100-5131 Fire-Overtime
President Marchese referred the matter to the Finance Committee.

The Mayor respectfully requests an appropriation of funds in the amount of \$18,000 from Unreserved Fund Balance to account CPW – Spray Park Repairs #001-420-5800-6730. These funds will be used to make crack sealing and structural surface repairs to the spray park surfaces at the McCabe, Lazazzero and Chesterbrook Parks.

President Marchese referred the matter to the Finance Committee.

Applications for Licenses and Permits

Class II Motor Vehicle renewal 281 Crescent Street –Waltham Auto Tow Inc.
Referred to the Licenses and Franchises Committee

Class II Motor Vehicle renewal – 1486 Main St - European Auto Solutions, Inc
Referred to the Licenses and Franchises Committee

Class II Motor Vehicle renewal – 614 Moody Street -Diamond Automotive
Referred to the Licenses and Franchises Committee

Class II Motor Vehicle renewal – 49 Prospect – Auto Systems
Referred to the Licenses and Franchises Committee

Resolutions

1. City Council Resolution Deadline Resolution sponsored by Councillor Vidal and Councillor O'Brien

The clerk read the resolution.

Councillor O'Brien and Vidal spoke on the resolution. President Marchese referred the resolution to the Ordinances and Rules Committee.

2. Autism Speaks sponsored by President Marchese

The Clerk read the resolution. Councillor Leblanc spoke on the resolution. Councillor LeBlanc move d to suspend Rule 39 and act on the resolution without committee reference. All were in

favor. Councillor LeBlanc moved for approval of the resolution. All were in favor and the resolution was approved.

3. 141 Ash Street – sponsored by Councillors Rourke and Vidal

The Clerk read the resolution. Councillor Rourke spoke on the Resolution. President Marchese referred the matter to the Committee of the Whole. Councillor Rourke moved to request the Mayor to attend the next Committee of the Whole meeting held on April 19, 2016. All were in favor of the request. The matter was approved by a voice vote.

4. Personnel Matter Resolution sponsored by President Marchese and Vice President LeBlanc. The Clerk read the resolution. President Marchese referred the matter to the Committee of the Whole.

5. Earth Day Resolution sponsored by Councillor Logan

The Clerk read the Resolution.

Councillor Logan spoke on the resolution.

Councillor Logan moved to suspend Rule 39 and act on the resolution without committee reference. All were in favor. Councillor Logan moved for approval of the resolution. All were in favor and the resolution was approved by a voice vote.

6. Impact Fee Regulation Resolution.

The Clerk read the resolution. Councillor McMenimen spoke on the resolution. President Marchese referred the matter to the Finance Committee.

Councillor McMenimen submitted a request for approval. All were in favor and the request was approved.

Committee Reports

Committee of the Whole

1. The Committee of the Whole recommended the appropriation of \$1,005,000 for acquisition of the property at 476 and 486 Main Street (1,000,000.00 is for the acquisition and \$5,000.00 is for the closing costs) from unreserved fund balance to the account #001-121-5800-6130-02 Mayor Land Acquisition -476 & 486 Main Street, be approved. Councillor LeBlanc 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 Committee of the Whole recommended under the provisions of Massachusetts General Laws, Ch. 44, section 7, clause 2 and/or 3 or any other borrowing authority, that the attached loan order for \$1,005,000 for the acquisition of 476 and 486 Main Street be approved for a first reading. The unreserved fund balance account is to be restored once approved. Councillor LeBlanc 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 LeBlanc moved to table the matter on the Council floor. All were in favor. Matter was tabled.

3. The Committee of the Whole recommended the approval of the attached Taking Order for the land and property know and numbered as 476-478 Main Street, Waltham, MA (parcel 1) and 486 Main Street, Waltham, MA (parcel 2), be approved. Councillor LeBlanc moved that the action of the Committee be the action Council. Councillor LeBlanc moved to amend the taking order. Roll call was requested.

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

Opposed: None

Present: Waddick

Absent: Giordano

Motion was adopted and the amendment was approved

President Marchese called a one minute recess.

Finance Committee

1. The Finance Committee recommended the appropriation of \$86,720 for an outside vendor to inspect/purchase/replace fire hydrants and parts 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 recommended a transfer of CPW funds of \$30,000 for snow overtime 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 recommended the bid of \$285,000 for unit #301 of the Nathaniel at Banks Square condominium be approved. (Order attached.)

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 recommended the bid of \$276,001 for unit #305 of the Nathaniel at Banks Square condominium be approved. (Order attached.)

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.

License and Franchise

1. The License and Franchise Committee recommended the Fuel Storage License for the Mass General West Physicians Org. located at 10- 52 Second 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 by a voice vote.

2. The License and Franchise Committee recommended a second hand dealer's license to Naomi Stone, Owner of Naomi Stone dba G.Richards &Co. for her business which will be located at 269 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 by a voice vote.

3. The License and Franchise Committee recommended a second hand dealer's license to the Toolshed which is located at 471 Main Street be approved.

Councillor Rourke moved that the action of the Committee be the action Council. Councillor Rourke moved to table the matter. The petitioner needs to produce their dba. All were in favor and the matter was tabled on the Council floor.

Economic and Community Development

The Economic and Community Development Committee recommended the amended resolve relating to the resolution urging the city to work with the recycling department to provide all

residents with a large covered recycling container be approved. Councillor Darcy moved that the action of the Committee be the action Council. All were in favor and the matter was approved by a voice vote.

The Economic and Community Development Committee recommended the Year 42 Community Development Block Grant be approved. Councillor Darcy moves that the action of the Committee be the action Council. Roll call was required.

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

Opposed: None

Absent: Giordano, Romard

Motion was adopted and matter was approved.

Long Term Debt Committee

1. The Long Term Debt Committee recommended a transfer of \$85,000 for CPW Vehicles & 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 by a voice vote.

2. The Long Term Debt Committee recommended the CPC funds in the amount of \$200,000 for the historical preservation of the Gore Estate be approved. Councillor Waddick moved that the action of the Committee be the action Council.

Roll call was required.

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

Opposed: None

Absent: Giordano, Romard

Motion was adopted and matter was approved.

Ordinances and Rules

1. The Ordinances and Rules Committee recommended the Special Permit for 244 & 256 Second Ave be approved. Councillor Logan moved that the action of the Committee be the action Council.

Roll call was required.

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

Opposed: None

Absent: Giordano, Romard

Motion was adopted and matter was approved.

2. The Ordinances and Rules Committee recommended the poll workers compensation ordinance amendment be approved for a first reading. Councillor Logan moved that the action of the Committee be the action Council. All were in favor and matter was approved. Councillor Logan moved to recommit matter to committee. All were in favor and the matter was recommitted.

Veteran's Services Committee

1. The Veteran's Service Committee recommended the acceptance of the Order for Sgt. Dakin Square be approved as follows: Ordered that the intersection of Lexington Street and Pond Street shall henceforth be known as and is hereby officially designated as Sergeant Robert C.

Dakin Square in honor of Sergeant Robert C. Dakin and that such designation shall be duly recorded on the official list of veterans' squares for the City of Waltham. It is further ordered that a suitable marker be erected and maintained. Vice President LeBlanc moved that the action of the Committee be the action Council. All were in favor and the matter was approved. The marker ceremony will be held on June 4, 2016 at 11am.

Unfinished Business and Other Business

- Hoover Room HD equipment upgrade– final invoice
Councillor Logan spoke on the matter. Councillor LeBlanc moved to suspend Rule 39 to act on this matter without committee reference. All were in favor. Councillor LeBlanc moved to approve the matter. Roll call was requested.
All in favor: LeBlanc, Rourke, Vidal, Vizard, Marchese, Fowler, Brasco, McMenimen,
Opposed: Darcy, Logan, McLaughlin, O'Brien, Waddick
Absent: Giordano, Romard
Motion was adopted and matter was approved.
- City Council FY2017 budget amended Order,
Councillor LeBlanc moved to suspend Rule 39 and act on the matter without committee reference. All were in favor. Councillor LeBlanc moved to approve the amended order. Roll call was requested.
All in favor: LeBlanc, Rourke, Vidal, Vizard, Marchese, Fowler, Brasco Logan, McLaughlin, O'Brien, Waddick
Opposed: , McMenimen, Darcy
Absent: Giordano, Romard
Motion was adopted and matter was approved.
- Extension of time – One Moody St. 45 Moody St., 694, 696, 700, 710 & 716 Main Street
Councillor Logan spoke on the matter. Councillor LeBlanc moved to suspend Rule 39 to act on this matter without committee reference. All were in favor. Councillor Logan moved to approve the matter. Roll call was requested.
All in favor: LeBlanc, Rourke, Vidal, Vizard, Marchese, Fowler, Brasco, McMenimen, Darcy, Logan, McLaughlin, O'Brien, Waddick
Opposed: None
Absent: Giordano, Romard
Motion was adopted and matter was approved.
- Mayor's Communication re: 141 Ash Street
- Mayor's Communication re: 380 Lexington Street
- FY 2017 Chapter 90 Apportionment for Waltham
- Mayor's Correspondence re: Utility Easement Proposal 142 Rose Hill Way

Tabled Items

- Minutes of the City Council dated 2/22/2016
- \$196,840 for 76 sets of turnout gear (first reading 3/14, published 3/24)
Councillor Waddick moved to take the matter off of the table. All were in favor.
Councillor Waddick moved to approve the matter for a second and final reading. Roll call was required.

All in favor: LeBlanc, Rourke, Vidal, Vizard, Marchese, Fowler, Brasco, McMenimen, Darcy, Logan, McLaughlin, O'Brien, Waddick
Opposed: None
Absent: Giordano, Romard
Motion was adopted and matter was approved.

- \$579,000 loan order to replace ladder one truck (first reading 3/14, published 3/24)
Councillor Waddick moved to take the matter off of the table. All were in favor.
Councillor Waddick moved to approve the matter for a second and final reading. Roll call was required.
All in favor: LeBlanc, Rourke, Vidal, Vizard, Marchese, Fowler, Brasco, McMenimen, Darcy, Logan, McLaughlin, O'Brien, Waddick
Opposed: None
Absent: Giordano, Romard
Motion was adopted and matter was approved.
- Off street commission position ordinance (first reading 3/14, published 3/24)
Councillor Logan moved to take the matter off of the table. All were in favor. Councillor Logan moved to approve the matter for a second reading. All were in favor and the matter was approved for a second reading. Councillor Logan moved to approve the matter for a third and final reading. Roll call was required.
All in favor: LeBlanc, Rourke, Vidal, Vizard, Marchese, Fowler, Brasco, McMenimen, Darcy, Logan, McLaughlin, O'Brien, Waddick
Opposed: None
Absent: Giordano, Romard
Motion was adopted and matter was approved.

There being no further matters before the City Council, Councillor Fowler moved to adjourn. All were in favor. The motion was adopted on a voice vote.

Council President Marchese declared the meeting adjourned at 9:21p.m.

Respectfully submitted by:
Kara Wilson
Executive Assistant of the City Clerk
April 25, 2016

Approved by the City Council: _____