

COMMITTEE OF THE WHOLE

Minutes of the Meeting

October 5, 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 were present.
3. A motion by President Marchese to accept the minutes of the COW meeting held on September 21, 2015 was adopted on a voice vote.
4. A resolution concerning the land acquisition of 1 Balm Road was submitted by Councillor Fowler. After a brief discussion of the matter, Councillor Fowler moved that the three (3) “be it resolves” of the resolution be acted on separately. The motion was adopted on a voice vote. Councillor Fowler moved to approve the “Be it further resolved that the City Council request the Community Preservation Committee to use administrative funds to have an appraisal conducted on the property”. The motion was adopted on a voice vote. Councillor Fowler moved to table the first and second “be it resolved” of the resolution. The motion was adopted on a voice vote.
5. Councillor Waddick moved to take the matter of the PRC recommendation for 25 Lexington Street garages (8/3/2015) from the table. The motion was adopted on a voice vote. Councillor Waddick stated a communication on the evaluation of 25 Lexington Street garages was received from the Mayor; however it did not contain a request for action. A motion to hear from off-committee members – Purchasing Agent Joe Pedulla and Inspector of Buildings Bill Forte was adopted on a voice vote. Councillor Waddick asked about the control of the building and stated there was no declaration of surplus. Mr. Pedulla stated that the Inspector of Wires had control and Mr. Kelly verbally declared it surplus. Councillor Waddick questioned the wisdom of declaring the garages as surplus if there was a continued municipal use. Councillor Waddick reiterated that there was no request for action and moved to table the matter. On the motion Councillors Vizard and Logan asked questions about the surplus procedure and asked for a “declaration of surplus” letter from the Inspector of Wires. The motion to table the matter was adopted on a voice vote.
6. President Marchese moved to take the matter of the marijuana dispensary (8/3/2015) from the table. The motion was adopted on a voice vote. President Marchese moved to hear from an off-committee member – Assistant Solicitor Pat Azadi. The motion was adopted on a voice vote. Attorney Azadi gave a brief historical perspective and timeline of the statute and regulations for medical marijuana dispensaries. Attorney Azadi explained the differences between an applicant’s licensing (DPH standards) and permitting (City Council standards) and the ability of the City Council to act on each in an independent, unbiased manner. Attorney Azadi suggested the formation of a sub-committee of City Councillors or a Mayor appointed committee of specific department heads to evaluate the application and make a recommendation to the City Council.

President Marchese moved to request , “The City Council Requests the Mayor to establish an Ad Hoc Committee made up of the Planning Director, Inspector of Buildings, Auditor, Police Chief, Fire Chief, and Health Director, to review any applicant’s written request for Letters of Support/Non Opposition for a Medical Marijuana Treatment Facility to be potentially located in Waltham, and for the Ad Hoc Committee to evaluate the proposal with respect to the State DPH Regulations and State Statute, and to provide both the City Council or any City Council Committee to which a matter has been referred, and the Mayor with its recommendation.” The motion was adopted on a voice vote.

7. Councillor McMenimen moved to take the matter of the School Superintendent (9/14/2015) from the table. The motion was adopted on a voice vote. The Clerk of the Committee informed the Committee members that Superintendent of Schools, Dr. Echelson, would attend the November 16 meeting of the Committee of the Whole. A motion by Councillor McMenimen to table the matter was adopted on a voice vote.
8. A motion by Councillor Logan to adjourn was adopted by a voice vote and the Chair declared the committee adjourned at 9:05 pm.

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