

MINUTES

TOWN COUNCIL MEETING

TUESDAY, SEPTEMBER 9, 2008 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 P. Corbett, Marilyn M. Petitto Devaney, Susan G. Falkoff, Jonathan Hecht, Angeline B. Kounelis, John J. Lawn, Jr., Vincent J. Piccirilli, Jr., Vice President Mark S. Sideris and Council President Clyde L. Younger. Also present were the Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk Valerie Papas.

2. PLEDGE OF ALLEGIANCE

3. ACCEPTANCE OF MINUTES: August 12th. Councilor Falkoff moved to accept the minutes with a minor amendment, seconded by Councilor Sideris and adopted by voice vote.

4. PUBLIC FORUM

Ron Bieringer, 9 Theurer Park – spoke in concern about the lack of parking spaces on the south side of town. He also thanked Mr. Younger and Mr. Corbett for speaking against a proposed charge to homeowners for the cleaning of sewer drains.

Frank Destino – stated that sewer drains are owned by the town and should not be part of a homeowner's responsibility. He also stated that homeowners pay taxes for such services rendered by the town and therefore should not be taxed again.

Steven Magoon – introduced himself to the Council as the new Planning and Community Director.

Councilor Sideris moved to Suspend the Rules in order to bring forward agenda item 7A Proclamation recognizing the Sacred Heart Church Anniversary, seconded by Councilor Devaney and adopted by voice vote.

The Chair recognized Councilor Kounelis who presented a proclamation (attached) to Father Joseph Curran recognizing the 115th Anniversary of the church. Father Curran thanked Councilor Kounelis and the Council for honoring the church with this recognition. Councilor Sideris moved to accept the proclamation, seconded by Councilor Devaney and adopted by voice vote.

Councilor Devaney presented a Governor's Council Citation in recognition of Sacred Heart Church's 115th Anniversary.

5. PUBLIC HEARING AND VOTE:

- A. Public hearing and vote on a revised Wetland's Ordinance. The Chair recognized Mr. Christopher Hayward, Conservation Agent who provided a brief outline of the proposed and revised Wetland's Ordinance. The Chair opened up the hearing to the public.

Curtis Whitney – spoke in concern with the proposed Wetland's Ordinance going over and above an already well regulated area. He noted that it adds an additional layer of approval above the zoning board making it more restrictive to developers.

Nancy Hammett, Conservation Commission member – stated that a lot of preparation went into the revised ordinance and that it does not change setbacks in any way.

There being no further comments from the public, the Chair closed the hearing.

Councilor Falkoff stated that this ordinance has been on the table for many years. She stated that the ordinance does not prohibit development; it requires only that development be permitted by the Conservation Commission.

Attorney Reich stated that like in any town there are many areas of jurisdiction such as the building inspector, zoning enforcement officer, health department and conservation commission, multiple jurisdictions are common and each entity has their area of expertise. Attorney Reich noted that the proposed ordinance does not add another layer as it is an existing layer of jurisdiction by statute.

Councilor Falkoff moved to adopt the revised ordinance, seconded by Councilor Devaney and adopted by unanimous roll call vote.

6. INFORMATIONAL PRESENTATION BY TOWN OFFICERS:

A. Informational Presentation on the Operational Issues as they relate to Election

Activities – Board of Election Commissioners and Town Clerk John E. Flynn.

The Chair recognized Town Clerk John E. Flynn who provided an overview of the operational issues relating to the upcoming September 16th Primary. He reviewed the operational issues as they related to election activities and the tally procedure to be employed on the September 16th in the counting of sticker/write in votes for Representative in the General Court. Following the presentation, the Chair opened up the subject matter to the Council for questions or comments. The Chair recognized Councilor Devaney who announced that poll workers can come in between now and Monday to vote. She also stated that the

Register of Probate must receive 1,000 votes minimum and if no candidate has that number, it is left to the Middlesex County Chairs to handle the matter.

Councilor Devaney moved to Suspend the Rules in order to bring forward agenda item 7D, seconded by Councilor Sideris and adopted by voice vote. Motion to refer to subcommittee the adoption of an official song for Watertown by Linda Picceri. The Chair recognized Ms. Picceri who played the song "Our Town" for the Council. Councilor Devaney spoke in support of voting the matter tonight and not referring it to subcommittee and moved to adopt the song as Watertown's official song, seconded by Kounelis and adopted by unanimous roll call vote.

B. Informational Presentation of the Fiscal Year 2007 Audit Report – Scott

McIntire, Melanson, Heath and Company, P.C. The Chair recognized Town Auditor Thomas Tracy who stated that in April an outside consultant had just finished the last part of the Town's Fixed Assets for Streets and Sidewalks and that information had been passed on to the outside Audit firm. He noted that the Fixed Asset study and evaluation was the last part of the implementation of GASB 34. As the Town was going out to bid for the FY 08 audit (with two renewable years at the Town's option), Mr. Tracy stated that he has been working with the Purchasing Agent in preparing a bid for audit services. It is expected to have the FY 08 audit services bid document completed and advertised by the end of September. He lastly advised that the Watertown Contributory Retirement Board recently had an operational audit completed by PERAC, thus the Retirement Board will also be going out to bid for a financial audit for calendar years 2006, 2007 and 2008.

The Chair recognized Mr. Scott McIntire of Melanson Heath who presented the Fiscal Year 2007 Audit Report (attached). Following the presentation, the Chair opened up the subject matter to the Council for discussion and or comment.

Councilor Devaney indicated that the Recommendations in the Management Letter are the same year after year and noted that they should be implemented for oversight.

Mr. McIntyre stated that it is an internal control issue and that other issues were addressed that were more important and that he will focus on developing a checklist.

Councilor Kounelis concurred with Councilor Devaney on the reoccurring list of Recommendations.

Mr. Tracy stated that work is being done currently on addressing some of the issues.

Councilor Hecht asked if some of the draft policies have been implemented and if so, which ones.

Mr. Tracy stated that some have been implemented and a list will be forwarded.

Councilor Falkoff noted that the document looks disconcerting but that some mitigating information has been presented which she would like included in future management reports.

Mr. McIntyre stated that he tries to do that verbally.

Councilor Falkoff asked that it be done with a cover letter, please.

Councilor Sideris agreed with Councilor Falkoff and noted that the cover letter will help the Council digest the information. He asked that Mr. Tracy summarize the drafts and the implemented items.

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

Councilor Sideris moved to Suspend the Rules in order to bring forward agenda item 7C, seconded by Councilor Kounelis and adopted by voice vote. Motion to move the September 23rd meeting to the Watertown Middle School. The Chair read a statement with respect to procedure on an agenda item regarding Blue Cross/Blue Shield and the No Place For Hate Program (attached). Councilor Sideris moved the motion to hold the next Town Council meeting at the Middle School, seconded by Councilor Kounelis and adopted by voice vote.

C. Informational Presentation on Health Insurance Costs – Kenneth Lombardi,

CEO of EBS Foran Insurance and Advisory Services, Inc. The Chair recognized Mr. Lombardi who provided a lengthy presentation on health insurance costs and the GIC program. The current membership plans were discussed as well as cost comparison estimates for Fiscal Year 2010 (documents attached). The Chair opened up the presentation and recognized the Manager who noted that the matter of accepting the Massachusetts General Law relating to the GIC must be placed on the September 23rd agenda for adoption in order to join the GIC by the October 1st deadline.

Councilor Kounelis noted that the 3 and 6 year agreement for opting out of GIC does not offer claim experience.

Mr. Lombardi indicated that it is a concern but that it is presumed that the GIC can assemble the necessary information if that happens.

Councilor Hecht asked what the savings will be in going with GIC. Mr. Lombardi noted that employees will save $\frac{3}{4}$ of a million dollars while the town saves 2 million dollars.

Councilor Corbett asked why the large premium savings with GIC. Mr. Lombardi indicated that the larger population and demographics allow for a greater savings.

The Manager briefly reviewed the steps and timeline leading up to the October 1st deadline.

Councilor Devaney stated that it sounds good in the short term but she is concerned about the long term.

The Chair asked the Manager to provide a list of communities that have joined the GIC.

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

7. MOTIONS, ORDERS AND RESOLUTIONS:

Proclamation recognizing the Sacred Heart Church Anniversary – Angeline B. Kounelis.
Previously voted.

Motion to move the September 23rd meeting to the Watertown Middle School.
Previously voted.

Motion to refer to subcommittee the adoption of an official song for Watertown by Linda Picceri. Previously voted.

8. UNFINISHED BUSINESS FROM PRIOR MEETING:

- A. Committee on State, Federal and Regional Government report on the relationship between the Department of Conservation & Recreation and the Town – Susan G. Falkoff, Chair. Councilor Falkoff read the Committee report regarding the above stated matter with respect to recent issues on the restoration of a monument on Charles River Road (attached). Following the reading of the report, Councilor Sideris moved to accept the report, seconded by Councilor Piccirilli and adopted by voice vote.

9. REPORTS FROM THE COUNCIL PRESIDENT

The Chair provided the following announcements:

Relay for Life event raised \$150,000 for cancer research; upcoming events at the Watertown Free Public Library; and a Fall Celebration on September 28th provided by Mt. Auburn Cemetery.

The Chair asked the Public Works Committee to meet on the Storm Water Advisory matter.

The Chair asked that the Planning Department report back in October on the Recycling issue.

10. COMMUNICATIONS FROM THE TOWN MANAGER

- A. Request for Confirmation on appointment and reappointments to the Cable Access Corporation Board of Directors. Councilor Corbett moved to refer the matter to subcommittee on Education and School System Matters, seconded by Councilor Piccirilli and adopted by voice vote.

- B. Yard Waste Pickup this Friday.

- C. Patriot Day 2008/9/11 Memorial Program to be held at 6:30 at Saltonstall Park on September 11th.

11. REQUEST FOR INFORMATION

Councilor Kounelis provided a letter and photographs (attached) from a Crawford Street resident and asked the Manager to follow up with the appropriate departments and the resident.

Councilor Corbett stated that the score board at Victory Field was not operating. He asked the Manager to look into the matter.

Councilor Falkoff asked for a status on the Watertown Square Bus Stop issue.

Councilor Falkoff asked for a status on the Department of Public Work's Education Program for Recycling.

Councilor Falkoff asked for a status on each town department's recycling efforts.

Councilor Falkoff asked that a presentation be placed on the agenda regarding Social Services Safety Net in Watertown.

Councilor Falkoff asked if the deadline for the Planning Department to come back with a planning process to discuss sidewalks, planting strips and granite curbs be extended for an October meeting. The Chair concurred and indicated that he will place the matter on one of the October agendas.

Councilor Devaney asked for a status on the engineer position. The Chair indicated that it has been referred to the subcommittee on Public Works.

Councilor Piccirilli noted that he attend a recent Tour of the Schools and noted that the sidewalks on Lowell Avenue are in need of repairs and asked that matter be looked into as it is a safety issue.

12. ANNOUNCEMENTS

Councilor Sideris stated that he is pleased to note that the Harvard/O'Neil/Watertown charitable funds paid for the printing of a brochure which announced an upcoming Watertown Citizens For Environmental Safety tour of chemical free garden tours this Sunday from 1-4 pm.

Councilor Sideris announced that he will be bringing forward for the September 23rd agenda a resolution regarding the Fiscal Year 2010 Budget Process and noted that the Manager has been working with his finance staff on the matter.

Councilor Devaney announced that she will be bringing forward for the September 23rd agenda a proposed Ordinance regarding Responsible Employer for referral to subcommittee.

13. PUBLIC FORUM – none noted.

- 14. EXECUTIVE SESSION** – There being no further business to come before the Town Council, Councilor Sideris moved to adjourn the meeting at 10:30 pm in order to go into executive session to discuss strategy with respect to real property and noted that the Council will not be returning to open session following its adjournment of the executive session, seconded by Councilor Hecht and adopted by unanimous roll call vote.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted on October 14, 2008 as written, by voice vote.

Clyde L. Younger

Council President