



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
Wednesday, September 15, 2010 at 7:15 pm
Richard E. Mastrangelo Chamber
Administration Building

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:** [August 10, 2010](#). Councilor Lawn moved to accept the minutes, seconded by Councilor Piccirilli. Councilor Kounelis requested and moved an amendment to the minutes by adding the following language under 8 New Business "Councilor Kounelis thanked Mr. Hayward, Mr. Magoon and Mr. Mee for paying for, securing and installing plaques which were stolen from Phillipello Park"; seconded by Vice President Corbett. The minutes as amended were adopted by voice vote with 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 voting in favor.
4. **PUBLIC FORUM**
The Chair opened up the public forum and recognized:
 1. Fire Chief Mario Orangio – noted that October is Breast Cancer Awareness Month and that the International Association of Firefighters along with local firefighters will be promoting Breast Cancer awareness month. A booth will be at the Faire on the Square where tee shirts can be purchased. Mr. Thibaut added that the goal is to education for early detection which is key to survival.

2. Firefighter Thomas Thibaut – spoke in support of a [SAFER](#) (Staffing for Adequate Fire and Emergency Response) grant which has a September 17th deadline for submission of an application to the Department of Homeland Security. Mr. Thibaut also spoke in support of military pay benefits for local 1347 firefighters that have served in the military and continue to serve. He noted that other town employees have been and continue to receive this benefit. Firefighter Patrick Menton indicated that he served in Kuwait and Iraq in 2003 and respectfully requested that the town fulfill their duty with respect to military pay compensation.

The Chair indicated that due to the SAFER grant having a September 17th deadline, the matter cannot be referred to subcommittee for study and recommendation. Councilor Kounelis stated that since the council cannot meet to address the issue, it should be taken care of by the manager. She noted that this has been utilized in the police department and is asking why not the fire department.

The Chair recognized Chief Mario Orangio who stated that the grant would pay 100% of a firefighter's salary for two years with the stipulation that the town pay the third year. The Chief indicated that he did not apply for the grant due to fiscal constraints. The Manager indicated that discussions on the matter were held last spring and that the requirements of the grant were onerous due to the budget crisis. He noted that he has not seen the document handed out tonight. The Chair asked that the manager report back to the council on the matter by the September 17th grant deadline.

With respect to the military pay issue, the manager indicated that the matter has to be resolved within the local fire union's Memorandum of Agreement. He indicated that he has not heard back from the union with respect to the Memorandum of Agreement but that the town auditor, veterans' agent and others have been working on this matter in order to remedy the situation. The Chair asked that the Manager report back to the Council on the matter before the next town council meeting.

3. Rena Baskin, 15 Franklin Street - forwarded a petition regarding the Franklin Street neighborhood vision as it relates to a proposed development at 53 Rear Franklin/30 Rear Washburn Streets.
4. Janet Lee – spoke regarding her concern over a parking ticket she received. The Chair indicated that he will take the information and get back to Ms. Lee on the matter.

Councilor Piccirilli moved to bring forward agenda item 10 a) [Update](#) on Double Poles prior to taking up the matters of petitions, seconded by Councilor Lawn and adopted by voice vote with 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 voting in favor.

The Manager provided an overview of progress made with respect to the removal of double poles within the agreed upon 90 day period. He indicated that out of 224 double poles 57 were removed, leaving 172 needing to be addressed.

5. PUBLIC HEARINGS AND VOTES:

a) On a [petition](#) by National Grid to install and maintain approximately 40 feet, more or less, of 6-inch gas main in Madison Avenue, from the existing 6-inch main in Madison Avenue at house #97 westerly for new gas service to House #81 Nyack Street.– Dennis Regan, National Grid. The Chair opened up the public hearing. There being no comments, the hearing was closed.

Mr. Regan indicated that a list was previously requested of bad or inferior patches, which is presently being compiled. Councilor Piccirilli stated that he appreciates the level of cooperation taking place. The Chair asked if National Grid has an existing data base of work orders, patches and the like. Mr. Peter Nagel from National Grid's Community Services division stated that there is a data base to track projects with added notations regarding patches, etc., Mr. Mee stated that an official from National Grid was in the office and that they are working on the data base and Public Works permit process. He further noted that yesterday, visits to various locations were undertaken as well.

The Chair stated that this is the only opportunity the Council has in addressing outstanding issues with utility companies, while not singling out any one company the Council does need to take the opportunity to address issues of importance and/or constituent complaints. Councilor Palomba thanked those involved with respect to the Nyack Street work which was a request of a resident. Councilor Piccirilli moved the petition, seconded by Councilor Palomba and adopted by voice vote with 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 voting in favor.

b) On a [petition](#) by NSTAR to install and maintain approximately 39 feet of conduit in Fayette Street to provide underground electric service for 3 new condominium buildings known as Nally Estates at Waverly Avenue & Fayette Streets – Sheila Gillis, NSTAR. The Chair recognized Ms. Maureen Carroll, NSTAR representative filling in for Ms. Gillis. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Piccirilli reiterated the double pole removal agreement. He also noted the work on Pleasant Street has been on hold due to the need to remove double poles. This is high priority and asked Ms. Carroll for a commitment to this. Ms. Carroll stated that she will contact all those involved in order to set up a meeting with Mr. Mee.

The Chair stated that all the utility companies are here tonight, while the Council does not want to reject projects, the Council is concerned with these double poles which must be resolved.

The Manager asked for a commitment with a response tomorrow. This project needs to be completed and is being held up by poles that need to be removed.

Councilor Piccirilli moved to approve the petition, seconded by Councilor Palomba and adopted by voice vote with 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 voting in favor.

c) On a [petition](#) by Comcast to place a single 3-inch conduit from pole# 11 on Waverly Avenue and crossing Waverly Avenue approximately 50 feet; boring under existing sidewalk 4 feet to enter property of Nally Estates; trench will continue approximately 50 feet to location of said building at corner of Waverly and Fayette Streets. It is the developer's responsibility to place Comcast conduit from this building to each of its two buildings on the site – Michael Cooke, Comcast. Mr. Foss, Comcast Supervisor acknowledged the issue of poles noting that this will be addressed promptly. Councilor Piccirilli noted that Comcast is down the list but there needs to be coordination between the companies. He asked Mr. Foss to put this on high priority. Mr. Foss stated that the buck stops with him and that Mr. Mee will be contacted. Councilor Lenk asked for assurances that the street will be put back in better condition. Mr. Cooke stated that Waverly Avenue will be restored and in better condition than before. Councilor Piccirilli moved the petition, seconded by Councilor Lawn and adopted by voice vote with 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 voting in favor.

d) On a [petition](#) by Verizon to place one 4-inch duct 35 feet southerly from pole# 26 Fayette Street to the property line of Nally Estates on Waverly Avenue/Fayette Street in order to provide service to new residence – John Callahan, Verizon. The Chair opened up the hearing to the public. There being no comments, the hearing was closed. Councilor Piccirilli reiterated the pole removal concern, specifically Pleasant Street, not forgetting the other poles. Councilor Lenk echoed Councilor Piccirilli's comments and asked that the issue be dealt with as a high priority. Councilor Lawn asked that a double pole in front on the new police station, 552 Main Street, be removed due to the blockage of a pylon. Mr. Mee stated that there has been some activity on it but it is a Verizon pole which is in a poor location. Councilor Piccirilli moved the petition, seconded by Councilor Donohue and adopted by voice vote with 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 voting in favor.

e) On a [petition](#) by Verizon to place one 4-inch duct 52 feet easterly from pole# 144/10 Waverly Avenue to the property line of Nally Estates on Waverly Avenue/Fayette Street to provide new service to residence – John Callahan, Verizon. Mr. Callahan indicated that this petition has been withdrawn by the contractor.

6. REPORTS OF COMMITTEES:

a) Committee on Public Works [report](#) on Tree Regulations and/or Ordinance and action on the [re-appointment](#) of Ms. Ernesta Krackiewicz to the Stormwater Advisory Committee. Councilors Falkoff and Piccirilli read the report. It was noted that the Committee interview Mr. Krackiewicz for re-appointment. The Committee also discussed tree pruning practices, proposed local regulations and state-wide regulations. The subcommittee will meet on October 5th to review revised local regulations and on November 30th to discuss road projects. Councilor Kounelis moved to accept the report, seconded by Councilor Lawn and adopted by voice vote. Councilor Falkoff moved to reappointment Ms. Krackiewicz for re-appointment, seconded by Councilor Lenk and adopted by voice vote with 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 voting in favor.

7. MOTIONS, ORDERS AND RESOLUTIONS:

a) [Resolution](#) authorizing a contract term in excess of three years for the purchase of Energy Management and Related Services. The Chair recognized Ms. Rayleen Parsons, Purchasing Director who stated that the solar panel installation will take approximately three months, followed by Broadway Electric maintaining the system; in which the produced energy will be sold back to Public Works for 3 cents per kilowatt hour as opposed to the current 17 cents. The clean energy electricity will provide 14% of the department's needs with the remainder of the needs being met by current means. The town will save \$919,800 over fifteen years assuming rate of 17 cents remains in effect for the fifteen years. The Chair read the resolution. Councilor Lawn moved the resolution, seconded by Councilor Falkoff and adopted by voice vote with 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 voting in favor.

8. NEW BUSINESS

Councilor Lawn indicated that the Personnel & Town Organization Committee met earlier this evening to discuss a full time Principal Clerk position to be shared by the Town Treasurer/Collectors Office (20 hours) and Town Assessor's Office (17.5 hours). Councilor Lawn stated that the Manager provided an overview of the position. It was noted that this position will be interim until it has been reviewed to see if it meets the needs of the two departments. The review will be undertaken within the next six or seven months with a report back to the Town Council. Councilor Lawn stated that the Committee voted to unanimously support the proposed revision of the position. Vice President Corbett moved to accept the report, seconded by Councilor Lawn and adopted by voice vote with 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 voting in favor.

Councilor Lawn moved to approve the proposed position as outlined, seconded by Vice President Corbett and adopted by voice vote with 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 voting in favor.

Councilor Kounelis stated that she highly supports the fire department pursuing the SAFER grant. Councilor Kounelis requested that a letter from Mr. Omartian regarding establishing a committee to study the Charles River dam for alternative energy be forward to the Environment and Energy Efficiency committee.

9. PRESIDENT'S REPORT

a. The Chair stated that he will be presenting a resolution on the FY 2012 Budget process at the next meeting.

b. [Communication](#) from Councilor Lenk regarding a [proposed neighborhood conservation district](#). Councilor Lenk indicated that she would like to refer to subcommittee the creation of neighborhood conservation districts and a proposed re-zoning of certain areas currently zoned industrial to be re-zoned as residential. The Chair asked for a motion to refer the two items to the subcommittee of Economic Development and Planning for discussion and report back. Vice President Corbett moved the matter, seconded by Councilor Palomba and adopted by voice vote with 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 voting in the affirmative.

c. Noting the recent retirement of a public work's employee, the Chair asked that the Personnel and Town Organization subcommittee look at the structure of the public works department to see if the way it is currently structured is working for the town or should it be changed going forward. Councilor Falkoff moved the matter, seconded by Councilor Lenk and adopted by voice vote with 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 voting in the affirmative.

a. Regarding evaluations and the manager's contract, the Chair asked that the Personnel and Town Organization subcommittee review the evaluation tools for the manager, auditor and clerk as well as the town manager's contract. Councilor Lawn moved the matter, seconded by Vice President Corbett and adopted by voice vote with 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 voting in the affirmative.

- b. Regarding concerns voiced at a recent Charter Commission meeting by the Manager, the Chair asked that the Personnel and Town Organization subcommittee examine the reorganization and structure of the manager's position as it relates to the need for an assistant and/or a reorganization of the structure. Councilor Lawn moved the matter, seconded by Councilor Piccirilli and adopted by voice vote with 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 voting in the affirmative.

10. COMMUNICATIONS FROM THE TOWN MANAGER:

- a) [Update](#) on Double Poles
- b) [Request for Confirmation](#) – appointment and reappointments to the Cable Access Corporation Board of Directors – referred to the Education and School System Matters subcommittee.

The Manager thanked the Ad Hoc Charitable Committee for their efforts in providing \$100,000 to charitable groups.

Regarding a bill signed by Governor Patrick, Chapter 188, Chapter 10 – Emergency Relief Act to develop targeted early retirement programs, the Manager noted that he will not be recommending the local adoption of the Act given the purpose of the Act and the town's desire to maintain the current staffing levels. The Act, he indicated, is not in the best interest of the community at this time.

Regarding a resident's comments during public forum related to a parking ticket dispute, the Manager indicated that there are provisions that allow any resident to appeal or dispute a parking ticket, and that the process does not include coming to the town manager or town council. He further noted that the Parking Clerk has the ability, if the matter is not resolved, to bar or hold the registration. The Manager thanked the Chair for making sure that everyone can express their opinion but not make statements against someone's character.

11. REQUEST FOR INFORMATION

Councilor Donohue asked for a list of stumps, cost of removal and timeline for removal.

12. ANNOUNCEMENTS

Councilor Lawn invited the public, Thursday, September 30th at 5:15 pm to tour the new police station building.

Councilor Lawn announced that the Recreation Department will hold a public meeting on October 5th at 7:00 pm to discuss the re-design of the park behind the police station; an architect will be there to answer questions from the public.

Councilor Lenk announced that there will be a meeting on September 20th at 7:00pm at the Watertown Free Public Library to discuss the Franklin Street/Washburn Street proposed development. The town's planning director, Mr. Steve Magoon to discuss the planning process, along with Andrew Friedman to discuss the clean-up of the parcel and Terry Morris, representing the developer.

Councilor Kounelis requested that a thank you letter be sent to Tufts Health Plan for the clean-up efforts at the Mt. Auburn Cemetery. The Manager requested that the letter include a thank you for the donation of three defibrillators as well.

Councilor Corbett announced that the Planning Department will host on September 30th at 6:30 pm at the High School a meeting to discuss the Economic Development Study.

Councilor Falkoff announced the Faire on the Square event on September 25th from 10am to 4pm. The Chair reminded the Council that they have a table at the faire to meet and greet residents.

The Chair, on behalf of the Charitable Committee members, thanked Mary Power, Vice President of Harvard University Public Relations.

The Chair announced that at the September 28th Town Council meeting, the Council will have a presentation on school renovations/repairs that took place this past summer.

13. PUBLIC FORUM – none noted.

14. [EXECUTIVE SESSION](#) – To consider the purchase, exchange, taking, lease, or value of real property. Vice President Corbett moved to adjourn the Town Council meeting at 9:00 pm and go into executive session to discuss the above stated purpose. It was noted by the Chair that discussing the matter in public session may have be a detriment to the community. The motion was seconded by Councilor Donohue and adopted by unanimous roll call vote with 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 voting in the affirmative.

[Addendum](#) – Adopted matters of business.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted on September 28, 2010 by voice vote.

Mark S. Sideris, Council President