

**City Council
Meeting Minutes
June 22, 2015**

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

Attendance:

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

Absent: None

City Clerk Rosario Malone Clerked the meeting.

Council President Marchese held a moment of silence for the victims of the South Carolina shooting.

Councillor Giordano asked for a moment of silence for all our military that have served; past and present.

Council Vice President LeBlanc moved to approve minutes from 6/8/15.

Minutes were approved by a voice vote.

Councillor LeBlanc moved to suspend Rule 8 in order to congratulate 6 Waltham Police SRO's (Sergeant Gallant, SRO Frassica, SRO Devoe, SRO Farago, SRO Komola, SRO Tracey) for their Model Agency Award given to them from the National Association of School Resource Officers.

Clerk Malone read the Resolution. Councillor LeBlanc read a description of the Agency Award. All 6 SRO's received a copy of the Resolution.

Councillor LeBlanc moved to suspend Rule 9 and Chief MacPherson spoke in recognition of his Officer's achievements.

President Marchese asked all the children of the officer's that were recognized tonight to come to the podium to rule into effect the Resolution.

The Clerk read Rule 86.

Public Hearing

Resurfacing of Gregory Street said section being a Private Way be resurfaced from the southern lot line of 95 Gregory Street to the corner of Gregory Street and Smart Street. This is in accordance with the provision Ordinance #24947, Section 17-80 of the City of Waltham. Betterments to be assessed.

Mark O'Malley of 92 Gregory Street and Marcel LeLievre of 105 Gregory Street both stood in favor of the resurfacing of Gregory Street. They both stated the road is in treacherous condition. Something needs to be done.

Karen Recine of 80 Gregory Street stood in opposition of the resurfacing of Gregory Street. There is a berm issue if the road gets resurfaced and she also is concerned of cost/footage because she has one of the most if not the most lineal footage in the area that is to be resurfaced.

President Marchese closed this portion of the Public Hearing.

Councillors Fowler, Darcy, McMenimen and Romard all had questions on the petition.

There were no further speakers on the matter.

Councillor President Marchese referred the matter to the Public Works Committee.

Public Hearing

NSTAR Electric Company, d/b/a Eversource Energy, a company incorporated for the transmission of electricity for lighting, heating or power, desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the City Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, under the following public way or ways of said City:

Winter Street – At and northerly from Third Avenue a distance of about 58 feet – conduit.

Third Avenue – At and southerly from Winter Street a distance of about 535 feet – conduit, and install two (2) manholes – MH 30112 and MH 30113.

Prospect Hill Lane – At and easterly from Third Avenue a distance of about 218 feet – conduit, and install one (1) manhole – MH 30114.

In connection therewith, petitioner shall remove certain electric and utility poles owned by NSTAR Electric Company numbered 536/1, 537/1, 537/2, 537/3, 537/4, 587/45, and 587/46.

Maureen Carroll, Representative for Eversource spoke briefly of the Public Hearing.

Tim Kelly from the City of Waltham Wires Dept. was available for questions.

President Marchese closed this portion of the public hearing.

Councillor Romard requested Mr. Kelly to speak. He wanted assurance that Mr. Kelly was overseeing this project. Mr. Kelly explained Eversource has the authority by all parties associated with this project to hire one sub-contractor to do all the trench work. Once trench is completed each party involved will run their own lines through their own conduit(s). Councillor Romard would also like to see a schedule of dates, times etc. that work is planning to take place and be completed. Councillor Vizard also spoke on the matter. He thanked the R&O Committee for putting this request in. Councillor Rourke had a question regarding street lighting. A motion was made for rule 9 to be used for a non-council member to speak. A Representative from VHP, Ken Rice reiterated the traffic light(s) will not be utility poles. Councillor Waddick asked for every wire installed 2 poles be removed. Mr. Rice noted his request and also informed the Council it will be very clear in the end who owns what in trench/project.

There were no further speakers on the matter.

Councillor President Marchese referred the matter to the License & Franchise Committee.

Public Hearing

RCN Telecom Services of Massachusetts, Inc. hereby respectfully requests your consent to the location of communication cables as hereinafter described for the transmission and distribution of communications signals in and under the following streets, lanes, highways and places of the City of Waltham and of the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said facilities and accomplish the objective of said company and to be used in common with said company's permitted licensees; and the digging up and opening the ground to lay or place same:

Excavation and placement of three manholes and a total of approximately 1,450 feet of 4 inch communication conduits within and underneath Third Avenue and Prospect Hill Lane abutting the properties known as 470-504 Totten Pond Road and 70 Third Avenue in said

Waltham and within and underneath Winter Street near the intersection of Winter Street and Totten Pond Road in said Waltham.

Gregory Bradford, Esq. representing RCN Telecom Services spoke briefly regarding public hearing.

President Marchese closed this portion of the public hearing.

Councillors Romard and Darcy asked questions regarding the hearing.

There were no further speakers on the matter.

Councillor President Marchese referred the matter to the License & Franchise Committee.

Public Hearing

MCIMetro Access Transmission Services of Massachusetts, Inc. (d/b/a Verizon Business) hereby requests a grant of location for the transmission and distribution of communications signals and cable, to be used in common by said company and said company's permitted licensees, and for the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said transmission and distribution facilities to be used in common by said companies, in order to accomplish the objectives of said companies, and the digging up and opening the ground to lay or place the same in and under the following streets, lanes, highways and places of the City of Waltham:

Excavation and placement of one manhole and approximately 165 feet of 4 inch communication conduits within and underneath the intersection of Third Avenue, Totten Pond Road and Winter Street and abutting the property known as 470-504 Totten Pond Road in said Waltham.

Steve Parretti, representing MCIMetro spoke briefly regarding Public Hearing.

Councillor Romard asked questions regarding hearing.

There were no further speakers on the matter.

Councillor President Marchese referred the matter to the License & Franchise Committee.

Public Hearing

Verizon New England Inc. hereby requests a grant of location for the transmission and distribution of communications signals and cable, to be used in common by said company and said company's permitted licensees, and for the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said transmission and distribution facilities to be used in common by said companies, in order to accomplish the objectives of said companies, and the digging up and opening the ground to lay or place the same in and under the following streets, lanes, highways and places of the City of Waltham:

Excavation and placement of one manhole and a total of approximately 350 feet of 4 inch communication conduits within and underneath Third Avenue at the intersection of Third Avenue and Prospect Hill Lane and abutting the properties known as 470-504 Totten Pond Road and 70 Third Avenue in said Waltham.

Kelly-Ann Correia, a representative of Verizon spoke briefly about hearing.

President Marchese closed this portion of the public hearing.

Councillors Romard, Darcy, and Rourke all asked questions in reference to hearing.

There were no further speakers on the matter.

Councillor President Marchese referred the matter to the License & Franchise Committee.

Public Hearing

Comcast Cable Inc. hereby requests a grant of location for the transmission and distribution of communications signals and cable, to be used in common by said company and said company's permitted licensees, and for the conduits, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said transmission and distribution facilities to be used in common by said companies, in order to accomplish the objectives of said companies, and the digging up and opening the ground to lay or place the same in and under the following streets, lanes, highways and places of the City of Waltham:

Excavation and placement of four manholes and a total of approximately 490 feet of 4 inch communication conduits within and underneath various sections of Third Avenue and Prospect Hill Lane abutting the properties known as 470-504 Totten Pond Road and 70 Third Avenue in said Waltham and within and underneath two sections of Winter Street near the intersection of Winter Street and Totten Pond Road.

Lois Cormier, Representing Comcast Cable Inc. spoke briefly on the hearing.

President Marchese closed this portion of the public hearing.

Councillors Romard, Darcy and Rourke all asked questions in reference to hearing.

There were no further speakers on the matter.

Councillor President Marchese referred the matter to the License & Franchise Committee.

Communications from Mayor

On all the Mayor Communications Councillor Logan moved to waive the reading of the account numbers and monetary figures.

The motion was passed by a voice vote.

- 1. TO: The City Council**
RE: Veterans Skating Rink

Dear Councillors:

I respectfully request a transfer of funds totaling \$14,990 from existing Veterans Skating Rink capital improvement accounts to new accounts for the purpose of installing wood in three (3) areas of the Veterans Skating Rink roof trusses. This remediation work was identified and recommended in the inspection report conducted this past March by an independent structural engineer as part of a safety assessment by the City of Waltham.

FROM:

#643-630-2010-6464 Rink – Boards/Hot Water Tank	\$ 443
#640-630-5800-6423 Rink – Safety Systems	\$ 3,005
#640-630-5800-6710 Rink – Walkway	\$ 6,272
#640-630-5800-6464 Rink – Equipment	\$ 5,270
	<u>\$14,990</u>

TO:

#643-630-2010-6423 Rink – Safety Systems	\$ 443
#640-630-5800-6423 Rink – Safety Systems	\$14,547
	<u>\$14,990</u>

Councillor President Marchese referred this request to the Finance Committee.

- 2. TO: The City Council**

RE: MASSDEP Sustainable Materials Recovery Program Grant

Dear Councillors:

I respectfully request acceptance of a grant from the MASSDEP Sustainable Materials Recovery Program in the Amount of \$2,000. These funds will be used for recycling collection equipment in the cafeterias at the Northeast School, Fitzgerald School and McDevitt School. This will increase the participation in the program by three schools, joining the Plympton and MacArthur Schools.

Councillor President Marchese referred this request to the Finance Committee.

3. TO: The City Council

RE: Mechanics' Union Agreement

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$94,227 (as itemized below) to fund the collective bargaining agreement between the City and the Mechanics' Union for the period July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 CPW wage budget.

<u>FY2014</u>	<u>\$22,241 (actual)</u>
<u>FY2015 (July 1 – June 6)</u>	<u>\$32,401 (actual)</u>
<u>FY2015 (June 7 – June 30)</u>	<u>\$ 1,785 (estimate)</u>
<u>FY2016</u>	<u>\$37,800 (estimate)</u>
<u>Total</u>	<u>\$94,227</u>

APPROPRIATE FROM:

Unreserved Fund Balance	\$22,241
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TRANSFER FROM:

Mayor – Collective Bargaining	#001-121-5400-5111	\$34,186
Auditor – Collective Bargaining	#001-135-5400-5111	\$37,800

<u>TO:</u>		<u>FY2015</u>	<u>FY2016</u>
CPW	#001-420-5100-5112	\$49,401	\$37,800
CPW-Snow	#001-421-5100-5131	\$ 7,026	\$ 0

Councillor President Marchese referred this request to the Finance Committee.

4. TO: The City Council

RE: Managers' Union Agreement

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$643,185 (as itemized below) to fund the collective bargaining agreement between the City and the Managers' Union for the period July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 respective department's salary budget.

<u>FY2014</u>	<u>\$152,352 (actual)</u>
<u>FY2015 (July 1 – June 6)</u>	<u>\$188,173 (actual)</u>
<u>FY2015 (June 7 – June 30)</u>	<u>\$ 12,644 (estimate)</u>
<u>FY2016</u>	<u>\$290,007 (estimate)</u>

Total \$643,185

APPROPRIATE FROM:

Unreserved Fund Balance \$152,352

TRANSFER FROM:

Mayor – Collective Bargaining #001-121-5400-5111 \$200,826
Auditor – Collective Bargaining #001-135-5400-5111 \$290,007

<u>TO:</u>		<u>FY2015</u>	<u>FY2016</u>
Building	#001-192-5100-5111	\$57,663	\$56,961
City Clerk	#001-161-5100-5111	\$15,631	\$12,196
Voter Reg	#001-163-5100-5111	\$ 9,407	\$ 6,816
CPW	#001-420-5100-5111	\$53,406	\$44,727
CPW-Snow	#001-421-5100-5131	\$ 2,113	\$ 0
Engineer	#001-410-5100-5111	\$11,751	\$18,354
Water Adm	#610-450-5100-5111	\$45,080	\$34,577
Health	#001-510-5100-5111	\$39,125	\$29,376
IT	#001-155-5100-5111	\$68,570	\$51,588
Paine Estate	#001-670-5100-5111	\$ 8,797	\$ 6,230
Parking Meters	#232-480-5100-5111	\$ 2,943	\$ 0
Police – Animal	#001-210-5100-5111	\$ 9,313	\$ 6,774
Dispatch	#001-215-5100-5111	\$ 9,716	\$ 7,382
Wires	#001-245-5100-5111	\$19,663	\$15,026

Councillor President Marchese referred this request to the Finance Committee.

5. TO: The City Council

RE: Firefighters' Union JLMC Award

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$2,228,536 (as itemized below) to fund the collective bargaining agreement between the City and the Firefighters' Union for the period July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 Fire salary/wage budget. This funding request is the result of an arbitration award of the Joint Labor Management Committee (JLMC).

<u>FY2014</u>	<u>\$ 422,235 (actual)</u>
<u>FY2015 (July-May)</u>	<u>\$ 725,501 (actual)</u>
<u>FY2015 (June)</u>	<u>\$ 57,800 (estimate)</u>
<u>FY2016</u>	<u>\$1,023,000 (estimate)</u>
<u>Total</u>	<u>\$2,228,536</u>

APPROPRIATE FROM:

Unreserved Fund Balance \$ 591,464

TRANSFER FROM:

Mayor – Collective Bargaining #001-121-5400-5111 \$ 614,072
Auditor – Collective Bargaining #001-135-5400-5111 \$1,023,000

TO:

Fire Salary FT (FY2015) #001-220-5100-5111 \$ 476,823

Fire Salary FT (FY2016)	#001-220-5100-5111	\$ 410,000
Fire Wage FT (FY2015)	#001-220-5100-5112	\$ 728,713
Fire Wage FT (FY2016)	#001-220-5100-5112	\$ 613,000

Councillor President Marchese referred this request to the Finance Committee.

6. TO: The City Council
RE: Police Superior Officers' Union Agreement

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$1,910,259 (as itemized below) to fund the collective bargaining agreement between the City and the Police Superior Officers' Union for the period July 1, 2010 to June 30, 2013 and July 1, 2013 to June 30, 2016. This request includes the amount to fund the FY2011, FY2012, FY2013 and FY2014 retroactive compensation increase. It also includes the amount needed to adjust the FY2015 and FY2016 Police salary budget. Attached is a list of the actual amounts owed to each member by rank of the Superior Officers' Union for the period July 1, 2010 to June 6, 2015.

FY2011	\$ 44,858 (actual)
FY2012	\$ 139,183 (actual)
FY2013	\$ 262,244 (actual)
FY2014	\$ 390,524 (actual)
FY2015 (July-June 6)	\$ 473,473 (actual)
FY2015 (June 7 – June 30)	\$ 41,677 (estimate)
FY2016	\$ 558,300 (estimate)
Total	\$1,910,259

APPROPRIATE FROM:

Unreserved Fund Balance	\$1,006,038
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TRANSFER FROM:

Mayor – Collective Bargaining	#001-121-5400-5111	\$ 345,921
Auditor – Collective Bargaining	#001-135-5400-5111	\$ 558,300

TO:

Police Salary FT (FY2015)	#001-210-5100-5111	\$1,345,459
Police Salary FT (FY2016)	#001-210-5100-5111	\$ 555,000
Police Uniforms (FY2015)	#001-210-5500-5190	\$ 6,500
Police Uniforms (FY2016)	#001-210-5500-5190	\$ 3,300

Councillor President Marchese referred this request to the Finance Committee.

7. TO: The City Council
RE: Arterial Streets

Dear Councillors:

I respectfully request approval of the attached loan authorization in the amount of \$5,749,000 for the paving of the streets itemized below.

Streets

Bacon Street/full length plus sidewalk repairs	\$412,000
Lexington Street (Lexington Line to Bacon St.)	\$850,000
Guard rail and sidewalk ridge – Windsor	\$ 50,000
Moody Street/full length	\$610,000
Newton Street	\$368,000

Prospect Street	\$272,000
South Street/full length plus portion sidewalk repair	\$663,000
Trapelo Road (Smith St. to Lexington St.)	\$489,000
Trapelo Road (Lexington Street to Marguerite)	\$433,000
Trapelo Road (west) sidewalks north side and	\$975,000
South side survey and sidewalk Waverley Oaks Road	<u>\$627,000</u>
TOTAL	\$5,749,000

Councillor President Marchese referred this request to the Long Term Debt Committee.

8. TO: The City Council
RE: South Street/Highland Street Traffic Signal Project

Dear Councillors:

I respectfully request a transfer of capital funds in the total amount of \$150,000 as itemized below. This amount will be combined with existing funds in several traffic impact accounts to award the construction bid and provide a 5% contingency for the South Street/Highland Street traffic signal project.

FROM:

Traffic – Paint Machine Trailer	#310-480-2005-6441	\$ 0.51
Traffic – Winter St Bridge	#310-480-2006-6610	\$21,627.75
Traffic – Trapelo/Forest	#310-480-2010-6730	\$12,605.57
Traffic- Trapelo/Forest Signals	#310-480-2010-6830	\$32,867.13
Traffic – Summer/Lyman Signals	#310-480-2010-6840	\$ 15.00
Traffic – Prospect Hill Diversion	#310-480-2006-6620	\$82,884.04

TO:

Traffic – South/Highland Signals	#310-480-0000-6850	\$150,000
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Councillor President Marchese referred this request to the Long Term Debt Committee.

9. TO: The City Council
RE: Transfer of CIP Funds

Dear Councillors:

I respectfully request a transfer of capital improvement funds totaling \$2,405,366.36 as itemized on the attached worksheet. This amount represents the excess funds from capital projects that have been completed or no longer needed according to the department head. The funds will be transferred in a dollar for dollar manner to a general capital improvement account to be established for each of the departments that have surplus funds. Once the funds have been transferred into each department's general capital improvement account, they will be applied to another item in the recommended capital improvement program for their department.

Councillor President Marchese referred this request to the Long Term Debt Committee.

10. TO: The City Council
RE: Planning Retirement Payroll

Dear Councillors:

I respectfully request an appropriation of funds in the amount of \$1,975 from Unreserved Fund Balance to Planning – Salaries #001-175-5100-5111. These funds will be used to pay the accrued vacation time owed to an employee who will be retiring on June 26, 2015

Councillor President Marchese referred this request to the Finance Committee.

11. TO: The City Council
RE: School Department CIP

Dear Councillors:

I respectfully request a transfer of funds totaling \$520,500 as itemized below to fund several capital improvement items for the School Department.

FROM:

Stabilization Fund – Reserve for School CIP	
#250-135-7414-5205	\$520,500

TO:

School – Data Communication Switch Upgrade	\$ 30,000
School – Wireless – WHS & Northeast School	\$200,000
School – Expanded 1:1 Initiative for Grade 6 Students and WHS Grade10 Teachers)	\$290,500

Councillor President Marchese referred this request to the Long Term Debt Committee

12. TO: The City Council
RE: FICA Medicare Payroll Tax

Dear Councillors:

I respectfully request a transfer of funds and an appropriation of funds totaling \$200,000 (as itemized below) to fund the City's match (1.45% of salary) of the FICA Medicare payroll tax to June 30, 2015. This is a mandatory payroll tax withholding for employees who were hired on or after April 1, 1986.

APPROPRIATE FROM:

Unreserved Fund Balance	\$ 90,000
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TRANSFER FROM:

Auditor – Certification Charges	#001-750-5200-0000	\$ 40,000
Auditor – Interest on BANS	#001-750-5200-5925	\$ 30,000
Auditor – Interest on Tax Refunds	#001-750-5200-5930	\$ 40,000

TO:

Auditor – FICA Medicare	#001-914-5200-5185	\$200,000
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Councillor President Marchese referred this request to the Finance Committee

Tabled Matters

Tabled from 1/12/2015

Bemis Street Resurfacing Petition

Councillor Vizard moved to take the matter off the table.

The motion was adopted by a voice vote.

Councillor Vizard moved to send this matter to the Public Works Committee.

The motion was adopted by a voice vote.

Tabled from 3/23/2015

Resolution regarding Charlotte Smith

Tabled from 6/8/2015

Amend Sections 2.2 and 3.1 of the City Charter

Tabled from 6/8/2015

The Resolution for the Waltham Police Department NASRO Awards

This matter was taken out of order at the beginning of the meeting by Councillor LeBlanc.

See above public hearings.

New Business

The order authorizing the Mayor to sign the final version of said deed in acceptance of said gift of the Berry Farm Land for park land.

President Marchese referred the matter to the Committee on the Whole.

Massport Letter Application for Abbas Dia of 37 Gorham Street.

President Marchese referred the matter to the License and Franchise Committee

Request for an extension of time 1019 Trapelo Rd. LLC. 1019 Trapelo Rd. Waltham

President Marchese referred the matter to the Ordinance and Rules Committee.

Resolutions**1. Double poles within the City of Waltham**

Councillor Logan spoke on the issue and encourages the Waltham City Council should utilize the National Joint Utilities Notification System to facilitate the elimination of double poles in the City of Waltham.

The Resolution was referred to the Public Works Committee.

Motion was adopted by a voice vote.

2. Odor Dumpsters at Star Market

Councillor Darcy spoke on the resolution. Councillor McMenimen has had same complaints as Councillor Darcy. Councillor Logan asked the other Councillors if they had notified the Health Dept. and said the Health Dept. was pretty quick to respond to such complaints. The Councillors have notified Health Dept. and they were going to look into issue this week.

Councillor Vizard moved to refer matter to Public Works Committee

Motion was adopted by a voice vote.

3. Cable Licensing and Penalties

Councillor Vizard spoke on the matter. He suggested charging fines for taking longer than the allotted time for removing lines off of double poles.

Councillor Vizard moved to refer this matter to the Public Works Committee.

Motion was adopted by a voice vote.

4. Luke Stanton recognized as Massachusetts Youth Hockey Coach of the Year

Councillor Waddick spoke on the resolution and tabled the matter on the Council floor in order to invite Luke Stanton to a Council meeting at a later date to recognize his achievement.

The motion was adopted by a voice vote.

5. Senior Center Parcels of Land

Councillor President Marchese spoke on the Resolution. Councillor Stanley would like to amend Resolution to include the possibility of using some of the land for traffic relief at the corner of Main Street and Newton Street.

Amendment accepted by a voice vote.

Councillor President Marchese moved to refer matter to the Committee of the Whole.
The motion was adopted by a voice vote.

Committee Reports

License and Franchises

The License and Franchise Committee recommends that 275 Wyman Street Fuel Storage be approved.

Councillor Rourke moves that the action of the Committee be the action of the Council.
The motion was adopted by a voice vote.

Finance Committee

The Finance Committee recommends the transfer of \$2,078,000 from Mayor Collective Bargaining to Police Wages (FY2015) be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.
The motion was adopted by a voice vote.

The Finance Committee recommends the transfer of \$104,000 from CPW Trash Disposal to CPW Vehicle Repair \$35K, Vehicle Supplies \$35K, Environ Serv. \$4K & Paving Projects \$30K be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.
The motion was adopted by a voice vote.

The Finance Committee recommends the Appropriations of \$70,000 from UFB to Worker's Comp Medical be Approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.
The motion was adopted by a voice vote.

The Finance Committee recommends the Mayor's Recommended Municipal Budget of \$160,272,888 FY2016 be Approved.

Councillor Brasco spoke on the budget item in depth and voiced his concerns. Councillor Brasco moved to cut the city budget by 60,903 eliminating the Park Ranger position. President Marchese called a 2 minute recess to confirm the budget figures.

Councillors LeBlanc, Fowler, Waddick, O'Brien all spoke in favor of the budget cut.

Councillors Romard, McMenimen and Darcy all spoke in favor of keeping the Park Ranger position in the budget.

Councillor Brasco asked to move the matter.

Roll call was requested.

Voting in favor: Brasco, Fowler, Giordano, Logan, LeBlanc O'Brien, Stanley, Vizard, Waddick, Marchese

Opposed: Darcy, McLaughlin, McMenimen, Romard, Rourke, Darcy

Motion to move the matter was approved.

The motion to cut the Park Ranger position from the Municipal Budget was taken.

Roll call was requested.

Voting in favor: Brasco, Fowler, Giordano, LeBlanc, O'Brien, Waddick

Opposed: Darcy, Logan, McLaughlin, McMenimen, Romard, Rourke, Stanley, Vizard

The motion did not carry.

Councillor Brasco requested that the \$69,869 of the Emergency Management Department budget be a separate line item enabling Councillor Waddick to be able to vote on the budget. Councillor Waddick has a conflict of interest with this particular line item. Councillor Vizard moved for the approval of the line item separation. The motion was adopted by a voice vote. The overall Municipal budget is \$160,203,019 was adopted.

Councillor McMenimen rose to a point of order. Councillor would like to know when she could take off the table the Charter 2.2 and 3.1 amended charter sections to discuss. She would like to amend a portion of the Charter. The Council was talking about the budget and cuts to make within in and Councillor McMenimen voiced her question within the budget discussion. President Marchese informed the Councillor her question was out of order at this time.

Councillor McMenimen, moved to pass the FY2016 Municipal Budget. On the motion, Councillor Romard stood and said he will not be supporting the budget because of all its flaws and not having time to properly review budget.

Councillor Vizard stood and moved to reconsider his vote on the Park Ranger position within the budget.

Councillor Fowler, Darcy, Logan and Romard all spoke on the matter again.

Another vote was taken to cut the Park Ranger position from the budget.

Roll call was requested.

Voting in favor: Brasco, Fowler, Giordano, LeBlanc, Logan, O'Brien, Vizard, Waddick

Opposed: Darcy, McLaughlin, McMenimen, Romard, Rourke, Stanley

8 in favor.

President Marchese did not vote.

The motion did not pass.

The motion to approve the Municipal Budget of \$160,203,019 was moved for approval.

Roll call was requested.

Voting in favor: Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, Rourke, Stanley, Vizard, Marchese

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

Motion was adopted.

The Municipal Budget passed.

The Finance Committee recommends the transfer of \$590K from Auditor Collective Bargaining to Police Wages (FY2016) be Approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

The Finance Committee recommends the Mayor's Recommended Municipal School Budget of \$77,181,798 FY2016 be approved.

Councillor Vizard stood and noted he is able to vote on the matter. He has filed Conflict of Interest opinion allowing him to vote objectively and impartially.

Councillor President Marchese also noted he submitted the same opinion.

Councillor McMenimen moves that the action of the Committee be the action of the council.

On the motion, Councillor McMenimen, acting Chairperson spoke on the school budget. She is very disturbed at the growing cost that is 53% of our total budget. She hopes in the near future some of these costs can be brought into line. Councillor Vizard spoke on the matter. Councillor Romard noted he could not support School budget. The administration costs are an average 25% higher than other cities and towns. Everything is out of line. Councillor Romard moved to cut 1mm out of the school's administration and support services budget. Councilor Logan stood and spoke on Councillor Romard's request. A vote was taken to cut 1mm out of the school's administration and support services budget.

Voting in favor: Darcy, Romard

Opposed: Brasco, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Stanley, Waddick, Giordano, Vizard, Rourke

President Marchese did not vote.

The motion did not carry.

Councillor O'Brien spoke on the matter.

President Marchese stated that there was no further discussion.

Roll call was requested on the motion to accept the School Budget.

Voting in favor: Brasco, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Stanley, Waddick, Giordano, Vizard, Rourke, Marchese

Opposed: Darcy, Romard

The motion was adopted.

President Marchese moved to pass the line item separated earlier of \$69,869 of the Emergency Management Department Budget.

Councillor Brasco moves that the action on the committee be the action of the council.

The motion was adopted by a voice vote.

The Finance Committee recommends the Mayor's Recommended Municipal Parking Meter Budget of \$334,421 be approved.

Councillor McMenimen, acting Chairperson of Finance Committee, moved to accept the parking meter budget.

The motion was adopted by a voice vote.

The Finance Committee recommends the Mayor's Recommended Revolving Accounts (Clerks, Aging & Recreation) FY2016 be approved.

Councillor Brasco made a motion to accept the Revolving Accounts budget.

The motion was adopted by a voice vote.

Councillor McMenimen moved to take a matter out of order.

All were in favor by a voice vote.

Councillor McMenimen moves to take the matter of the Chapter 2.2 and 3.1 of the City Charter off the table and place on Council Floor.

All were in favor by a voice vote.

Councillor McMenimen and Councillor Logan spoke on the matter.

Councillor Logan moved to file the matter.

A roll call was requested.

Voting in favor: Darcy, Logan, Romard, Rourke, Waddick Vizard

Opposed: Brasco, Fowler, Giordano, LeBlanc, McLaughlin, McMenimen, O'Brien, Stanley

The motion did not carry.

Councillor Brasco moved to table the item onto the Council floor.

Roll call was requested.

Voting in favor: Brasco, Darcy, Fowler, Giordano, LeBlanc, Logan, McLaughlin, McMenimen, Waddick, Vizard, Rourke, Romard.

Opposed: O'Brien, Stanley

The motion was adopted. Matter is tabled on Council floor.

Ordinances and Rules

The Ordinance and Rules Committee recommends that NStar/Eversource request for approximately six feet of conduit at River Street and Farwell Street be approved.

Councillor Logan moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

The Ordinance and Rules Committee recommends that the Zone Change – 385 Trapelo Road be placed on file.

Councillor Logan moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

Public Works

The Public Works Committee recommends the Transfer and Appropriation of CH90 funds totaling \$3,486,370 be approved.

Councillor Vizard moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

Long Term Debt

Long Term Debt Committee recommends that the Community Preservation Budget in the amount of \$170,997.00 for the FY 2016 be approved.

Councillor Waddick moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

Long Term Debt Committee recommends the transfer of \$500,000 for paving of School Street be approved.

Councillor Waddick moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

Committee of the Whole

Committee of the Whole recommends the Re-appointment of Joan Garniss to Board of Library Trustees be approved.

Roll call was requested.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

Committee of the Whole recommends the Appointment of Edward Wack to the Biosafety Committee be approved.

Roll call was requested.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

Committee of the Whole recommends the Appointment of Michelle Feeley to the Biosafety Committee be approved.

Roll call was requested.

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

15 in Favor

None opposed.

The motion was adopted.

President Marchese announced the appointees for the AdHoc Committee; Review of Council Structure as follows: Councillors Rourke, Fowler, Waddick and former City Councillors Ed Tarallo and Sally Collura.

At 11:30PM Councillor President Marchese requested a motion to suspend Rule 2 and continue past midnight.

The motion was made by Councillor Vizard.

The motion was approved by 2/3 vote of the Council.

At 11:34PM Councillor President Marchese recessed the Council Meeting in order for Committees to meet.

At 12:40AM Councillor President Marchese reconvened the Council meeting with Assistant City Clerk, Tom Curtin presiding.

Committee of the Whole

The Committee of the Whole recommends the order authorizing the Mayor to sign the final version of said deed in acceptance of said gift of the Berry Farm Land for park land be approved.

Councillor LeBlanc moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

License and Franchise

The License and Franchise committee recommends that the Massport Letter Application for Abbas Dia at 37 Gorham Street be approved.

Councillor Rourke moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

The License and Franchise Committee recommends that the 5 Grants of Location; Nstar, RCN, MCIMetro, Comcast, Verizon be approved.

Councillor Giordano moved to act on all five collectively.

Motion was adopted by a voice vote.

Councillor Rourke moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

Finance Committee

The Finance Committee recommends the transfer of funds totaling \$14,990 from existing Veterans Skating Rink capital improvement accounts to new accounts be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

Councillor McMenimen requested a roll call.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Finance Committee recommends that the grant from the MASSDEP Sustainable Materials Recovery Program in the Amount of \$2,000 be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

Councillor McMenimen requested a roll call.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Finance Committee recommends a transfer of funds and an appropriation of funds totaling \$94,227 to fund the collective bargaining agreement between the City and the Mechanics' Union for the period July 1, 2013 to June 30, 2016 be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

Councillor McMenimen requested a roll call.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Finance Committee recommends a transfer of funds and an appropriation of funds totaling \$643,185 to fund the collective bargaining agreement between the City and the Managers' Union for the period July 1, 2013 to June 30, 2016 be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

Councillor McMenimen requested a roll call.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Finance Committee recommends a transfer of funds and an appropriation of funds totaling \$2,228,536 to fund the collective bargaining agreement between the City and the Firefighters' Union for the period July 1, 2013 to June 30, 2016 be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

Councillor McMenimen requested a roll call.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Finance Committee recommends a transfer of funds and an appropriation of funds totaling \$1,910,259 to fund the collective bargaining agreement between the City and the Police Superior Officers' Union for the period July 1, 2010 to June 30, 2013 and July 1, 2013 to June 30, 2016 be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

Councillor McMenimen requested a roll call.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Finance Committee recommends an appropriation of funds in the amount of \$1,975 from Unreserved Fund Balance to Planning be approved. These funds will be used to pay the accrued vacation time owed to an employee who will be retiring on June 26, 2015

Councillor Brasco moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

The Finance Committee recommends a transfer of funds and an appropriation of funds totaling \$200,000 to fund the City's match (1.45% of salary) of the FICA Medicare payroll tax to June 30, 2015 be approved.

Councillor Brasco moves that the action of the Committee be the action of the Council.

The motion was adopted by a voice vote.

Ordinances & Rules

The Ordinance and Rules Committee recommends an extension of time 1019 Trapelo Rd. LLC. 1019 Trapelo Rd. Waltham be approved.

Councillor Logan moves that the action of the Committee be the action of the Council.

Roll call was requested.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Ordinance and Rules Committee recommends a Special Permit to install, operate and maintain a wireless communication facility on the existing lattice tower located on the property at 39 Sachem Street be approved.

Councillor Logan moves that the action of the Committee be the action of the Council.

Roll call was requested.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

The Ordinance and Rules Committee recommends that the Second Avenue Hotel LLC, 285 Commandant's Way, Chelsea, Massachusetts 02150 as) for a special permit for an increase in Floor Area Ratio (FAR) to 1.09 pursuant to § 3.511 (Intensity of Use Special Permit) and § 3.521 (Table of FAR) of the Zoning Ordinance of the City of Waltham (hereinafter the "Zoning Ordinance") for the location of property at 256 2nd Avenue, Waltham be approved.

Councillor Logan moves that the action of the Committee be the action of the Council.

Roll call was requested.

Voting in favor: Brasco, Darcy, Fowler, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Giordano, Vizard, Rourke

14 in Favor

None opposed.

Councillor President Marchese did not vote.

The motion was adopted.

Councillor President Marchese requested a motion to suspend Rule 2 and continue past 1AM. Motion was made by Councillor Vizard.

Roll call was requested.

Voting in favor: Brasco, Darcy, LeBlanc, Logan, McLaughlin, McMenimen, O'Brien, Romard, Stanley, Waddick, Vizard, Rourke

12 in Favor

2 Opposed: Fowler, Giordano

Councillor President Marchese did not vote.

The motion was adopted.

With no further matters before the City Council, Council President Marchese asked the wish of the council. Councillor Logan moved to adjourn. The motion was adopted on a voice vote. Council President Marchese declared the meeting closed at 1:04AM.

Respectfully Re-submitted by:

Kara L. Wilson

August 12, 2015