



Watertown Town Council
Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ELECTED OFFICIALS:

Mark S. Sideris
Council President

Stephen P. Corbett
Vice President

John A. Donohue
Councilor At Large

Susan G. Falkoff
Councilor At Large

Anthony Palomba
Councilor At Large

Angeline B. Kounelis
District A Councilor

Cecilia Lenk
District B Councilor

Vincent J. Piccirilli, Jr.
District C Councilor

John J. Lawn, Jr.
District D Councilor

Town Council Meeting
Tuesday, June 8, 2010 - 7:15 PM
Richard E. Mastrangelo Chamber
Administration Building

ADOPTED MINUTES

1. ROLL CALL: A regular meeting of the Town Council was called to order at 7:15 pm, in the Richard E. Mastrangelo Chamber, Administration Building. Present for the meeting were Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris. Also present were the Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk Valerie Papas.
2. PLEDGE OF ALLEGIANCE
3. ACCEPTANCE OF MINUTES: [May 25th](#) and [June 1st](#). Councilor Piccirilli moved the minutes for May 25th as amended, seconded by Councilor Lawn and adopted by voice vote. Councilor Piccirilli moved the minutes of June 1st as written, seconded by Councilor Lawn and adopted by voice vote.
4. PUBLIC FORUM: None noted.

Councilor Donohue moved to Suspend the Rules in order to bring forward **agenda item 8A** a) Acceptance of a proclamation recognizing the 100th birthday of [Edythe Pane](#) – sponsor John A. Donohue, Councilor. Councilor Lawn seconded the motion and it was adopted by voice vote. Councilor Donohue read and presented a proclamation to Edythe Pane recognizing her 100th birthday. Councilor Falkoff moved to accept the proclamation, seconded by Councilor Piccirilli and adopted by voice vote. Mrs. and Mr. Pane thanked the council for the honor.

Councilor Donohue moved to Suspend the Rules in order to bring forward **agenda item 6B**, b) Public hearing and vote on a [petition](#) by Verizon requesting permission to relocate a joint owned pole#3/22 Arlington Street approximately 10 feet to the north of existing pole# 3/22 in order to provide new access to new parking spaces at 190-102 Arlington Street at the property owner's request. Councilor Piccirilli seconded the motion and it was adopted by voice vote. The Chair recognized Verizon Representative, John Callahan who provided an overview of the petition. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Kounelis made an inquiry of who will be paying to have the pole relocated. Mr. Callahan stated that the owner of the property will incur the expense.

Councilor Piccirilli stated that while he is in support of the petition to relocate the pole, he expressed concern about double poles and old poles asking why it is so difficult to get these poles removed. Councilor Piccirilli read [Mass General Law, Chapter 164: Section 34B](#) which states that the owner of the pole has 90 days to remove the old pole. Mr. Callahan indicated that they have a backlog of work and are trying to address the issue. Councilor Piccirilli asked for a list of all double poles as well as new/old poles. Councilor Piccirilli indicated that Mr. Callahan's non-responsive answer to this ongoing problem was disconcerting.

Councilor Kounelis echoed comments made by Councilor Piccirilli stating that she has been working on this problem of double poles for many years.

Councilor Piccirilli moved to Table the petition until the next meeting, seconded by Councilor Lawn and adopted by voice vote, with Councilor Palomba voting in opposition.

Councilor Donohue moved to Suspend the Rules in order to bring forward **agenda item 7**, a) Committee on Education and School System Matters report on the Fiscal Year 2011 School budget – Cecilia Lenk, Chair. Councilor Lawn seconded the motion and it was adopted by voice vote.

Councilor Lenk read the committee [report](#).

Councilor Piccirilli moved to accept the committee report, seconded by Councilor Lawn and adopted by voice vote.

5. REPORT OF THE COMMITTEE OF THE WHOLE AND FINANCE:

a) Public Hearing and Vote on the Fiscal Year 2011 Budget and Related Matters. Council President Sideris read a statement regarding the [rules and procedures](#) of tonight's public hearing and vote on the Fiscal year 2011 budget.

The Chair called upon Town Attorney Mark Reich to review conflict of interest laws as it pertains to councilors voting on budget issues.

Mr. Riech stated that questions have arisen from time to time regarding councilors voting on town budgets which have relatives employed in a particular town department. He indicated that Councilors are voting on an overall budget, not any particular salaries or salary line items; therefore there is no conflict of interest.

The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Town Auditor, Thomas Tracy, read each line item. It was noted that any line item not "passed" on is automatically adopted. The Chair opened up the hearing to the legislative mode for council comment.

Councilor Kounelis "passed" on the police and fire department budgets.

Councilor Donohue "passed" on the School Department budget.

Councilor Kounelis stated that she is uncomfortable with the reduced manpower in public safety. She is concerned about the public safety and indicated that it is incumbent on the administration to ensure adequate staffing levels are properly maintained.

Councilor Donohue spoke of the need to eliminate unnecessary overhead costs in the school budget, pointing to the human resource position salaried at \$85,000, which is not a teaching position, and noted that he wants more of the funds going directly to the students.

Councilor Piccirilli read a [statement](#) supporting the consolidating of support services between the school and town departments. He asked that replacement of a school personnel director not be hired at this time and that the

school work with the manager on a plan to share town/school human resources.

Councilor Lenk stated that she supports Councilor Piccirilli's recommendation.

Councilor Palomba stated that you cannot assume that the town and school can reach an agreement easily, without a lot of time, energy and discussion. Councilor Palomba stressed that he does not want to see the school hindered without adequate staff and noted that this is not the place or time to initiate that discussion.

Councilor Lawn stated that he supports Councilor Piccirilli and disagreed that this is not the time; noting that this is a perfect time for such discussions.

Vice President Corbett concurred with Councilor Piccirilli and noted that this issue of providing a staff position in a common/shared way is not complicated.

The Chair stated that while the concept is a good one, the Council must be careful, as the Council can only make a recommendation or suggestion; and cannot direct the school on how to spend its money.

School Committee Chairman Paolillo indicated that the school department is excited and wants to start that conversation with the manager as soon as possible. He noted that there are no plans to fill the position at this time but that the school intends to keep the money in the budget as is, noting the issue is complex. He stated that the school's administrators will be pulling the work load of the vacant position.

The Manager indicated that it is a good idea to have discussions beginning as early as Monday on an interim solution and start discussion on a shared position.

Councilor Donohue withdrew his pass on Education.

Councilor Falkoff moved the entire budget, less the police and fire departments, seconded by Councilor Lawn and

adopted by a roll call vote of 8 for 1 against, with Councilor Kounelis voting against.

Vice President Corbett moved the police department budget, seconded by Councilor Lenk and adopted by a roll call vote of 8 for, 1 against, with Councilor Kounelis voting against.

Councilor Corbett moved the fire department budget, seconded by Councilor Lawn and adopted by a roll call vote of 8 for, 1 against, with Councilor Kounelis voting against.

Councilor Donohue moved Other Financing Sources, seconded by Councilor Lenk and adopted by unanimous roll call vote.

Councilor Lenk moved the Water and Sewer Enterprise Budget, seconded by Councilor Lawn and adopted by unanimous roll call vote.

Councilor Falkoff moved to reconsider the budget, with the hopes that the motion fails, seconded by Councilor Piccirilli and defeated by unanimous roll call vote.

The Chair called for a five minute recess.

6. PUBLIC HEARINGS AND VOTES:

a) Public hearing and vote on a [Proposed Loan Order](#) authorizing the Town Treasurer with the approval of the Town Manager to borrow and/or expend monies in the amount of \$525,000 under Chapter 44 of the General Laws or any other enabling authority for the costs of remodeling, reconstructing or making extraordinary repairs to various school buildings, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair. The Manager provided an overview of the loan order.

Mr. Paolillo stated that he is excited about welcoming the Family Network to the building also to make sure that seniors do not lose any space that they now enjoy. Jay Francione provided a lengthy and detailed overview of the 6 buildings to receive repairs or renovations.

Councilor Lawn thanked the schools for working with Family Network and asked for start and completion dates. It was noted that the work can begin as soon as tomorrow and can be finished sometime in August.

Councilor Corbett asked if the proposed daycare center will be self sufficient. School Committee Chair Anthony Paolillo indicated that it will be.

Councilor Palomba also expressed appreciation to the school department for working with Family Network on top of the many budget issues the school committee has had to address.

Councilor Lenk encouraged the school department to begin talks with the Senior Center as they move forward with the proposed renovations of the Phillip School and parking lot.

The Manager reviewed the financial aspects of the loan order.

Councilor Corbett moved the Loan Order, seconded by Councilor Lawn. Councilor Donohue moved a friendly amendment to add the words “furniture and related equipment”, seconded by Councilor Falkoff and adopted by unanimous roll call vote.

8. MOTIONS, ORDERS AND RESOLUTIONS:

b) [First Reading](#) on a proposed Order establishing Water and Sewer Rates and Charges for Fiscal Year 2011. The Manager provided a brief overview of the Order and noted that the matter will be advertised in the local paper for a public hearing and vote at the June 22nd Town Council meeting.

c) Resolution authorizing a [transfer](#) in the amount of \$3,500 to fund the Fiscal Year 2010 Community Development & Planning Contracted Services Account for the remainder of the fiscal year. The Town Manager provided a brief overview of the transfer. Councilor Piccirilli moved the resolution, seconded by Vice President Corbett and adopted by unanimous roll call vote.

d) Resolution authorizing the establishment of a [Revolving Fund](#) for the Commander’s Mansion activity during Fiscal Year 2011. The Town Manager provided a brief overview of the revolving fund.

Councilor Falkoff moved the resolution, seconded by Councilor Lawn and adopted by unanimous roll call vote.

Councilor Donohue moved to Suspend the Rules to add a late agenda item, President's Report, seconded by Vice President Corbett and adopted by voice vote.

The Chair asked that two matters be referred to Public Works: a recycling center and driveway permit procedures. Vice President Corbett moved the referral, seconded by Councilor Palomba and adopted by voice vote.

The Chair announced that Relay for Life will take place this Saturday at Victory Field. He asked that councilors make a team donation to the worthy cause.

The Chair announced that the Charitable Ad Hoc Committee will commence their work next week to discuss 21 standard applications and 2 special awards.

9. COMMUNICATIONS FROM THE TOWN MANAGER:

a) [Request for approval](#) of Town Attorney. The Manager provided a brief overview of the matter noting that Kopelman & Paige has been the town attorney since 1993, and Mark Reich our legal representative since 2003.

Vice President Corbett moved the approval of Kopelman & Paige, seconded by Councilor Lawn.

Councilor Kounelis indicated that a non-binding discussion by the Town Council on the matter two years ago recommended going out to bid on the contract.

The Chair suggested that the matter be referred to the committee on Personnel and Town Organization so that something will be formally in place going forward on future appointments.

Councilor Kounelis noted that she cannot support the appointment unless a fair process is followed.

Councilor Falkoff noted that she has found the law firm to be very responsive and provide good service for a reasonable fee.

The approval of Kopelman and Paige was adopted by a roll call vote of 8 for and 1 against, with Councilor Kounelis voting against.

Councilor Lawn moved to refer the Town Attorney selection process to Personnel and Town Organization to discuss the process going forward, seconded by Vice President Corbett and adopted by voice vote.

10. REQUEST FOR INFORMATION

Councilor Falkoff asked that an explanation be provided on why some boards and commissions are paid and others are not.

Councilor Kounelis asked for a report on what line item and/or trust fund new uniforms and painted cruisers came out of. She asked how many cruisers were painted and how monies can be utilized by the Federal Law Enforcement Trust Fund. The Manager noted he will have a presentation on the matter at the next meeting.

11. ANNOUNCEMENTS

The Chair reminded councilors that he will be scheduling a session to discuss new open meeting laws before July 1st.

12. PUBLIC FORUM – None noted.

13. ADJOURNMENT: There being no further business to come before the Council, Vice President Corbett moved to adjourn the meeting at 9:20 pm, seconded by Councilor Palomba and adopted by unanimous vote.

[Addendum.](#)

I hereby certify that at a regular meeting of the Town Council for which a quorum was present on June 22, 2010, the above minutes were adopted by voice vote.

Mark S. Sideris, Council President