

COMMITTEE OF THE WHOLE

Minutes of the Meeting

June 26, 2017

1. Vice-President Logan called the meeting to Order at 11:15 pm.
2. Vice-President Logan requested that a roll call be taken to record the attendance for the meeting. The Clerk called the roll – Councillors Brasco, Darcy, Fowler, Giordano, D. Leblanc, Marchese, McLaughlin, McMenimen, O'Brien, Romard, Rourke, Vidal, Waddick and Logan were present. Councillor R. LeBlanc was absent.
3. President LeBlanc moved to approve the minutes of the June 19, 2017 meeting. The motion was adopted on a voice vote and the minutes were approved.
4. A request was received from the Mayor seeking approval of paperwork concerning the City's Home Agreement for the properties located at 5 & 7 Derby Street and 870 Moody Street. Councillor McMenimen moved to hear from Assistant City Solicitor, Patricia Azadi. The motion was adopted on a voice vote. Attorney Azadi explained the reasons and the three votes needed from the City Council for the potential buyer of the aforementioned properties. President LeBlanc moved to authorize the Mayor to sign, on behalf of the City, the Assignment and Assumption Agreement relating to 5 and 11 Derby Street and 870 Moody Street and to waive the right of first refusal on the property. The motion was adopted on a roll call vote of 14 in favor (Brasco, Darcy, Fowler, Giordano, D. Leblanc, Marchese, McLaughlin, McMenimen, O'Brien, Romard, Rourke, Vidal, Waddick, and Logan), none opposed and 1 absent (R. LeBlanc). President LeBlanc moved to authorize the Mayor to sign, on behalf of the City, the Escrow Agreement relating to 5 and 11 Derby Street and 870 Moody Street. The motion was adopted on a roll call vote of 14 in favor (Brasco, Darcy, Fowler, Giordano, D. Leblanc, Marchese, McLaughlin, McMenimen, O'Brien, Romard, Rourke, Vidal, Waddick, and Logan), none opposed and 1 absent (R. LeBlanc). President LeBlanc moved to authorize the Mayor to sign, on behalf of the City, the Subordination Agreement with Waltham Co-operative Bank relating to 5 and 11 Derby Street and 870 Moody Street in the general form of the draft agreement provided to the City Council. The motion was adopted on a roll call vote of 14 in favor (Brasco, Darcy, Fowler, Giordano, D. Leblanc, Marchese, McLaughlin, McMenimen, O'Brien, Romard, Rourke, Vidal, Waddick, and Logan), none opposed and 1 absent (R. LeBlanc).
5. Two communications were received from the Mayor concerning recent votes of the School Committee and School Building Committee requesting approval for the Fernald property as a potential site for the new Waltham High School. The first communication was to request the entire Fernald property, with a minimum of 75 usable acres, be under

the care, custody and control of the Waltham School Committee for educational, recreational and open space. The second communication was to request the City Council, the School Committee and the School Building Committee send a joint letter to the Massachusetts Historical Commission (MHC) and the Waltham Historical Commission (WHC) that they have a new request for the Fernald property and that time is of the essence regarding the Waltham High School project. Councillor McLaughlin moved to hear from the Mayor. The motion was adopted on a voice vote. Councillor Waddick spoke about the resolution of Vice-President Logan that was submitted at the City Council meeting earlier in the evening. Councillor Waddick stated the resolution was responsive to the requests of the School Committee and School Building Committee. Vice-President Logan read the resolution. Councillor McLaughlin asked the Mayor about her expectations. The Mayor stated the School Committee and the School Building Committee voted to schedule a workshop, as soon as possible, for the School Committee, the School Building Committee, the City Council, the Historical Commission and the Conservation Commission to discuss and explore the potential for a new Waltham High School and compatible uses at the Fernald property. The Mayor stated the workshop would be held on Wednesday, June 28, 2017 at 6:00pm in the Cannon Lecture Hall at Waltham High School. The Mayor expressed the urgency of sending a letter to the Massachusetts Historical Commission. The Mayor stated needs for the Fernald property are the amount of acreage, the location of the acreage, the approval from MHC and the compatible uses of the property. A motion to table the two requests of the School Committee and School Building Committee was adopted on a voice vote and the two requests were tabled.

6. Councillor Marchese moved to continue to conduct the meeting beyond midnight. The motion was adopted on a voice vote.

7. Councillor Marchese moved to take the matter of the acquisition of the property located at 101R Elm Street from the table. The motion was adopted on a voice vote. Councillor Marchese moved to hear from Assistant City Solicitor Patricia Azadi. The motion was adopted on a voice vote. Councillor Marchese asked Attorney Azadi if discussion of the 101R Elm Street acquisition should be held in Executive Session. Attorney Azadi stated the deliberation of a land acquisition is an acceptable reason for Executive Session. Councillor Marchese moved to go into Executive Session to discuss the land acquisition of the 101R Elm Street property, to invite Attorney Azadi to the Executive Session, to appoint Paul Centofanti as the Clerk of the Executive Session and to reconvene in Open Session. The motion was adopted on a roll call vote of 13 in favor ((Brasco, Darcy, Fowler, Giordano, D. Leblanc, Marchese, McLaughlin, McMenimen, O'Brien, Romard, Rourke, Vidal, Waddick, none opposed, 1 absent (R. LeBlanc) and Logan presiding - 11:55 pm.

8. Open Session was reconvened at 12:25am on August 1, 2017. Councillor Marchese moved to authorize the Mayor to negotiate with the owners of the 101R Elm Street property to acquire said property. The motion was adopted on a roll call vote of 13 in favor ((Brasco, Darcy, Fowler, Giordano, D. Leblanc, Marchese, McLaughlin, McMenimen, O'Brien, Romard, Rourke, Vidal, Waddick, none opposed, 1 absent (R. LeBlanc) and Logan presiding. Councillor Marchese moved to place the matter back on the table. The motion was adopted on a voice vote and the matter was tabled.
9. President LeBlanc moved to adjourn. The motion to adjourn was adopted on a voice vote, and the Chair declared the Committee adjourned at 12:30am.

Paul G. Centofanti - Clerk to the Committee of the Whole