



## 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**  
**WEDNESDAY, APRIL 24, 2013 @ 7:15 PM**  
**RICHARD E. MASTRANGELO COUNCIL 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 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., 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. Councilor Woodland was absent.
2. **PLEDGE OF ALLEGIANCE**
3. **EXAMINATION OF MINUTES:** [April 9, 2013](#). Councilor Piccirilli moved to accept the minutes as amended, 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., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

4. **PUBLIC FORUM :**

Russ Arrico, Fayette Street – spoke regarding the events of the Boston Marathon suspects' capture in Watertown and asked for answers on how this could happen.

5. **PRESIDENT'S REPORT:**

The Chair read a [statement](#) regarding Friday's events in Watertown with respect to the capture of the Boston Marathon suspects.

The Chair then recognized the Chief of Police, Fire Department Chief and Superintendent of Public Works who spoke to the issue and expressed their condolences to the victims of the bombings and their gratitude to Watertown residents for all their cooperation.

The Chair recognized the Manager who read a [statement](#).

Councilors expressed their pride in how the Watertown police, fire and public works department worked together during the events and noted that the departments had been well prepared and trained for this emergency and it showed.

Councilor Piccirilli moved to Suspend the Rules in order to move up agenda items 6 c and b, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

c) Public Hearing and vote on a [petition](#) by Verizon to a pole at 63/9A to be jointly owned by Verizon and NSTAR in order to provide new electric service for a new green house at 94 Grove Street – Edward Davis, Verizon. The Chair read the petition and recognized Mr. Davis who provided a brief overview of the matter. The Chair opened up the hearing to the public. There being comments, the hearing was closed.

Councilor Piccirilli indicated that a new sidewalk had recently been installed. Gerald S. Mee, Jr., Superintendent of Public Works stated that the contractor will be responsible for removing the new sidewalk and reinstalling it at his own cost.

Councilor Piccirilli moved to approve the petition, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

b) Public Hearing and vote on a [petition](#) by NSTAR to install four feet of underground conduit at pole 63/9A in Grove Street in order to provide new electric service to a new green house at 94 Grove Street – Sheila Gillis, NSTAR.

The Chair read the petition. Ms. Gillis provided a brief overview of the matter. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Kounelis asked if abutters were notified. Mr. Magoon, Community Development and Planning Director indicated that all abutters were notified by mail and also were hand delivered a rescheduling notification of the public hearing.

Councilor Piccirilli moved the petition, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

6. PUBLIC HEARING AND VOTE:

a) [Public hearing and vote](#) on a proposed loan order that \$1,500,000 is appropriated to pay costs of water main replacement, including all costs incidental or related thereto, and that to meet this appropriation the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$1,500,000 under Chapter 44 of the General Laws or any other enabling authority, that the Treasurer with the approval of the Town Manager is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (the "Authority") and in connection therewith to enter into loan agreements and financial assistance agreements with the Authority with respect to such loans; that the Town Manager, Treasurer and the Superintendent of Public Works are authorized to contract for and expend any federal, state or other aid available for the projects, including any grants related to such projects from the Authority; and that the Town Manager, Treasurer and the Superintendent of Public Works are authorized to take any further action necessary to carry out this project, provided that the amount of the borrowing authorized by this Order shall be reduced by the amount of such aid received for the associated project prior to the issuance of bonds or notes under this order.

The Chair read the Loan Order and recognized the Manager who provided a brief overview. Gerald S. Mee, Jr., Superintendent of Public Works provided an in-depth review of the work that will be done within the scope of this loan order.

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

Councilor Lenk asked how the streets were chosen for the water main replacement work. Mr. Mee indicated that the streets outlined were chosen based on a Water System study.

Following a question by Vice President Corbett on road work, Mr. Mee stated that following the water main work, a patch will be placed in the street and then followed up at a later date with complete reconstruction.

Councilor Lenk moved the loan order, seconded by Councilor Kounelis 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

7. MOTIONS, ORDERS AND RESOLUTIONS:

a) [Acceptance of Proclamation](#) recognizing April 26<sup>th</sup> as Arbor Day 2013. The Chair recognized Vice President Corbett who read the proclamation. Councilor Lenk moved to accept the proclamation, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

b) [First Reading](#) on a proposed Amendment to the Fiscal Year 2013 Budget. The Chair provided a first reading of the Amendment. The Manager provided a brief overview and indicated that the budget amendment was published in the local paper for a public hearing and vote for May 14, 2013.

c) [Resolution](#) authorizing a transfer of funds in the amount of \$11,000 from the Fiscal Year 2013 Town Council Reserve Account to the Fiscal Year 2013 Police Overtime Account in order to fund costs related to April 30<sup>th</sup> and June 25, 2013 Special Elections. The Chair recognized the Manager who provided an overview of the transfer. Councilor Piccirilli moved the resolution, seconded by Councilor Falkoff 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

## 8. COMMITTEE REPORTS:

a) Committee on Public Safety [report](#) with [attachments](#) and action on the new Medical Marijuana Law – Vincent J. Piccirilli, Jr., Chair. Councilor Piccirilli read the Committee report. Councilor Kounelis moved to accept the report, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

### **ACTION ITEM #1:**

Councilor Piccirilli moved to ask the Town Attorney to immediately prepare an ordinance for vote by the town Council for a temporary zoning moratorium on Medical Marijuana Treatment Centers and the accessory use for Hardship Cultivation of medical marijuana with a suggested expiration date of June 30, 2014 to allow time to study the novel and complex legal, planning and public safety issues and to undertake a planning process to amend the zoning ordinances and furthermore to ask the Town Manager to direct the Planning Department to immediately begin the process to amend the process to amend the zoning ordinances, and also direct other Town Departments to study these issues and to make recommendations to implement or revise other local ordinances, regulations or policies in regarding to such issues, seconded by Councilor Kounelis.

The Chair recognized Attorney Reich who stated that the purpose of the temporary moratorium is to allow the town time to study all the issues and serve to prohibit during that time period, the citing of a facility.

The motion was adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

## **ACTION ITEM #2:**

Councilor Piccirilli moved to ask the Town Attorney for a letter on non-smoking provisions of residential leases to address whether any provision of Question 3 nullifies a lease provision which designates a residential unit as non-smoking where the substances being smoked is medical marijuana, or if any provision of Question 3 prohibits a property owner or landlord from taking lawful action to enforce a non-smoking provision of a lease against a qualifying patient as who is smoking medical marijuana in such a residential unit, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

b) Committee on Human Services [report](#) with [attachments](#) and action on a Social Service Coordinator Specialist – Anthony Palomba, Chair. Councilor Palomba read the committee report. Councilor Falkoff moved to accept the report noting that Councilor Woodland, as secretary, prepared the report, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

Councilor Palomba read a statement thanking all those involved in the process and who helped raise money for the position.

Councilor Palomba moved to refer the Social Service Coordinator Specialist position to the Charitable Ad Hoc Committee for a possible grant to help fund the position, seconded by Councilor Falkoff.

It was noted by the Chair that free WiFi service has also been referred to the committee for possible funding and that the process must be opened to all applicants seeking charitable funding. He indicated that the committee must meet, follow a process and prepare new guidelines for disbursement of the remainder of the grant monies which is \$50,000.00.

The motion was adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

9 NEW BUSINESS – none noted.

10 COMMUNICATIONS FROM THE TOWN MANAGER:

a) Submission of the Fiscal Year 2014 Budget. <http://www.watertown-ma.gov/DocumentCenter/Index/364>

The Chair indicated that the budget dates will be finalized by the end of this week.

11. REQUESTS FOR INFORMATION – none noted.
12. ANNOUNCEMENTS:

Councilor Palomba announced an event on Saturday co-sponsored by the police department in which used bicycles can be dropped off at 35 Church Street for donation between 9am and noon.

13. PUBLIC FORUM – none noted.

14. ADJOURNMENT: There being no further business to come before the Town Council, Councilor Donohue moved to adjourn the meeting at 9:45 pm, 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., Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

[Addendum](#)

I hereby certify that at a regular meeting of the Town Council, the above minutes were adopted by unanimous voice vote on May 14, 2013.

Mark S. Sideris, Council President