

MINUTES

TOWN COUNCIL MEETING

TUESDAY, FEBRUARY 13, 2007 AT 7:15 PM

RICHARD E. MASTRANGELO CHAMBER

ADMINISTRATION BUILDING

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 Stephen Corbett, Marilyn M. Petitto Devaney, John A. Donohue, John J. Lawn, Jr., Jonathan Hecht, Angeline B. Kounelis, Stephen E. Romanelli, and Vice President Mark S. Sideris. Also present Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk, Valerie Papas. Council President Clyde Younger, and Councilors Lawn and Romanelli were absent.

2. PLEDGE OF ALLEGIANCE

3. EXAMINATION OF MINUTES: January 23rd. Councilor Hecht moved to Table the minutes, seconded by Councilor Donohue and adopted by voice vote.

4. PUBLIC FORUM: none noted.

5. PUBLIC HEARINGS:

- A. Resolution to Accept Chapter 260 of the Acts of 2006 regarding Veterans Exemptions Benefits. Vice President Sideris recognized Mr. Daniel Loughlin, Town Assessor who provided an overview of the MERIT plan which provides additional benefits to veterans and increased reimbursements to cities and towns. It was noted that the next expenditures were not significant. It was also further noted by Mr. Loughlin that the legislature just recently adopted this particular Chapter as recently as November.

Councilor Kounelis stated for the record that she will be recusing herself from voting on the resolutions 5C & 5D.

Councilor Devaney stated that she is happy to increase this benefit as it targets veterans.

Councilor Devaney moved the resolution, seconded by Councilor Donohue and adopted by voice vote.

B. Resolution to Accept Provisions of G.L. Chapter 136 Section Clause 41A regarding property tax deferral program. Mr. Loughlin provided a brief over of the provisions of this chapter and stated that only 10 residents participate in this program at an interest rate of 8%. Mr. Loughlin noted the Chapter has been in place for many years and that most of those who qualify to participate do not apply because the deferred debt passes on to their heirs. It was further noted by Mr. Loughlin that the Board of Assessors are recommending that the percentage rate remain at 8% for this program.

Councilor Devaney moved to adopt the provision at the rate of 6%. There being no second, the motion failed.

Councilor Corbett moved to adopt the provision at the proposed rate of 8%, seconded by Councilor Kounelis and adopted by unanimous vote.

C. Resolution to Accept Provisions of G.L. Chapter 59 Section Clause 41C ½ as amended by Chapter 139 of the Acts of 2006. Mr. Loughlin provided an overview of the resolution which requires a ballot vote at the next regularly scheduled municipal election. It was noted that the provision does not significantly increase nor does the reimbursement rate, but that the eligibility requirement changes dramatically with an income requirement of \$46,000 for single applicant and \$58,000 for married applicant and the elimination of an asset test. Mr. Loughlin noted that the legislature expanded 41C ½ and made it a local option. It is estimated that approximately 1,000 residents would qualify with a net impact to the town of nearly \$1 million. One option would be to select a lower benefit (5%) which would impact the overlay account by about \$195,000.

Councilor Hecht stated that while this won't affect the 2007 budget he would like to suggest putting the vote off in order to make a better judgment a few months from now which won't effect the requirement of placing the matter on the ballot in November.

Councilor Devaney spoke in favor of voting the matter tonight to be placed on the ballot in November and noted that the middle class never get a break.

Councilor Donohue concurred with Councilor Hecht and moved to send the matter to the subcommittee of Budget and Fiscal Oversight for further study, seconded by Councilor Corbett

The Manager indicated that the budget will be submitted in April and thereafter the matter can be deliberated and placed on the November ballot if it is the Council's wish.

The motion was adopted by a vote of 4 in the affirmative, 1 against and 1 Present.

D. Public hearing and vote on an Order setting the Optional Exemptions on Property Tax Assessments for Fiscal Year 2007. Mr. Loughlin provided an overview of the proposed Order noting that the Order is voted every year by the Council, with 342 recipient at a cost of \$272,650 from the Overlay account.

Vice President Sideris moved to open the hearing up to the public. There being no comments, the hearing was closed.

Councilor Devaney moved to adopt the Order, seconded by Councilor Corbett and adopted by unanimous roll call vote, with Councilor Kounelis recusing herself.

6. COMMITTEE REPORTS:

A. Rules and Ordinances Committee report on appointments to various boards/commissions, amendment to rules to improve decorum & efficiency of council proceedings, a policy on emails and a proposed temporary moratorium on construction of

multi-family residential apartments/condominiums – Jonathan Hecht. Councilor Hecht stated that the Rules and Ordinances Committee met last night to discuss the proposed temporary moratorium on construction of multi-family residential apartments/condominiums. The tentative schedule would be for the Planning Board hold their public hearing on March 14th with the matter coming back to the Town Council on March 27th. Councilor Hecht indicated that the remaining matters scheduled for discussion in Committee were continued. Councilor Devaney moved to accept the verbal report, seconded by Councilor Donohue and adopted by voice vote.

Mr. Watson, Community Development & Planning Director stated that the Council needs to vote to refer the matter to the Planning Board and have a first reading of the Ordinance.

Councilor Corbett inquired if an ordinance is the only way to implement a temporary moratorium. Attorney Reich stated that a resolution would not have the necessary impact on building permits and process of development that an ordinance would have.

Councilor Devaney spoke in favor of the Ordinance.

Councilor Kounelis also spoke in favor and noted that the east end of town is especially dense.

Councilor Corbett stated that he is not in favor of this Ordinance but that he does not have a problem with sending it to the Planning Board for their consideration and public hearing.

Councilor Donohue moved to Suspend the Rules in order to bring forward agenda item 7A

a First Reading on a proposed Ordinance regarding a Temporary Moratorium on construction of multi-family residential apartments/condominiums along the Pleasant Street Corridor, seconded by Councilor Hecht and adopted by voice vote.

Vice President Sideris read the agenda item as a first reading.

Councilor Devaney moved the referral, seconded by Councilor Kounelis and adopted by voice vote.

B. Charitable Ad Hoc Committee Report on Rules and Guidelines – Mark S. Sideris, Chair. Councilor Sideris read the Committee report and asked that the Council vote on the finalized ground rules and guidelines. Councilor Devaney moved to approve the report (attached), seconded by Councilor Donohue and adopted by voice vote.

Councilor Sideris reviewed the timetable and guidelines and noted that he hopes to have the decisions for distribution by August and distribution to organizations by September.

Councilor Donohue moved to accept the guidelines, seconded by Councilor Devaney and adopted by voice vote.

C. Public Safety Committee report on an additional ambulance and fire training officer – Mark S. Sideris, Chair. Councilor Sideris reviewed the recommendations of the Committee report which he noted called for continued discussion on an additional ambulance and fire training officer. Councilor Sideris indicated a typos and asked that the report be accepted as amended.

Councilor Devaney moved to accept the report as amended, seconded by Councilor Corbett and adopted by voice vote.

Councilor Devaney noted that the need has been shown and lives can be saved.

The Manager stated that there are no revenues to bring on 8 more firefighters.

Councilor Hecht stated that training firefighters are important but do not agree with giving the town manager recommendations on staffing levels. Councilor Hecht indicated that in the Town Charter, the Council can not play a role in personnel recommendations, only give policy guidance. Councilor Hecht stated that he felt more comfortable asking to seek to strengthen, including staffing, and leave the rest to the town manager to work with the fire chief. Councilor Hecht further noted that there are 9 other communities similar to Watertown with smaller staff sizes and still manage to have a training officer. He asked if the recommendation was an efficient use of tax dollars.

Councilor Devaney stated that she is not making a recommendation based on other communities and noted Watertown's density and that she would like to continue discussions and listen to the experts.

Councilor Corbett spoke in support of receiving more information on this matter and pointed to the fact that a majority of the funds are going toward overtime.

Councilor Sideris stated that the committee is willing to continue discussions on the matter and asked that the last sentence of the motion be deleted and inserted in its place, discussions will continue.

Councilor Kounelis stated that the report is concise and enlightening and noted that she was not aware of the need for a training officer and asked that the discussion continue.

The motion to continue discussions on the matter was adopted by voice vote.

7. MOTIONS, ORDERS AND RESOLUTIONS:

A. First Reading on a proposed Ordinance regarding a Temporary Moratorium on construction of multi-family residential apartments/condominiums along the Pleasant Street Corridor – previously taken up.

B. Resolution condemning murder of Turkish/Armenian journalist, Hrant Dink – Councilor Jonathan Hecht.

Councilor Hecht read the resolution and noted the importance of speaking out on the issue. Councilor Devaney moved to accept the resolution, seconded by Councilor Kounelis and adopted by voice vote.

8. COMMUNICATIONS FROM THE TOWN MANAGER

The Town Manager provided a list of upcoming agenda items for March 13th Town Council meeting including a presentation of Benchmarking and two first readings on tax classification and tax shifts.

9. REQUEST FOR INFORMATION

Councilor Corbett requested a status on the Public Works Facility and whether there will be an open house for a public walk through.

10. ANNOUNCEMENTS

Councilor Devaney announced that she attended a Waltham City Council meeting on the proposed Lowes project on Pleasant Street in Waltham. It was noted that the Town of Waltham has asked the developer to reduce the number of proposed parking spaces. An independent traffic study was also requested. A follow up meeting will be held on February 20th at 8 pm.

Councilor Corbett announced upcoming dates regarding the reuse of branch libraries.

Councilor Sideris announced an upcoming Youth Coalition meeting on Understanding Adolescent Brain Development.

Councilor Sideris announced that Governor Patrick Duval will be holding a press conference in Watertown on Wednesday at 11:00 AM.

11. PUBLIC FORUM – none noted

12. ADJOURNMENT

There being no further business to come before the Town Council, Councilor Devaney moved to adjourn the meeting at 9:45 pm, seconded by Councilor Donohue and adopted by voice vote.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes for February 13, 2007 were adopted with attachments on March 13, 2007.

Clyde L. Younger, Council President