



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

Kenneth M. Woodland,
District D Councilor

TOWN COUNCIL MEETING TUESDAY, FEBRUARY 12, 2013 @ 6:30 PM RICHARD E. MASTRANGELO COUNCIL CHAMBER ADMINISTRATION BUILDING MINUTES

1. **ROLL CALL:** A regular meeting of the Town Council for which a quorum was present, was called to order at 6:30 pm in the Richard E. Mastrangelo Council 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., Kenneth M. Woodland, Vice President Mark S. Sideris 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. **EXECUTIVE SESSION:** 6:30 PM – To consider the purchase, exchange, lease, or value of real estate – former East Branch Library. Vice President Corbett moved the executive session noted above and stated that meeting in public on the subject matter would be detrimental to negotiations, seconded by Councilor Piccirilli 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., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.
3. **RETURN TO OPEN SESSION:** 7:15 PM
4. **PLEDGE OF ALLEGIANCE**
5. **EXAMINATION OF MINUTES:** [January 22, 2013](#). Councilor Piccirilli moved the minutes, seconded by Vice President Corbett and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

6. PUBLIC FORUM – none noted.

7. PRESIDENT’S REPORT:

The Chair thanked all the departments involved, especially Public Works, Fire Department and the Police Department for the outstanding job in the coordination between departments in handling the removal of snow and other matters related to the blizzard of 2013.

The Chair asked for a motion to refer to Public Works and Public Safety, the formalization of a policy on Town private ways as it pertains to snow removal. Councilor Lenk moved the matter, seconded by Councilor Kounelis and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

MOTION AND VOTE: Councilor Piccirilli moved to bring forward **agenda item 9B**, seconded by Councilor Donohue and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

9b) Committee on Budget and Fiscal Oversight [report](#) and action on the Fiscal Year 2012 Audit – Vincent J. Piccirilli, Chair. Councilor Piccirilli read the Committee report. Councilor Donohue moved to accept the report, seconded by Councilor Piccirilli and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative

8. INFORMATIONAL PRESENTATIONS:

a) Presentation on the Fiscal Year 2012 Audit [Report](#) and [Management Letter](#) – Frank Biron, CPA, Melanson, Heath & Company, P.C. Mr. Frank Biron provided an overview of the 2012 Audit report and Management Letter. There being no questions, the Chair asked for a series of motions related to the BFO Committee report action items as follows:

VOTE ON COMMITTEE REPORT’S ACTION ITEM: Councilor Piccirilli moved to approve the Fiscal Year 2012 Financial Statement and Management Letter with the understanding that the School Department’s Fiscal Year 2012 Single Audit Report and Fiscal Year 2011-2012 Student Activity Fund audits be completed shortly, seconded by Councilor Kounelis and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

VOTE ON COMMITTEE REPORT'S ACTION ITEM: Councilor Piccirilli moved to recommend Melanson Heath, Co. proceed with the Fiscal Year 2013 Audit under terms of their contract, seconded by Councilor Lenk and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

VOTE ON COMMITTEE REPORT'S ACTION ITEM: Councilor Piccirilli moved that the Council recommends that the Town solicit bids for firms to perform the Fiscal Year 2014 Audit, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

VOTE ON COMMITTEE REPORT'S ACTION ITEM: Councilor Piccirilli moved that the two Management Letter issues be referred back to the Budget and Fiscal Oversight subcommittee for policy guidance, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

(INFORMATIONAL PRESENTATIONS CONTINUED)

b) [Informational update](#) on the proposed Park renovations/improvements at 552 Main Street – Peter Centola, Recreation Director. Mr. Centola provided a power point presentation update. Following the update, the Chair opened up the matter to the Council for questions.

Councilor Kounelis asked if this plan takes care of the fencing along Acton Street. Mr. Centola stated, yes, it was always the plan to take care of the fence in the final rendering.

Councilor Kounelis asked; where is the property line wall. Mr. Centola stated that at the Acton Street side; behind the back stop; the fence is low; and it was never part of our charge to address that.

Councilor Kounelis stated that the handicap access on the left side is cost prohibited because of the fill. Mr. Centola stated; yes, the handicap access the neighbors wanted is cost prohibited. There will be handicap accessibility, but not there.

Councilor Kounelis asked about loss of the sledding area. Mr. Centola stated that there will be some loss of sledding area but with the removal of a few trees; sledding can be accommodated.

Councilor Falkoff asked if the fence at the bottom portion will be replaced. Mr. Centola stated; no, that will not be touched.

The Chair, pointing to the drawing clarified that the thick gray line on the drawing depicts an emergency access for the police station.

Councilor Falkoff noted that with respect to all the neighborhood concerns, that the neighbors have achieved a great deal of improvements in the plan.

Councilor Donohue asked that the fence in question should be referred to the Public Works department since they are in charge of park maintenance. He further stated that the walkway is handicap accessible, but not ADA compliant. With respect to the sledding; he noted that there is pitch in front of the hard surface. He indicated that there is sledding at the Gore Estate.

Mr. Centola stated that perhaps a sledding area can be created.

Councilor Lenk stated that this is a good step; with handicap accessibility along the top; police youth activities; the gazebo – this will all make a really nice community place for all to come together.

Councilor Woodland stated that he has received input from both sides and looking at the project objectively; the deciding factor for him was how much it will be utilized and it was clear that the hard surface was favored by families with small children and that guided his vote in support of the project.

Vice President Corbett stated that this is a good plan and in the best interest of the majority. If you can't put a basketball surface in a park, he asked rhetorically, where can you put it. He stated that this makes sense and we should move forward.

The Chair stated that he anticipates that the Town would get a bigger bang for the buck by replacing the entire fence and not just a portion. He asked if the Town has considered recycling the Spray Park water. Mr. Magoon stated that he has been researching a re-circulating system and also health department regulations.

Councilor Palomba stated that he does not think there has been a recent study of parks and there is always the question of; what is needed. He stated that if we are going to go forward with more expenditures, then he hopes a study is done on what the town needs. He asked to see the numbers on the utilization of this park a year from now.

Councilor Piccirilli stated that this is a long term plan and parks are very important. He stated that the Town is prepared to spend a lot of money and is prepared with a budget and a seven year program of renovating all the parks.

On balance, this is a huge improvement for the people on the west side of Town.

The Chair opened up the presentation to the public:

Nancy Hammett, Stormwater Advisory Committee member – talked at length about new EPA and Stormwater regulations and how they will affect and become more prominent in the planning of all sorts of projects in the Town.

Virginia Rice – reiterated her opposition to the hard court surface and that she hopes the town continues to work with the neighbors as the project moves forward.

Marc Duby, Brandley Road – spoke against the hard court surface, as an eyesore.

Sarah Curi, Brandley Road – stated that while she is excited about some of the improvements; she is against the hard surface and loss of green space.

Candi Allenbaugh – stated that the park is a tiny space that is a good passive picnic area.

Anthony Anunziato, Acton Street – stated that the plans look like an amusement park and asked that the hard surface be moved or at least preserve the green space or preserve the sledding area.

Tim Churazi, Jenson Road – spoke in support of a study of parks and more research on what is needed.

The Chair thanked everyone on both sides of the issue.

MOTION AND VOTE: Vice President Corbett moved to go forward with the concept presented this evening, seconded by Councilor Piccirilli 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., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

The Chair called for a five minute recess. The Council reconvened shortly thereafter.

MOTION AND VOTE: Councilor Piccirilli moved to bring forward **agenda item 10B**, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

b) [Resolution](#) authorizing a transfer of \$88,970 from the Fiscal Year 2013 Town Council Reserve Account to the Fiscal Year 2013 ESCO Account in order to fund Owner's Agent Services subject to execution of the proposed ESCO performance contract with Johnson Controls, Inc. The Manager provided a brief overview of the matter. The Chair recognized Ms. Beth Greenblath, from Johnson Controls who provided a brief status update on the ESCO performance contract which she stated is in its near final form.

Councilor Palomba asked how often reports will be given to the Town. Ms. Greenblath stated that formal reports can be provided quarterly with minutes distributed as desired.

There being no further questions on the presentation, the Chair asked for a motion on the resolution to fund Owner's Agent Services.

MOTION AND VOTE: Councilor Piccirilli moved the resolution, seconded by Councilor Lenk 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., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

9. COMMITTEE REPORTS:

a) Committee on Personnel and Town Organization report on a Town Organization study – Susan Falkoff, Chair. Councilor Falkoff read a verbal Committee report and noted that a written report along with documentation will be provided after the committee has reviewed the report from the consultants.

Councilor Piccirilli moved to accept the verbal report, contingent on a written report being provided, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

9b) Committee on Budget and Fiscal Oversight [report](#) and action on the Fiscal Year 2012 Audit – Vincent J. Piccirilli, Chair. **Previously provided and voted.**

c) Committee on Human Services report on a Social Service Resources Specialist proposal – Anthony Palomba, Chair. Councilor Palomba read the verbal Committee report and noted that another meeting is scheduled for February 26th at which time a written report will be provided. Councilor Donohue moved to accept the verbal report, subject to a written report, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

10. MOTIONS, ORDERS AND RESOLUTIONS:

- a) [Resolution](#) approving the Acceptance of Gift of Personal Property from Mr. Rolfe Gerhardt of a handcrafted silverware chest, silver model cannon, photos of the mansion/grounds; and a copy of “The Arsenal News” to the Commander’s Mansion. The Manager provided a brief overview of the resolution. Vice President Corbett moved to accept the Gift of Personal Property, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.
- b) [Resolution](#) authorizing a transfer of \$88,970 from the Fiscal Year 2013 Town Council Reserve Account to the Fiscal Year 2013 ESCO Account in order to fund Owner’s Agent Services subject to execution of the proposed ESCO performance contract with Johnson Controls, Inc. **Previously voted.**
- c) [First Reading](#) 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 \$7,350,000 under and pursuant to G.L. c.44, §7(3B), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, and that the Town Manager and the Town Treasurer are each authorized to take any and all other action necessary to carry out the purposes of this Order to pay costs of energy efficiency improvements to various Town buildings, as more fully described in the presentation by Beacon Integrated Solutions presented to this Council on October 2, 2012, including the payment of all costs incidental and related thereto. The Chair provided a first reading of the proposed loan order. The Manager provided a brief overview noting that the matter will have a public hearing and vote at the February 26th Town Council meeting.

11. NEW BUSINESS: none noted.

12. COMMUNICATIONS FROM THE TOWN MANAGER:

- a) [Request for Confirmation](#) of reappointment to the Conservation Commission. So referred to Public Works subcommittee.
- b) [Request for Confirmation](#) of an appointment to the Board of Health. So referred to Human Services subcommittee.
- c) [Request for Confirmation](#) of reappointments to the Planning Board. So referred to Economic Development and Planning subcommittee.

- d) [Request for Confirmation](#) of appointment/reappointment to the Board of Election Commissioners. So referred to State, Federal and Regional subcommittee.
- e) The Manager asked that a proposed Recreation Fee Revolving Fund be referred to the Budget and Fiscal Oversight subcommittee. So moved by Councilor Donohue, seconded by Councilor Lenk and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.
- f) The Manager thanked the Public Works, Fire, Police departments as well as Mr. Steve Magoon, Planning Director for efforts in snow removal coordination.
- g) The Manager announced that the snow parking ban has been lifted.
- h) The Manager announced that the Financial Management Review to be performed by the State DOR will commence tomorrow.

13. REQUESTS FOR INFORMATION – none noted.

14. ANNOUNCEMENTS:

Councilor Palomba announced that on March 1st from 6pm - 10 pm, a Music Festival will be held at the Middle School.

Councilor Palomba announced that on February 21st a film will be shown on Music; 6:30 pm at the Library.

Councilor Woodland congratulated the Watertown Wrestling Team for their Middlesex League championship victory.

Councilor Donohue thanked all those involved in the snow removal effort and asked citizens to shovel out hydrants in front of their homes.

The Chair announced that on March 7th at 7:00 pm at the Middle School, the Comprehensive Study will be presented; all are invited.

The Chair announced that he has been informed that going forward, there will be no dedicated Watertown Tab reporter covering the Town Council meetings.

15. PUBLIC FORUM – none noted.

16. ADJOURNMENT: There being no further business to come before the Town Council, Councilor Piccirilli moved to adjourn the meeting at 10:00 pm, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Mark S. Sideris and Council President Mark S. Sideris voting in the affirmative.

Addendum

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted as amended by unanimous voice vote.

Mark S. Sideris, Council President