

COMMITTEE OF THE WHOLE

Minutes of the Meeting

October 19, 2015

1. Vice-President LeBlanc called the meeting to Order at 8:00 pm
2. Vice-President LeBlanc requested that a roll call be taken to record the attendance for the meeting. The Clerk called the roll – all Councillors, except Councillor Stanley, were present.
3. A motion by Councillor Vizard to accept the minutes of the COW meeting held on October 5, 2015 was adopted on a voice vote.
4. A request was received from the Mayor to appropriate funds in the amount of \$100,000 from the Stabilization Fund to Law – Judgements, Claims and Settlements #001-151-5400-5760. These funds will be used to pay a judgement of the Massachusetts Superior Court for the plaintiff and against the City of Waltham. President Marchese explained the need to obey the court judgement and moved approval of the appropriation request. The motion was adopted on a voice vote.
5. A resolution concerning the two “affordable” condominium units located at 218 South Street was submitted by Councillor Logan. Councillor Logan explained there was a dramatic increase in condo fees for remediation work due to poor original construction. As a result, one’s ability to pay the increased condo fees would render the units “unaffordable” under the affordable criteria. Councillor Logan further explained that the City Council could not amend a special permit nor lift a deed restriction. The only way to provide any relief to the unit owners would be through a “home rule” petition. Councillor Logan moved to request the Law Department draft a “home rule” petition. On the motion, President Marchese and Councillor McMenimen stated they were in support, with Councillor McMenimen adding she was opposed to the original special permit and more time needs to be spent when reviewing a special permit. The motion of Councillor Logan was adopted on a roll call vote of 14-0, with Councillor Stanley absent from the meeting. Councillor Logan moved to place the matter on the table. The motion was adopted on a voice vote.
6. A request was received from the Mayor to accept the bids for the purchase of seven units (#200, #202, #203, #204, #205, #207, and #303) at The Nathaniel at Banks Square Condominiums. Councillor Vizard recused himself from the discussion and the vote on Unit #204. Councillor Giordano moved to hear from off-committee members – Mayor McCarthy, Purchasing Agent Joe Pedulla, Inspector of Buildings Bill Forte and Director of Building Maintenance Don Cusano. The motion was adopted on a voice vote. Councillor Giordano asked specific questions about the bid and evaluation procedure, particularly how certain individuals were awarded or not awarded a unit. Mr. Pedulla and the Mayor explained in detail about the evaluation criteria and scoring method, indicating that price was not the sole determinant. They also explained that an individual could bid on more than one unit but needed to list their order of preference.

Councillor Romard asked Mr. Forte several questions about the expected cost of maintaining the building, the condo fee assessment, what it would cover, determining the financing means of the bidder and a capital reserve for the property. Councillor Romard also expressed concern about the information provided or lack thereof to the bidders on the condition of the building, specifically the roof. The Mayor addressed and provided a response to each of Councillor Romard's concerns. Councillor Brasco asked a question of the Mayor regarding the City's cost of the project and the expected return to the City from the sale of the units. Councillor McMenimen asked to move the question. It was moved that each unit be voted separately by a roll call vote listed as follows:

<u>Unit #</u>	<u>Bid</u>	<u>Vote</u>
Unit 204	\$278,400	12-1 (Romard against, Vizard recused, Stanley absent)
Unit 200	\$200,000	13-1 (Romard against, Stanley absent)
Unit 202	\$291,200	13-1 (Romard against, Stanley absent)
Unit 203	\$247,000	13-1 (Romard against, Stanley absent)
Unit 205	\$285,000	13-1 (Romard against, Stanley absent)
Unit 207	\$302,605	13-1 (Romard against, Stanley absent)
Unit 303	\$266,792	13-1 (Romard against, Stanley absent)
Unit 302	Bid filed	14-0 (Stanley absent)

7. A request was received from the Community Preservation Committee to appropriate the amount of \$1,200,000 of CPA funds from the available balance of the CPA-Open Space Budget Reserve and the remaining amount from the CPA-Undesignated Budget Reserve to account #246-172-5800-7914 CPA-Demolition of Twenty (20) Buildings at Fernald. These funds will be use to demolish twenty (20) non-historic buildings on the CPA funded portion of the Fernald property. Councillor McMenimen recused herself from the discussion and vote. Councillor McLaughlin explained the use of the funds was to allow for the restoration of the wetlands and improve/mitigate flooding. Councillor McLaughlin moved approval of the appropriation. The motion was adopted on a voice vote.
8. A motion by Councillor Vizard to adjourn was adopted by a voice vote and the Chair declared the committee adjourned at 9:30 pm.

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