

Waltham City Council
Minutes of the Meeting of
September 12, 2016

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

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, Fowler, Giordano, McLaughlin, Vizard, Romard, Marchese

Absent: None

The Clerk recited the Council Prayer followed by President Marchese leading all present in the Pledge of Allegiance.

Councillor Giordano asked for a moment of silence for all our military that have served; past and present as well as 9/11 victims and families and Walter Ohnemus and Family.

Councillor LeBlanc moved to approve the minutes from 8/1/2016. All were in favor. Matter approved. Councillor LeBlanc moved to approve the minutes from 8/24/2016 Council Meetings. All were in favor. Matter approved.

Councillor Vidal moved to suspend Rule 8 and take a matter out of order. All were in favor and the matter was approved. Councillor Vidal moved to have the Clerk read a Resolution regarding Hispanic Heritage Month. All were in favor. Clerk read the Resolution. Councillor Vidal spoke on the Resolution. Councillor Vidal moved to suspend Rule 39 and act on a matter without committee reference. All were in favor. Councillor Vidal moved to approve the Resolution. All were in favor and the Resolution was approved.

President Marchese stated that next week the Mayor has declared Senior Citizen Week. There are lots of fun events and activities planned.

The Clerk read Rule 86.

The Clerk read the call of the first public hearing: 17-25 at 20 Brigham Road.

Ryan Ellis, 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. Councillors McLaughlin, McMenimen and Waddick spoke on the petition.

Councillor McLaughlin moved to suspend Rule 39 and act on the matter without committee reference. All were in favor. Councillor McLaughlin moved to approve the petition. All were in favor and the petition was approved.

The Clerk read the call of the second public hearing: 17-25 at 50 Wamsutta Ave.

Carla Turcios, petitioner, spoke in favor of the petition. With no one else in support and no one else in opposition and no one else 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 Fowler, McMenimen and Vizard asked questions to the petitioner. Councillor

Fowler moved to suspend Rule 39 and act on the matter without committee reference. All were in favor. Councillor Fowler moved to approve the petition. All were in favor and the petition was approved.

The Clerk read the call of the third public hearing: Fuel Storage License at 678 Trapelo Road. Jim Cristofori, petitioner, spoke in favor of the petition. Doug Carlson, of Modular Homes, 403 Waltham Street, Lexington spoke in favor of the petition. Herb Vanesse, 17 Circle Drive, Waltham spoke in opposition of the petition. He is concerned about the water they get in the neighborhood and the pond and suggest an above ground tank not underground. Charles Newfield, 17 Circle Drive Waltham spoke in opposition of the petition. He is a direct abutter. He thinks gas should have been brought in before house was built. Rosaria Valella, 136 Temple Road Waltham, spoke in opposition of the petition. She believes the house is built too high. She gets water in her basement and does not want to blow up if the tank explodes. One person stood in opposition of the petition. With no one else in support and no one else in opposition and no one in a neutral position on the petition, President Marchese closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Darcy, McMenimen, Romard and McLaughlin all spoke on the matter. There were no further questions from Councillors. Herb Vanesse spoke in rebuttal of the petition. President Marchese closed the public hearing and referred the matter to the License and Franchise Committee.

The Clerk read the call of the fourth public hearing: Fuel Storage License at 117 Beaver Street (Lockheed Martin). Nathan Cenelli, representative for Lockheed Martin spoke in favor of the petition. He explained that his facility was an R&D facility for grid level battery storage. 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 McLaughlin, Vidal, McMenimen, Romard, and Darcy 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.

The Clerk read the call of the fifth public hearing: Grant of Location for Cellco dba Verizon Wireless. John Weaver, attorney for petitioner spoke in favor of the petition. The stated the shot clock date for this petition would be October 26, 2016. 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 McLaughlin, Vidal, McMenimen, Romard, Fowler, Rourke and Darcy 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.

The Clerk read the call of the sixth public hearing: Grant of Location at Leslie Road for NStar/Eversource. Maureen Carroll, 200 Calvary Street, Waltham representative for Eversource spoke in favor of the petition. The GOL is to provide electric service to a new home on Leslie Road. Bud LaCava, owner of the property 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. Councillors Romard and Darcy 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 seventh public hearing: Grant of Location at Winter Street & Gatehouse Drive for Lighttower Fiber Networks. Shelly Cullen, 4 Blue Hill Ave Newbury, representative for the petitioner spoke in favor of the petition. Paul Walls, 454 Paine road North Attleboro, MA, representative of 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 on the petition, President Marchese closed this portion of the public hearing and opened the hearing to questions from Councillors. Councillors Romard, Rourke and Darcy 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 seventh public hearing: Grant of Location at Trapelo & Tracer Lane for Mobilitie, LLC. Brian Grisman, 1 Canal park Suite 200, Cambridge, MA representative for the petitioner spoke in favor of the petition. He stated the location they are looking to open is actually MASS DOT right of way. President Marchese requested that the petitioner file a letter of withdrawal. Councillor McMenimen rose to a point of order. Is the off ramp also Mass DOT? Petitioner stated yes. Councillor Darcy moved to table the matter on the Council floor. ON the motion Councillor Vizard moved to reconsider the matter. All were in favor. Councillor Vizard moved to recess the hearing to a later date. All were in favor and the matter was recessed.

Communications from the Mayor

1. The Mayor respectfully requested a transfer in the amount of \$77,524.00 for purchase of two trucks with plows for CPW. President Marchese referred the matter to the Finance Committee.

2. The Mayor respectfully requested transfers of capital improvement funds totaling \$274,300.00 to:

- a. Award the contract to D'Allessandro Corp. for repair of the drain culvert adjacent to 101 Elm St.;
- b. Fund the ongoing Stormwater Coordinator Program Work by SSV Engineering, Inc.;
- c. Award the third year of a three-year contract to Environmental Partners Group for IDDE Program Coordinator;
- d. Award the construction bid for the replacement of the sewer main on Russell St.

President Marchese referred the matter to the Long term Debt Committee.

3. The Mayor respectfully requested acceptance of a grant for \$9,000.00 awarded to the Waltham Police Department to conduct traffic enforcement. This grant requires matching funds of 25% which Chief Keith MacPherson states will be covered by the Waltham Police Department's existing budget. President Marchese referred the matter to the Finance Committee.

4. The Mayor respectfully requested a transfer of capital improvement funds from totaling \$7,500.00 from CPW General to CPW Car Lift. President Marchese referred the matter to the Long Term Debt Committee.

5. The Mayor respectfully requested acceptance of a gift in the amount of \$10,000.00 from the Wolverine Worldwide Foundation for the City of Waltham Recreation Department. President Marchese referred the matter to the Finance Committee.

Resolutions

1. Speed Limit – Submitted by Logan

The Clerk read the resolution. Councillor Logan spoke on the Resolution. President Marchese referred the resolution to the Economic and Community Development Committee.

2. Charter School – Submitted by Councillor Fowler

The Clerk read the resolution. Councillor Fowler spoke on the Resolution. President Marchese referred the resolution to the Economic and Community Development Committee.

3. SFC Robert James Williams Square – Submitted by Councillors LeBlanc, Giordano, Marchese.

The Clerk read the resolution. Councillor LeBlanc spoke on the Resolution. President Marchese referred the resolution to the License & Franchise Committee.

4. Residential Exemption – Submitted by Councillor Logan

The Clerk read the resolution. Councillor Logan spoke on the Resolution. President Marchese referred the resolution to the Finance Committee.

5. Small Business Saturday – Submitted by Councillor Logan

The Clerk read the resolution. Councillor Logan spoke on the Resolution. President Marchese referred the resolution to the Economic and Community Development Committee.

6. Small cell wireless antenna grants of location – Submitted by Councillor Rourke

The Clerk read the resolution. Councillor Rourke spoke on the Resolution. President Marchese referred the resolution to the License & Franchise Committee.

7. Technology Resolution – Submitted by Councillor McMenimen

The Clerk read the resolution. Councillor McMenimen spoke on the Resolution. President Marchese referred the resolution to the Economic and Community Development Committee.

Unfinished Business and Other Business

Councillor Logan moved to accept a late file communication form the Mayor. All were in favor. President Marchese referred the matter to the Finance Committee.

Councillor Brasco moved to discharge a matter from the Finance Committee. All were in favor. The matter before the Council was the Banks School Condo units #100, 101, 102.

Councillor Brasco moved to accept the bid for Condo unit #100 for \$270,000.

Roll call required.

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

Opposed: Romard

Absent: O'Brien

Motion was adopted and the matter was approved.

Councillor Brasco moved to accept the bid for Condo unit #101 for \$425,000.

Roll call required.

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

Opposed: Romard

Absent: O'Brien

Motion was adopted and the matter was approved.

Councillor Brasco moved to accept the bid for Condo unit #102 for \$300,000.

Roll call required.

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

Opposed: Romard

Absent: O'Brien

Motion was adopted and the matter was approved.

Councillor LeBlanc moved to take the matter regarding 380 Lexington Street off of the table.

All were in favor. The matter was before the Council. Councillor LeBlanc spoke on the matter.

Shem oved to accept the P&S for the Mayor to sign for property. On the motion Councillors Romard and Vizard spoke on the matter.

Roll call was required.

All in favor: Fowler, LeBlanc, Logan, McLaughlin, Rourke, Vidal, Vizard, Waddick, Giordano, Brasco, Marchese, Romard

Opposed: Darcy, McMenimen

Absent: O'Brien

Motion was adopted and the matter was approved.

Councillor LeBlanc moved to take the matter regarding 554 Lexington Street off of the table.

All were in favor. The matter was before the Council. Councillor LeBlanc stated the Mayor

would like to take this matter up in executive session. All were in favor. Councillor LeBlanc moved to move into executive session and to have Russ Malone. Clerk the meeting and for Karta Wilson to take the minutes of the meeting. All were in favor.

Roll call required.

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

Opposed: None

Absent: O'Brien

Motion was adopted and the matter was approved.

At 10:50pm the Council went into executive session.

At 11:36pm The Council was back in session.

Councillor LeBlanc moved to table the matter regarding 554 Lexington Street. All were in favor.

Matter was tabled on the Council floor.

Councillor LeBlanc submitted a request to have Paul Centofanti

Councillor fowler made a request to get an update from the Mayor regarding homeless shelter.

Councillor Vidal made a request to have the Mayor update the Council on the.141 Ash Street matter. All were in favor. Request was accepted.

Councillor Logan and Giordano made some announcements.

There being no further matters before the City Council, Councillor Logan moved to adjourn.
All were in favor. The motion was adopted on a voice vote.
President Marchese declared the meeting adjourned at 11:42p.m.

Respectfully submitted by:
Kara Wilson
Executive Assistant of the City Clerk
September 16, 2016

Approved by the City Council: _____