

MINUTES

TOWN COUNCIL MEETING

TUESDAY, SEPTEMBER 11, 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, John J. Lawn, Jr., Angeline B. Kounelis, Jonathan Hecht, Stephen E. Romanelli, Vice President Mark S. Sideris, and Council President Clyde L. Younger. Councilor Devaney arrived after the call of the roll. Also present were the Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk Valerie Papas.

2. PLEDGE OF ALLEGIANCE & 9/11 Observance Comments

The Chair provided a brief review of Patriot Day 2007 and 9/11 events held earlier in the evening and gave a special thanks to Veterans Agent Robert Erickson for his invaluable assistance with the 9/11 Observance.

3. EXAMINATION OF MINUTES: August 14th. Councilor Sideris moved to accept the minutes of August 14th, seconded by Councilor Donohue and adopted by voice vote.

4. PUBLIC FORUM

The Chair recognized Mr. Michael Donham who provided a brief overview of the upcoming events for Faire on the Square 2007. The event will take place on Saturday, September 29th.

5. PUBLIC HEARING:

A. Public hearing and vote on a petition by RCN requesting the installation of approximately 80 feet of conduit in Morse Street, Pole #97/1 – Tom Bell, Representative. The Chair recognized Mr. Bell who provided an overview of the petition and noted that RCN was requesting permission to install 80 feet of conduit to service 250 customers. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Sideris stated that Morse Street was paved within the last few years and that he would like to see the Administration address the issue of coordinating conduit work with petitioners, prior to street paving. He noted his concern with digging up streets after work has been done. Councilor Sideris moved to Tabled the matter and asked that Mr. Mee address the matter at the next meeting, seconded by Councilor Donohue and adopted by voice vote.

Councilor Kounelis indicated flowable fill, even though considered better than previous materials, still has a tendency to shrink causing depressions. For what time frame is a vendor responsible for repairs? When the materials sinks, it is sometimes unknown as to who made the initial excavation or the time frame for vendor responsibility has elapsed.

Councilor Sideris moved to Suspend the Rules in order to bring forward agenda item 7A Acceptance of Proclamations and a late agenda item proclamation for Cambridge Savings Bank, seconded by Councilor Kounelis and adopted by voice vote:

1. Honoring Crossing Guard John "Jack" Geary – Mark S. Sideris, Vice President.

The Chair recognized Vice President Sideris who read a proclamation honoring Jack Geary for his years of service as a crossing guard for the Hosmer School children. The Chair recognized Sgt. Diegnan, coordinator for the crossing guards, who presented Mr. Geary with a "years of service pin" from the police department. Mr. Geary stated that he was honored to be recognized by the Council and thanked them for the fine tribute.

Councilor Sideris moved to accept the proclamation, seconded by Councilor Hecht and adopted by voice vote.

2. International Peace Day – Clyde L. Younger, Council President. Vice President Sideris read and presented an International Peace Day proclamation which was accepted by Rebecca Rowley. It was noted that events will be held at the Watertown Free Public Library to commemorate this day on September 18th and the 21st which includes a Moment of Silence. Councilor Sideris moved to accept the proclamation, seconded by Councilor Hecht and adopted by voice vote.

Vice President Sideris read a proclamation welcoming Cambridge Savings Bank to the community. Councilor Sideris moved to accept the proclamation, seconded by Councilor Lawn and adopted by voice vote.

Councilor Sideris moved to Suspend the Rules in order to bring forward agenda item 6B Informational Presentation on the Arsenal Center for the Arts Activities, seconded by Councilor Corbett and adopted by voice vote.

The Chair recognized Kathy Tompkins who provided a power point presentation on the activities of the Arsenal Center for the Arts. Ms. Tompkins updated the Council on new programming, continuing programs, fundraising efforts, and their vision for the future.

The Chair thanked Ms. Tompkins for the presentation.

**6. INFORMATIONAL PRESENTATION FROM TOWN OFFICERS
& EMPLOYEES:**

- A. Informational Presentation and Update on the Police Station – John J. Lawn, Jr., Chair, Police Station Building Committee. The Chair recognized Councilor Lawn who provided opening remarks to the power point presentation and an update on recently held meetings of the building committee. Councilor Lawn noted that the police station project will go out to bid in April/May 2008; with a completion date of April/May 2010. Also noted was the cost of the building at \$13 million; with \$1.1 for design plans and \$900,000 in miscellaneous costs and contingency.

Councilor Lawn introduced Michael McKeon, Kaestle Boos Associates, who provided a power point presentation and overview of the building plans which will include a 34,500 blue print with a 14,000 foot print on a 215,000 square foot lot. He noted that the

building committee considered its three clients, the police department, the neighborhood and the residents as they discussed and made their decisions on the new police station.

Councilor Lawn thanked the committee members as follows: Mark Sideris, Stephen Corbett, Chief Edward Deveau, Phyllis Marshall, Ken Thomas, Lt. Justin Hanrahan, Kathy McGill, Mark Dawson and Fergal Brennock.

The Chair recognized abutting resident Cynthia Aulenback of 35 Puritan Road who commended the building committee members for addressing so many of the critical issues the neighborhood had. She noted her pleasant surprise at how concerned the committee was resolving these issues. She lastly noted that minutes of the meetings were provided to interested neighbors who greatly appreciated being kept apprised of their progress.

The Chair recognized Ms. Raya Stern who asked if there were sloping steps to the police station as it appeared in the power point presentation. Mr. McKeon stated that there will be no steps leading to the police station.

The Chair recognized Police Chief Edward Deveau who stated that the building will meet the needs of the police station for years to come and provide many features necessary for a state of the art police department.

The Town Manager stated that park land behind the police station will be placed on the 2009 Capital Improvement Program for renovations.

Councilor Hecht thanked the committee and spoke in support of attaining LEED certification (Leadership in Energy and Environmental Design) for an energy efficient building. Mr. McKeon stated that they were not seeking certification because of the \$50,000 cost but that more important was that the committee was going through the check list to include elements of an environmentally friendly construction.

Councilor Hecht encouraged the committee to take another look at the tangible benefits of LEED certification and noted that the payback will out way its initial cost.

The Chair recognized Duke Arone, 39 Falmouth Road – who spoke in concern with a lack of seats in the chamber and visibility to the projection screen to audience members. Mr. Arone stated that this has been a source of frustration for the audience over the years and should be addressed.

The Chair recognized Gertrude Broderick, Pilgrim Road – who thanked the committee for including the neighborhood and accepting their input in the project.

The Chair recognized Nancy Hammett, Conservation Commission member – who spoke in support of LEED certification and a formal outside review of how energy efficient the building plans are.

There being no further comments, Councilor Sideris called for a five minute recess, seconded by Councilor Donohue and adopted by voice vote.

- B. Informational Presentation on the Arsenal Center for the Arts Activities – Mark S. Sideris, Chairman Ad Hoc Charitable Committee. Previously presented.

7. MOTIONS, ORDERS AND RESOLUTIONS:

- A. Acceptance of Proclamations: Previously presented.
- 3. Honoring Crossing Guard John “Jack” Geary – Mark S. Sideris, Vice President.
- 4. International Peace Day – Clyde L. Younger, Council President

- B. Draft Resolution regarding the Fiscal Year 2009 budget process – Jonathan Hecht. The Chair recognized Councilor Hecht who read a resolution outlining timeframes to the FY 2009 budget as follows: October 23rd preliminary budget overview; December 11th policy guidelines; January 8th proposed Capital Improvement Program 2009-2013; March 11th adoption of the CIP (attached). Councilor Hecht moved to refer the resolution to the Budget and Fiscal Oversight Committee, seconded by Councilor Donohue and adopted by voice vote.

- C. Resolution approving the acceptance and expenditure of a Gifts of Funds in the amount of \$31,000 to offset expenses related to the “Faire on the Square 2007”. The Town Manager provided an overview of the resolution. Councilor Sideris moved to approve the resolution, seconded by Councilor Hecht and adopted by unanimous roll call vote.

8. UNFINISHED BUSINESS

- A. Consideration and Action on proposed Amendments to the Zoning Ordinance.

The Chair recognized Mr. Gregory P. Watson, Planning Director who informed the Council that the 90 day period in which to consider the amendments has passed. He noted that a majority of the zoning amendments were adopted at the May 8th meeting and that the Planning Board will re-advertise the remaining items with a first reading at the next meeting of the Town Council.

Councilor Corbett stated that the Economic & Development subcommittee will meet on September 18th at 5:30 PM to discuss the zoning amendments as well as the Municipal Use Ordinance and Parking in Watertown Square.

9. PRESIDENT’S REPORT

The Council President presented the following matters to the Manager for consideration and attention:

Trash Collection Items – Presentation on September 25th.

Common & Pleasant Streets road condition – Update on September 25th.

Enhanced on-line features for zoning – Manager will discuss with Council President

Bemis Park baseball netting – referred to Public Works Committee by voice vote.

Two Hour Street Parking Regulation – referred to Traffic Commission by voice vote.

10. COMMUNICATIONS FROM THE TOWN MANAGER

1. Manager announced Pleasant Street Corridor Study meeting on Thursday September 20th at 6:30 PM.
2. Manager stated that a Means Test for Early Retirees will be available at end of the week.

11. REQUEST FOR INFORMATION

Councilor Kounelis stated that she has a laundry list of items as follows:

1. Councilor Kounelis spoke about her concerns regarding the Coolidge School and the liability of the building. She stated that there is no lease from Mitchell Properties and if there are any accidents, taxpayers will be liable. She noted that Councilor Sideris went up to the property on Sunday morning at 6:30 AM to check on the school and called her to say that all the windows were opened, except maybe, five windows. She stated that she wants a complete investigation and still wants to know who opened those windows. She indicated that this is very upsetting and a serious matter.

2. Councilor Kounelis stated that since May 6th, she is still waiting for an answer on Stop & Shop mitigation monies.

3. Councilor Kounelis stated, Elm Street, still another matter she is waiting for an answer on.

4. Councilor Kounelis asked what is the status of the Internal Audit for the period ending 6/30/06?

5. Councilor Kounelis stated that she is still waiting for a previous request for a financial pool for unsettled contracts.

6. Councilor Kounelis indicated that she received a call from a resident about Wells Avenue and was previously told by the Superintendent of Public Works that meters would be replaced. She noted that she is still waiting for information on meters on Wells Avenue.

7. Councilor Kounelis stated that we need an update on Coolidge Square.

Councilor Hecht read a request to the Retirement Board (attached) asking for answers with respect to bench marks for under performing retirement boards to be presented at the next Town Council meeting.

Councilor Sideris asked for an update on the recycling center. He also stated that as for the Coolidge School, he is sick of waiting for Mitchell Properties and wants a specific time table on where we are on this point regarding the lease of the property.

Councilor Devaney requested the following be answered:

1. Why Police cannot find out who opened the windows at the Coolidge School.
2. Why no response to the Library throwing out historic books.
3. Why there has been no incident report on a Middle School matter regarding police officer.
4. Why town buildings, particularly the branch libraries, are allowed to deteriorate.

Councilor Donohue asked for an update on the Watertown Square Parking Study.

Councilor Kounelis shared pictures and asked for a follow up report on poor condition of municipal parking lot (attached).

The Manager stated that Councilor Devaney has recently received a report regarding alleged books being thrown out by Library in Miscellaneous Items.

12. ANNOUNCEMENTS

Councilor Hecht announced that the MMA has adopted a resolution in response to the No Place For Hate matter asking the ADL to come in line with Regional ADL in support of congressional resolution acknowledging the Armenian Genocide.

Councilor Devaney stated that she wanted to follow up on the Town Council's vote of August 14, 2007 voting 8-0 for a proclamation withdrawing from the ADL's No Place For Hate. She said that she went in to the MMA and talked to the executive director and gave him a copy of Watertown's proclamation. She stated that she asked him to have the MMA recommend to all the communities to withdraw from the ADL's No Place For Hate program as

Watertown has, until the National ADL publicly states that they support the pending resolution in Congress recognizing the Armenian Genocide. She noted that the executive director said that it is voluntary and each community can decide on its own. Councilor Devaney noted that the resolution Councilor Hecht authored with the MMA executive committee was recommended to the Board of Directors and voted on. She explained how upsetting it was that it didn't follow the Watertown Town Council's proclamation and does not recommend to the communities to withdraw from the NPFH program. She explained that other communities are joining with Watertown and withdrawing from the program until the National make that public statement.

Councilor Devaney stated that she was at the dedication of the Massachusetts Fallen Firefighters Memorial and invites everyone to come to see it outside the State House. She noted that finally the Firefighters have their memorial park and that it is beautiful.

Councilor Sideris announced that the Charitable Ad Hoc Committee disbursed grants for 2007 last night at their annual ceremony and moved to have the current members of the Charitable Ad Hoc Committee begin the process for the 2008 awards, seconded by Councilor Donohue and adopted by voice vote.

Councilor Kounelis spoke of the devastation in Greece caused by the massive fires. Over 60 people have lost their lives and farm land will take decades to be productive. Humanitarian efforts are underway, spearheaded by the AEPF, a fraternal association founded in 1922. Locally, the Greek Orthodox Church on Bigelow Avenue is accepting donations of clothing, blankets and money. Contact can be made at 617-926-8182. All donations will be forwarded to New York where the International Red Cross will coordinate the shipments to Greece.

13. PUBLIC FORUM

The Chair recognized Pat Gold, Duff Street – who thanked the Ad Hoc Committee for their award to Springwell which benefits many seniors as well as others.

14. EXECUTIVE SESSION

There being no further business to come before the Council, Councilor Sideris moved to adjourn the meeting at 10:20 PM and go into executive session in order to discuss strategy with respect to litigation and real property, seconded by Councilor Hecht and adopted by roll call vote. The Chair noted that the Town Council will not go back into public session following the adjournment of the executive session.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the minutes of September 11, 2007 were adopted as amended on October 23, 2007.

Clyde L. Younger, Council President