

Waltham City Council
Minutes of the Meeting of
June 13, 2016

Council President Marchese called the meeting to order at 7:33PM.

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, McMenimen, O'Brien, Brasco, Rourke, Waddick, Vidal, Marchese, Fowler, Giordano, McLaughlin, Vizard, Romard

Absent: None

The Clerk recited the Council Prayer, and then President Marchese led 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 as well as the families of the Orlando Massacre.

Councillor Brasco moved to suspend Rule 8 and take a matter out of order. All were in favor and the matter was approved. Councillor Brasco moved to approve the FY2017 City budget. Councillor Brasco moved to separate the Emergency Management Division from the budget. All were in favor. Councillor Waddick recused himself. Councillor Brasco moved to split the question on the budget. All were in favor. Councillor Brasco moved to approve the Emergency management division of the budget. For \$74,774. All were in favor and this part of the budget was approved. Councillor Brasco spoke on the budget and thanked all that were involved. Councillor Brasco relinquished the floor to Councillor McMenimen. Councillor McMenimen asked for a one minute recess to ask the auditor to give the exact number now of the budget. Councillor McMenimen moved to approve the FY2017 city budget on \$250,141,222. On the motion Councillor Logan disclosed his relationship with the MMA. Councillor stated there was one cut on the school side of budget. Councillor Brasco rose to a point of information. Councillor Giordano stated he would like to make another cut of the Park Ranger position. He stated there is no ordinance for this position. Councillor Giordano moved to cut eh Park Ranger position from the FY2017 budget. On the motion Councillor Vizard disclosed his wife works for the school dept. President Marchese also noted his wife works for the school dept. Romard stated he supported the position and spoke on the matter. Councillor Fowler stated there should be more thought put into this position before we vote on it. President Marchese noted that the Superintendent Echelson, Mr. Frassica, Ms. Dowcett and Mr. Graceffa form the School Committee were in attendance this evening. Councillor Waddick spoke on the matter. The sentiment is good but how is a rec .dept. employee going to tell CPW what needs to be done. Councillor Logan read the job description and noted it sounds like it should be an officer or a law enforcement agent. Councillor Darcy opposed the cut. Councillor Darcy stated the salary is \$55,744 and the needs to be more details worked out. On the motion a roll call was requested. All in favor: Brasco, Fowler, Giordano, LeBlanc, Logan, O'Brien, Waddick, Marchese
Opposed: Darcy, McLaughlin, McMenimen, Romard, Rourke, Vidal, Vizard
Absent: None

Motion was adopted and the matter to cut the position was approved.

Councillor fowler made a motion to restore the \$205,000 cut by the Finance Committee. He stated it does not make sense to cut such a small amount in the big picture of things. Councillor

LeBlanc spoke on the motion and asked the Chair of the finance Committee where the budget cut came from. Brasco rose to a point of order. Councillor Brasco spoke on the motion. The Mayor recommended to cut \$795,000 from their budget. The Committee recommended another \$205,000 to make it a 1mm cut.

Councillor LeBlanc spoke and moved to hear from an off committee member. All were in favor. Superintendent Echeleson took lectern and Councillor LeBlanc asked what a \$205,000 cut will do to you. He expressed with the Mayor's cut and with the collective bargaining this would make it extremely difficult to do. Councillor Logan stated that the school budget was cut 1/4mm last year and he supports the motion to restore it. McMenimen rose to a point of order and asked how many votes are needed to restore the money? Councillor McMenimen spoke on the motion and stated she was not in favor of restoring the cut.

She explained that the school budget funds 5500 students and 960 employees and takes 52% of the budget where the cities portion is 47% and funds over 60,000 residents and 750 employees. Councillor Giordano asked if the school can come back and ask for supplemental monies if they needed to. The answer is yes through the Mayor they could. Councillor Brasco reiterated that the Council does not have line item control over the school budget. On the restore funding motion roll call was requested.

All in favor: Darcy, Fowler, LeBlanc, Logan, McLaughlin, Rourke, Vidal, Vizard, Waddick, Marchese

Opposed: Brasco, Giordano, McMenimen, O'Brien, Romard

Absent: None

Motion was adopted and the matter to restore the funding was approved.

The Chair called for a 2 minute recess.

Councillor McMenimen, on behalf of the chair moved approval of the FY2017 City budget of \$249,928,432 be approved. Roll call was requested.

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

Opposed: Brasco,

Absent: None

Motion was adopted and the budget was approved.

Councillor McMenimen moved for approval of the parking meter budget of \$362,046 be approved.

Roll call was requested.

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

Opposed: None

Absent: None

Motion was adopted and the parking meter budget was approved.

Councillor McMenimen moved for approval of the three revolving accounts for Clerk's office, park & rec., and council on aging be approved.

Roll call was requested.

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

Opposed: None

Absent: None

Motion was adopted and the matter was approved.

The Clerk read Rule 86

The Clerk read the call of the first public hearing.

Special permit for CRP/King at 830 Winter Street LLC.

Attorney Philip McCourt, of Waltham, the representative for the petitioner spoke in favor of the petition. Tom Ragno, Principal at CRP/King LLC and David Kelly, PHP Engineer of Kelley Engineering at 17 Campanelli Drive in Braintree, spoke in favor of the petition. Jeff Hawken, the Architecture Engineer for the petitioner spoke in the petition. The location is directly across from Healthpoint and they are seeking to add an addition on to their building.

Michael Quinn, 37 Hollister Street in Waltham, who is a teamster 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 Romard, Logan, McMenimen, Darcy and McLaughlin all spoke to the petitioner and asked questions. There were no further questions from Councillors. President Marchese closed the public hearing and refereed the matter to the Ordinances and Rules Department.

The Clerk read the call of the second public hearing.

Fuel Storage License for 244 256 Second Ave. Attorney Robert Connors, of Connors & Connors at 6 Lexington Street Waltham spoke in favor of the petitioner, Second Ave LLC.

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 Romard 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.

The Clerk read the call of the third public hearing.

Fuel Storage License for Repligen at 41 Seyon Street, Suite 100.

Joe Reale, of Boston, MA representing Repligen; a bio processing company, spoke in favor of the petition. Mark LeFeurs of Somerville, MA spoke in favor of the petitioner. Two people 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 LeBlanc, Waddick, Fowler, McLaughlin, Darcy and Fowler for a second time all 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.

Councillor LeBlanc made a request to have Deputy Chief Richardson attend the next License and Franchise meeting. All were in favor and the request was approved.

The Clerk read the call of the fourth public hearing.

NStar/Eversource install underground service at 14 Temple Rd.

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 Marchese closed this portion of the public hearing and opened the hearing to questions from Councillors.

Councillor Darcy questioned the address the petitioner is using.

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

The Clerk read the call of the fifth public hearing.

NStar/Eversource install electrical service to a new building on West Street.

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 and Rourke both 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.

Communications from the Mayor

1. The Mayor respectfully requested approval of the Boudrot Family bench. President Marchese referred the matter to the Finance Committee.

2. The Mayor respectfully requested appropriations for the Disability Services Commission. President Marchese referred the matter to the Finance Committee.

3. The Mayor respectfully requested the appointment of George Hallock as an associate member of the Council on Aging Board. President Marchese referred the matter to the Committee of the Whole.

4. The Mayor respectfully requested the FY2016 Traffic Enforcement Grant Programs. President Marchese referred the matter to the Finance Committee.

5. The Mayor respectfully requested the approval of the Edward Byrne Memorial (JAG) grant in the amount of \$12,186. President Marchese referred the matter to the Finance Committee.

6. The Mayor respectfully requested the FY2017 Pedestrian and Bicycle Safety Enforcement Grant. President Marchese referred the matter to the Finance Committee.

7. The Mayor respectfully requested the donations for the Vietnam Moving Wall. Councillor Giordano made a motion to suspend the rules and act on the matter without committee approval. All were in favor. Councillor Giordano moved approval of the gifts. All were in favor and the matter was approved.

8. The Mayor respectfully requested a transfer of capital improvement funds in the amount of \$31,200 to fund the drain repair project at the Drake Playground. President Marchese referred the matter to the Long Term Debt Committee.

9. The Mayor respectfully requested a transfer of funds in the amount of \$75,000 for CPW snow expenses. President Marchese referred the matter to the Finance Committee.

10. The Mayor respectfully requested an appropriation of funds in the amount of \$11,000 from Unreserved Fund to IT vacation time (retirement). President Marchese referred the matter to the Finance Committee.

11. The Mayor respectfully requested an appropriation in the amount of \$25,000 from Unreserved Fund Balance to Fire-Overtime account. President Marchese referred the matter to the Finance Committee.

Committee Reports

License & Franchise

Councillor Rourke moved to waive the readings of the first two matters. All were in favor and the request was approved.

1. The License and Franchise Committee recommended the following lodging house renewals at Bentley University be approved:

- a. Lodging House Renewal – 175 Forest Street – Forest Hall Upper
- b. Lodging House Renewal – 175 Forest Street HUD Tree Dorms Upper
- c. Lodging House Renewal – 175 Forest Street Castle Hall Upper
- d. Lodging House Renewal – 175 Forest Street Copley Hall North Lower
- e. Lodging House Renewal – 175 Forest Street Copley Hall South Lower
- f. Lodging House Renewal – 175 Forest Street Kresge Hall Upper
- g. Lodging House Renewal – 175 Forest Street Fenway Hall
- h. Lodging House Renewal – 175 Forest Street Nathan R. Miller Hall Upper
- i. Lodging House Renewal – 175 Forest Street Slade Hall Upper
- j. Lodging House Renewal – 175 Forest Street Stratton House Beaver

Councillor Rourke moved that the action of the committee is the action of the council. All were in favor and the matters were approved.

2. The License and Franchise Committee recommended the following lodging house renewals at Brandeis University be approved:

- a. Lodging House Renewal – 415 South St. Ridgewood A,B,C
- b. Lodging House Renewal – 415 South St. South St. (The Village) 415
- c. Lodging House Renewal – 415 South St. Massell Quad (DeRoy, Shapiro, Renfeld, Usen)
- d. Lodging House Renewal – 415 South St. Rosenthal Dorms (North, South, East)
- e. Lodging House Renewal – 415 South St. East Quad
- f. Lodging House Renewal – 415 South St. North Quad
- g. Lodging House Renewal – 415 South St. Castle, Schwartz

Councillor Rourke moved that the action of the committee is the action of the council. All were in favor and the matters were approved.

3. The License and Franchise Committee recommended the following Lodging House Renewal at 52-54 Bedford St. – George Kimball Jr. be approved. Councillor Rourke moved that the action of the committee is the action of the council. All were in favor and the matters were approved.

4. The License and Franchise Committee recommended the Secondhand Dealers Renewal at 563 Moody St. Compustar Inc. be approved. Councillor Rourke moved that the action of the committee is the action of the council. All were in favor and the matters were approved.

Finance Committee

1. The Finance Committee recommended the appropriation of \$3,500,000 for short term payoff of loan for financing the Banks condos be approved.

Councillor McMenimen moved that the action of the Committee be the action Council.

2. The Finance Committee recommended the appropriation of \$2,212,000 for fund compensation increase for nonunion employees be approved.

Councillor McMenimen moved that the action of the Committee be the action Council.

3. The Finance Committee recommended the transfer of \$85,000 for crosswalk light improvements at Falzone Field be approved.
Councillor McMenimen moved that the action of the Committee be the action Council.

Public Works & Public Safety Committee

1. The Public Works and Public Safety Committee recommended the amended ordinance for Section 17-29 titled Sidewalks and Curbing Standards be approved for a first reading. On the motion Councillor Vizard moved to recommit the matter to the Ordinances and Rules Committee. All were in favor and the matter was recommitted to the Ordinances and Rules Committee.

Ordinances and Rules

1. The Ordinances and Rules Committee recommended Article V of Chapter 2 of the General Ordinances of the City of Waltham entitled "Compensation" Section 2-30, Compensation Schedules, subsection B2 amendment be approved for a first reading. Councillor Logan moves that the action of the Committee be the action Council. All were in favor and the matter was approved. Councillor Logan moved to recommit the matter back to the Ordinances and Rules Committee. All were in favor and the matter was approved.

2. The Ordinances and Rules Committee recommended Chapter 2, Article 1, Section 2-6 of the General Ordinances of the city of Waltham entitled "Clerk of Veterans' Services Committee amendment be approved for a first reading.

Councillor Logan moved to recommit the matter back to the Ordinances and Rules Committee. All were in favor and the matter was approved.

3 The Ordinances and Rules Committee recommends the time extension for BP Third Ave. LLC be approved. Councillor Logan moves that the action of the Committee be the action Council. Roll call required.

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

Opposed: None

Absent: None

Motion was adopted and the matter was approved.

Long Term Debt Committee

1. The Long Term Debt Committee recommended the FY2017 CPC budget of \$179,483 be approved. Councillor Waddick moves that the action of the Committee be the action Council. All were in favor and the matter was approved.

2. The Long Term Debt Committee recommended the \$12,000 for the historic preservation of the Paine Estate roof be approved. Councillor Waddick moves that the action of the Committee be the action Council. All were in favor and the matter was approved.

Unfinished Business and Other Business

1. CPC appointments (4 members: Young, LeBlanc, Melnechuk, Dwyer)
Councillor Logan made referenced that each name should be listed separately.
President Marchese referred the matter to the Committee of the Whole

2. CPC appropriation for open space recreation for Gilmore Playground (\$1,754,634)
President Marchese referred the matter to the Long Term Debt Committee.

3. CPC appropriation for CC & WHC application for Fernald Historical Preservation (\$75,000)
President Marchese referred the matter to the Long Term Debt Committee.

4. CPC appropriation for Historical Preservation of Music Hall on Elm St. (\$311,122)
President Marchese referred the matter to the Long Term Debt Committee

5. CPC appropriation for (HNE) Lyman Greenhouses (\$165,900)
President Marchese referred the matter to the Long Term Debt Committee

6. Late File Communication
950 Winter Street

Councillor Rourke moved to accept the Late Filed Communication. All were in favor.
Councillor Rourke moved to suspend rule 39 to act on the matter without committee reference.
All were in favor Councillor Rourke moved to authorize the clerk to amend the license.
Councillor Logan spoke on the matter. He asked if this is the legal way we should be amending a permit. Councillor Rourke withdrew his motion and approved a communication be sent to the Fire Chief. Councillor Rourke moved to table the matter on the council floor. All were in favor and the matter was tabled.

Councillor Giordano made an announcement about the Veterans Fundraiser that is to be held on June 18th at 6pm at the American Legion and it is a \$25 fee which includes a turkey dinner.

Tabled Items

- 17-25 Ordinance Amendment (changing the 3 year moratorium to a 5 year moratorium to open road) (first reading 3/28/16, published 5/5/16)
Councillor Logan moved to take the 17-25 ordinance amendment off the table. All were in favor and the matter was before the Council. Councillor Logan moved for approval of a third and final reading. Roll call was required.
All in favor: Darcy, Fowler, LeBlanc, Logan, McLaughlin, Rourke, Vidal, Vizard, Waddick, Marchese, Giordano, McMenimen, O'Brien, Romard, Brasco
Opposed: None
Absent: None
Motion was adopted and the matter was approved.
- Minutes 2/22/2016

There being no further matters before the City Council, Councillor Brasco moved to adjourn.
All were in favor. The motion was adopted on a voice vote.
Council President Marchese declared the meeting adjourned at 10:58p.m.

Respectfully submitted by:
Kara Wilson
Executive Assistant of the City Clerk
June 23, 2016

Approved by the City Council: _____