

MINUTES

TOWN COUNCIL MEETING

TUESDAY, MAY 22, 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, John A. Donohue, Marilyn M. Petitto Devaney, Jonathan Hecht, Angeline B. Kounelis, John J. Lawn, Jr., Stephen E. Romanelli, Vice President Mark Sideris and Clyde L. Younger Council President. Also present were the Council Clerk Valerie Papas, Town Manager Michael J. Driscoll and Town Attorney Mark Reich.

The Chair recognized Councilor Devaney who read a statement thanking her many supporters (attached).

2. PLEDGE OF ALLEGIANCE

3. EXAMINATION OF MINUTES: May 8, 2007.

Councilor Sideris moved the minutes of May 8th, seconded by Councilor Hecht and adopted by voice vote.

4. PUBLIC FORUM – none noted.

5. COMMITTEE REPORTS:

A. Joint Committee on Budget & Fiscal Oversight and State, Federal & Regional Government report and action on State Budget Initiatives – Jonathan Hecht, Chair. The Chair recognized Councilor Hecht who read the committee reports of May 9th and 16th (attached). Three revenue provisions were discussed and unanimously recommended to the Town Council for adoption. The GIC Group Insurance Commission provision and the

PRIT Pension Reserves Investment Trust provision were discussed as well. The Committee voted 3-2 to submit a letter indicating that the Council wishes to wait for the final bill to come out prior to any Council action on the matter. The Committee voted 1-3-1 to endorse the PRIT provision.

Councilor Sideris moved to accept the Report, seconded by Councilor Donohue and adopted by voice vote.

Councilor Devaney spoke against the meal tax. Councilor Sideris indicated that he is not ready to support any new taxes which may hurt people.

Councilor Kounelis spoke in support of the meal tax acknowledging the concerns of a new tax.

Councilor Hecht noted that the meal, lodging and telecommunications tax are merely a local option for the town to adopt or not. He stated that the telecommunications tax gets rid of a current loophole.

Councilor Corbett stated that it makes sense to give ourselves the local option.

Councilor Devaney moved a friendly amendment to remove the third paragraph, seconded by Councilor Corbett and adopted by voice vote.

The Local Option provisions were adopted by a roll call vote of 8-1-0 with Councilor Sideris voting no.

The Chair recognized State Representative Rachel Kaprielian, lead sponsor of the GIC bill. Ms. Kaprielian stated that she has 120 co-sponsors and is confident her bill will pass in the legislature.

Ms. Kaprielian also indicated that the GIC bill is a local option only not a mandate.

The Chair asked for a motion to Table the GIC bill until the bill goes through the legislature. Councilor Romanelli moved the motion, seconded by Councilor Sideris.

Councilor Hecht asked that the Council go on record in support of the GIC bill.

Delores Mitchell, Executive Director of the Group Insurance Commission stated that this bill unlike previous bills has all state and municipal employees in the same pool for greater leverage.

Councilor Devaney indicated that it will require coalition bargaining which the town currently does not have.

Councilor Kounelis stated that she cannot support the bill at this time as it has too many voids.

Ms. Kaprielian stated that it won't solve all the problems but it will help.

Councilor Corbett stated that there is no down side to supporting this option and that it makes a great deal of sense to support it.

The Chair indicated that the Town Manager would have to agree to it.

The draft resolution regarding the GIC provision was tabled by a roll call vote of 5-4 until the measure is enacted by the Legislature.

Councilor Hecht read a draft resolution regarding the PRIT provision and indicated that he does not support the proposed draft resolution which does not endorse Section 5, House Bill 3749 (PRIT).

Councilor Romanelli moved to place the resolution on the Table for discussion, seconded by Councilor Devaney.

Councilor Sideris stated that we do not have all the necessary information and he would like to wait until something comes back to the State House.

Councilor Devaney concurred and asked what the rush was.

Councilor Hecht noted that the three tax provisions were not finalized either. He stated that the GIC and PRIT provisions will save the town money and that it is a win/win for the town. Councilor Hecht indicated that it is not a judgment on the Retirement Board and that they will continue to play the same role, with the same services. He asked that the Council put the interest of the taxpayers and retirees first.

The Chair stated that it is not clear if it is necessary for the Council to vote on this to influence the legislature when they are already on board. He noted that the Retirement Board is making improvements and maximizing their returns with more diverse investments.

Councilor Lawn stated that the Retirement Board is currently and voluntarily investing money in PRIT (hedge funds).

Councilor Kounelis stated that there are many variables and that the information from the MMA was just lobbying material.

Lt. Thomas Walsh, President of Local 1347 Watertown Firefighters Union stated that the Retirement Board has met their assumptions and that the taxpayers are not responsible for the 9m shortfall. He further noted that there are more pressing needs for councilors than legislation handled by our State Legislatures.

Councilor Hecht stated that no one benefits from low returns and that an 8% goal is too low and we can do better. He stated that this will help save taxpayers money and make pensions more secure.

The drafted resolution was defeated by a vote of 3-5-1.

B. Joint Committee on Public Safety and Budget & Fiscal Oversight report and action on compensation for Crossing Guards. The Chair recognized Councilor Sideris who read the Committee's report on increasing compensation for the Crossing Guards and the Committee's 4-1 recommendation to support the Town Manager's proposal for an increase of \$1.45 with a new grade/step for September.

Councilor Devaney stated that the Crossing Guards have waited a long time for a raise and thanked them for their hard work. She moved for a \$2.00 per hour increase in salary. The motion failed for lack of a second.

Councilor Sideris moved a sense of the council vote for a \$1.45 increase in salary for the Crossing Guards along with a new pay scale effective in September, seconded by Councilor Donohue and adopted by voice vote.

C. Committee on Public Safety report on Minimum Manning for the Fire Department – Mark S. Sideris, Chair. The Chair recognized Councilor Sideris who provided a verbal report. He stated that the Committee met to discuss the Manager's recommendation to reduce the minimum manning levels to 18. It was decided that the Committee would recommend that the budget process should go forward and play out and that the Council can weigh in later. He noted that the Public Safety Committee will meet again.

Councilor Sideris moved to accept the committee report, seconded by Councilor Devaney and adopted by voice vote.

Councilor Devaney noted that the Fire Chief returned overtime and that some of firefighters are injured or serving in the military. She also noted that the Training Officer is not adequately funded.

Councilor Sideris moved to accept the report, seconded by Councilor Donohue and adopted by voice.

Councilor Romanelli moved to bring forward agenda item 7D Resolution authorizing a transfer of \$179,930 to fund the 2007 Education Appropriation Account for the remainder of the year, seconded by Councilor Sideris and adopted by voice vote.

The Chair recognized Dr. Steven Hiersche, Anthony Paolillo and Allie Altman. Dr. Hiersche indicated that there has been a freeze since January on placements and transportation costs. Also, steps have been taken to address deficits and reduce the budget.

Councilor Hecht noted that a cut of 50% on materials in budget and 40% in technology budget is an indication of tough times.

Councilor Devaney stated that with 65 students attending Minuteman Tech, it was a big mistake to cut out the Automotive Department.

The Chair stated that over runs can happen and that he would rather see a real look at the budget.

Councilor Romanelli indicated that past school budgets were padded by 20% and that since Mr. Alyward, Mr. Paolillo and Mr. Hiersche's arrival, the budget has come in at a lower number and he thanked them for that.

Councilor Romanelli moved the transfer, seconded by Councilor Sideris and adopted by unanimous roll call vote.

- D. Committee on Economic Development & Planning report on parking in Watertown Square – Stephen Corbett, Chair. The Chair recognized Councilor Corbett who read the Committee report (attached) on parking in Watertown Square and a proposal by Edwards and Kelcey. He stated that a comprehensive analysis of existing inventory, predictions of future demands, etc will cost \$31,500; with a second phase of plans and estimated costs of construction for \$9,900. Councilor Corbett moved to go forward with phase 1 at a cost of \$31,500, seconded by Councilor Sideris.

Councilor Kounelis stated that she was unable to attend the meeting due to a prior scheduled meeting and voice concern with over lapping of scheduling (see attached memo).

Motion adopted by voice vote.

It was decided that the Town Manager would identify the funding.

- E. Committee on Personnel and Town Organization report on compensation for the Town Auditor – Angeline B. Kounelis, Chair. The Chair recognized Councilor Kounelis who provided a verbal report indicating that the Committee voted to recommend 2-1 to compensate the Town Auditor – 3% as of July 06 \$2,425. and 3% July 07 \$2,498 increasing the salary of the Town Auditor from \$80,855 to \$85,779. Councilor Hecht moved to accept the report, seconded by Councilor Donohue and adopted by voice vote.

Councilor Sideris moved to Suspend the Rules for a late agenda item, seconded by Councilor Donohue and adopted by voice vote.

Councilor Sideris moved to provide for a first reading for the above stated compensation for the Town Auditor, seconded by Councilor Donohue and adopted by voice vote.

6. INFORMATIONAL PRESENTATION FROM TOWN OFFICERS AND EMPLOYEES:

A. Informational Presentation on Parking Meters – Gerald S. Mee, Jr., Superintendent of Public Works. The Chair recognized Mr Mee who provided a presentation on the state of the Town's parking meters. It was noted that the Town could no longer purchase mechanical parking meters anymore as they are no longer being made. Digital meters were purchased and there have been some problems with them whether they have been jammed or malfunctioning. Any problems can be called into the police department or Public Works Department. All complaints are collected and addressed on a Wednesday by the Parking Meter attendant. Problem meters range in the 2% range which is more than acceptable, Mr, Mee indicated. Many towns are experiencing problems with digital meters of all makes and models.

Councilor Kounelis asked for a written copy of the report. Mr. Mee stated that a report will be forwarded.

B. Informational Update on an Email to Town Council – Edward P. Deveau, Police Chief and Joseph J. Mahoney, Data Processing Manager. The Chair stated that although he realizes that the email does not rise to a level of a crime, the primary concern is that this is an early warning sign of a misogynist out there that might do something more serious. The Chair stated that these things cannot be taken lightly.

The Chair recognized the Manager and Chief of Police who provided a brief review of the email and the process of investigation. Chief Deveau stated that these types of email are common and the email did not meet the criteria of a threat or harassment. The email was also forwarded to a cyber crime unit of NEMLEC. It was decided that there was no criminal wrong doing.

The Chair indicated that it was his view that the email was a hate mail and asked that the case be reopened and the sender be tracked down.

The Police Chief stated that there is freedom of speech and the DA's office has indicated that there is no crime here.

The Chair stated that all he is asking for is a follow up to identify who sent the email.

Councilor Romanelli stated that the professionals have indicated that there is no crime here.

Councilor Lawn acknowledged the noble job the Chair has done in bringing this matter to the attention of the police department but also concurred with Councilor Romanelli.

Councilor Kounelis stated that she is perturbed that councilors were not informed about the email until Monday. She indicated that she does not want anyone taking her safety into their hands without her being personally notified.

Councilor Devaney stated that she is not commenting on the email because it was addressed to her.

7. MOTIONS, ORDERS AND RESOLUTIONS:

A. First Reading: On a proposed Ordinance increasing the compensation of Town Councilors and Council President. The Chair provided a first reading and an overview of a proposed 50% increase in Councilors' salary to take effect with the next Council on January 1, 2008. The Chair emphasized a pending June 30th deadline and indicated that following Charter rules the proposed ordinance will be placed in the local paper for a public hearing and vote on June 12, 2007.

B. Vote on whether to include a Cap for Option 5 health insurance for Councilors. Councilor Romanelli moved to mirror the agreement by Town Hall Associates with respect to Option 5, seconded by Councilor Kounelis.

Councilor Devaney stated she is not mirroring anything but is just here to vote on whatever contract the unions are voting on. Upon a roll call vote, the motion was adopted by unanimous vote.

C. Resolution authorizing a transfer of \$1,725 from Council Reserve Account to Town Council Full Time Salaries to fund the account for the remainder of the year. The Chair recognized the Town Manager who provided a brief overview of the transfer. Councilor Sideris moved the transfer, seconded by Councilor Romanelli and adopted by voice vote.

D. Resolution authorizing a transfer of \$179,930 to fund the 2007 Education Appropriation Account for the remainder of the year. Previously voted.

8. PRESIDENT'S REPORT

A. Scheduling of subcommittees.

Councilor Sideris moved that meetings will be scheduled on a first come first serve basis and no meetings to be scheduled at the same time, coordinated through the council clerk, seconded by Councilor Romanelli.

Councilor Devaney stated that no subcommittee should take place one hour after another subcommittee which may involve the same councilors as the over scheduling results in the first subcommittee meeting having to adjourn before the work is finished due to time constraints.

Councilor Corbett stated that as a common courtesy he would like to understand what is going on here. He noted that he spends more time setting up meetings than the meeting itself. He further stated that setting up these meetings is not an easy task and that we do not need more rules

Councilor Devaney stated that this is not about Councilor Corbett.

Councilor Kounelis stated that we have so many meetings that overlap, she would like more coordination in the future and that Councilors schedules should take precedence over consultants' schedules.

Adopted by voice vote.

The Chair asked that the issue of having revolving Chaplains be referred to the Rules Committee. Moved by Councilor Sideris, seconded by Councilor Kounelis and adopted by voice vote.

The Chair asked to refer the Council Clerk's compensation to committee. Moved by Councilor Sideris, seconded by Councilor Devaney and adopted by voice vote.

9. COMMUNICATIONS FROM THE TOWN MANAGER

1. Summer Hours begin this evening until August 31st.

10. REQUEST FOR INFORMATION – none noted.

11. ANNOUNCEMENTS

The Chair stated that the PTSO all night party will take place June 1st at the High School.

Councilor Sideris announced that the Relay for Life is June 8th into June 9th at Victory Field. Donations are graciously accepted.

Councilor Sideris announced that the deadline for charitable applications was last Friday at 5pm. The process will continue to move forward as the committee continues their meetings on the applications.

12. PUBLIC FORUM

Thomas Walsh, President of Local 1347 Firefighters' Union – thanked the Chair for hosting the subcommittee meeting on minimum manning. He indicated that the appropriate time to bring this issue up is during the budget hearings. He noted that he is available to provide any information any councilor wishes or needs. If minimum manning is not maintained at 19, this community will be put at risk as well as the lives of firefighters, he noted.

13. EXECUTIVE SESSION

Councilor Sideris moved to go into executive session at 10:30 pm in order to discuss the value, purchase, lease or taking of real property and that the Council will go return to open session following its adjournment, seconded by Councilor Romanelli and adopted by unanimous roll call vote.