



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
Council 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

John J. Lawn, Jr.
District D Councilor

Town Council Meeting
Tuesday, April 13, 2010 - 7:15 PM
Richard E. Mastrangelo 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., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris. Also present were the Town Manager Michael J. Driscoll, Town Attorney Joe Faire, and Council Clerk Valerie Papas.
2. PLEDGE OF ALLEGIANCE
3. ACCEPTANCE OF MINUTES: [March 23, 2010](#). Councilor Donohue moved to have a separate vote on the minutes as written and amendments to the minutes, seconded by Councilor Corbett and adopted by voice vote.

Councilor Donohue moved the minutes of March 23rd as written, seconded by Corbett. Upon a roll call vote, the minutes as written were adopted by a vote of 8 for 1 against, with Councilor Kounelis voting no.

Councilor Kounelis moved the amendment to the March 23rd minutes, seconded by Councilor Palomba and defeated upon a 4-5 roll call vote, with Councilors Kounelis, Palomba, Piccirilli and Sideris voting in the affirmative and Councilors Donohue, Corbett, Lawn, Lenk and Falkoff voting against.

4. PUBLIC FORUM:

The Chair recognized: Jason Tyburski, 38 Prentiss Street – spoke regarding the poor condition of a town owned easement to the former Coolidge School. He noted that the fence is in poor repair and offered to replace the fence or have the town replace the fence. Mr. Tyburski provided [pictures](#) of the area of concern.

The Chair recognized Fred Zartarian, 25 Prentiss Street – a fifty year resident of the street who spoke to the illegally parked vehicles on the town owned easement and in concern for children who may come in contact with the fence which is rusted and in disrepair.

The Chair indicated that the Rules do not allow for a response tonight, but that he will take their concerns under advisement and have the appropriate town official follow up on the matter as soon as possible.

5. PUBLIC HEARING AND VOTE:

a) Public hearing and vote on an [Amendment](#) regarding parking lots for gain. The Chair recognized Mr. Steven Magoon, Community Development and Planning Director who provided a review of the Planning Board's report and recommendation. It was noted that existing parking lots for gain will be grandfathered. Councilor Falkoff noted a minor typo, which was later corrected. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Donohue moved the Ordinance as amended by correcting the typo, seconded by Councilor Falkoff.

Councilor Lenk, Kounelis and Corbett spoke in support of the Ordinance as a positive change for the town. Councilors Corbett and Kounelis spoke to the concern of the creation of commercial parking lots having a significant impact on the neighborhood and the town as a whole and that the Ordinance allows for some level of review. Councilor Lenk also made note of the recent storms and the impact of having more asphalt on the environment.

Upon a roll call vote, the Ordinance was adopted by unanimous vote.

6. COMMITTEE REPORTS:

a) Committee on Personnel and Town Organization report and action on [re-appointments](#) to the Licensing Board – John J. Lawn, Jr., Chair. Councilor Lawn indicated that the Personnel Committee

met earlier this evening to interview two re-appointments to the Licensing Board. Following the interviews of Ms. Hoffman and Ms. Doucette, the Committee unanimously 2-0, voted to recommend their reappointments. Councilor Falkoff moved to accept the verbal report, seconded by Councilor Lawn and adopted by voice vote.

Councilor Donohue noted that due to a conflict of interest, as a business owner, he will not be voting or taking part in discussion with respect to the Licensing Board appointments.

Councilor Lawn moved the re-appointment of Donna Doucette to the Licensing Board for a three year term expiring on April 15, 2010, seconded by Councilor Corbett and adopted by voice vote, with Councilor Donohue abstaining.

Councilor Lawn moved the re-appointment of Sandra Hoffman as alternate member to the Licensing Board for a three year term to expire on April 15, 2010, seconded by Councilor Corbett and adopted by voice vote, with Councilor Donohue abstaining.

b) Committee on Economic Development and Planning report and action on re-appointments to the [Planning Board](#) and [Zoning Board of Appeals](#) – Stephen P. Corbett, Chair. Councilor Corbett stated that the Committee on Economic Development and Planning met earlier this evening to interview reappointments to the Planning Board and Zoning Board of Appeals. It was noted that following the interviews, the Committee unanimously 3-0, voted to recommend their reappointments to the Council.

Councilor Donohue moved to accept the verbal report, seconded by Councilor Falkoff and adopted by voice vote.

Councilor Corbett moved the re-appointment of G. Jack Zollo as member of the Planning Board to a three year term to expire on February 15, 2013, seconded by Councilor Donohue and adopted by voice vote.

Councilor Corbett moved the re-appointment of Suneeth John as alternate member to the Zoning Board of Appeals to a two year term to expire on, February 15, 2012, seconded by Councilor Falkoff and adopted by voice vote.

c) Committee on Public Works [report](#) and action on an [appointment](#) to the Conservation Commission and a [report](#) and action on the Mt. Auburn Street Reconfiguration Project – Susan G. Falkoff, Chair. Councilor Falkoff read the first report regarding the re-appointment of Mr. Charles Bering to the Conservation Commission. Councilor Corbett moved to accept the report which

recommended his reappointment, seconded by Councilor Piccirilli and adopted by voice vote.

Councilor Falkoff moved the re-appointment of Mr. Bering to the Conservation Commission for a three year term to expire on February 15, 2013, seconded by Councilor Corbett and adopted by voice vote.

Councilor Piccirilli read the second report on the Mt. Auburn Street Reconfiguration Project. Following the reading of the report, Councilor Piccirilli moved to accept the report, seconded by Councilor Lawn and adopted by voice vote.

Councilor Falkoff moved to approve the funding of Phase I of the World Tech Study, a feasibility study and conceptual design for Mt. Auburn Street, in the amount of \$69,850, seconded by Councilor Lenk.

Councilor Corbett spoke in concern with the town's fiduciary responsibility in putting the study out to bid. He indicated that the town has enough data on the project already and the town should look at the project in a more simplistic way so as not to throw money out the window for a more elaborate project that may not get done.

Councilor Kounelis indicated that she opposed the Council taking a vote on this matter previously indicating that it was a matter for the Traffic Commission, not the Council. She noted that the Mt. Auburn corridor should be reviewed but that the town should not lose sight of Coolidge Square. She also stated that two intersections need immediate review and action.

Councilor Donohue stated that he supports the recommendation, but that he has concerns with the financials and spoke in support of a bidding process.

Attorney Faire reviewed Mass General Law 30B, with respect to the design process, which he noted are excluded from the bidding process.

Upon an inquiry from Councilor Palomba, Mr. Gerald S. Mee, Jr., Public Work Superintendent stated that accepting Benevento for Phase I of the project, does not exclude others firms from Phases II, III and IV.

Upon an additional inquiry from Councilor Palomba on the funding aspect, Mr. Mee indicated that towns fund road design work, while Mass Highway funds the actual road reconstruction work; the federal government does not fund intersection work, that work is funded by Chapter 90 monies and a study is mandatory in order to proceed with the construction work due to the town's Traffic Control Agreement with Mass Highway.

Upon an inquiry from Councilor Lawn on data collection, Mr. Mee stated that Benevento was chosen based on their past work with the town and experience; going out to bid is not required, nor would it be cost effective for the town to do so.

Councilor Piccirilli stated that he would not have voted in Committee to proceed with this work if he did not believe that it was in the best financial interest of the town. He indicated that Benevento already done work in Coolidge Square and that using this firm again for Phase I make sense. He noted that the town should seek TIP funds; as the use of taxpayer monies would not be fair as Mt. Auburn Street is part of the regional transportation network.

Councilor Palomba stated that what is proposed to be done is within the directive of a prior resolution adopted by the Council.

Upon a roll call vote, Phase I of the project totaling \$69,850 was adopted 8-1, with Councilor Corbett voting no.

d) Former Branch Library Reuse Advisory Committee [report](#) on former branch libraries - Vincent J. Piccirilli, Jr. and Angeline B. Kounelis, Co- chairs. Councilor Piccirilli read the Committee report. Following the reading of the report, Councilor Falkoff moved to accept the report, seconded by Councilor Kounelis and adopted by voice vote.

e) The President's Technology Ad Hoc Committee report and action on a [resolution](#) regarding the Council Technology Plan – John A. Donohue and Cecilia Lenk, Co-chairs. Councilor Lenk provided a verbal report of the Committee meeting held on Thursday, April 8th. She noted that the Committee met to finalize the resolution which was introduced at the last Council meeting. It was also noted that the technology needs of the Charter Commission was also discussed. Councilor Donohue moved to accept the verbal report, seconded by Councilor Falkoff and adopted by voice vote.

Councilor Donohue read the resolution. Councilor Lawn moved the resolution, seconded by Councilor Lenk.

Councilor Kounelis stated that she will not support the resolution as it discriminates against her and others who may want to serve on the council and are not tech savvy.

Councilor Palomba inquired about training.

Councilor Lenk indicated that training will be available to all councilors as noted in the Committee's last report.

Councilor Palomba asked that training be inserted in the resolution as a friendly amendment.

Councilor Piccirilli stated that language indicating that training will be provided by the IT department can be inserted in the last bullet point in paragraph 6.

Councilor Palomba moved the friendly amendment that "each councilor will have access for training by the IT department as needed", seconded by Councilor Donohue.

The resolution was adopted as amended by a roll call vote of 8 for, 1 against, with Councilor Kounelis voting no.

Councilor Falkoff moved to Suspend the Rules in order to accept a late agenda item, seconded by Councilor Piccirilli and adopted by voice vote.

7. INFORMATIONAL UPDATE:

a) Informational Update and [report](#) on the Police Station Building – John J. Lawn Jr., Police Building Committee Chair. Councilor Lawn read the Committee report. Following its reading, Councilor Donohue moved to accept the report, seconded by Councilor Corbett and adopted by voice vote.

Council President Sideris thanked the Committee members, town officials and the neighbors for their hard work and dedication on this building project.

Councilor Lawn requested a thank you letter be sent to Kim Charlson for proof reading the new braille signs for the new

building. He also acknowledged the hard work of Treasurer/Collector Phyllis Marshall and Building Inspector Ken Thompson.

8. MOTIONS, ORDERS AND RESOLUTIONS:

a) Acceptance of [Proclamation](#) recognizing the Armenian Genocide – Council President Sideris, sponsor. The President read the proclamation. Councilor Falkoff moved to accept the proclamation, seconded by Councilor Lenk and adopted by voice vote.

Councilor Palomba moved to bring forward agenda item 8D, seconded by Councilor Lenk and adopted by voice vote.

d) [Resolution](#) in support of US Conference of Mayors for a Nuclear Weapons Free Future – Councilor Anthony Palomba, sponsor.

Councilor Lawn moved the resolution, seconded by Councilor Falkoff.

Councilor Palomba indicated that he would like to refrain from reading the resolution in order to have members of the public be allowed to speak on the issue.

Joseph Gerson, Washburn Street – spoke in support of the Conference of Mayors Nuclear Weapons Free Future resolution. He indicated that change comes from below and that you have to create the environment to make this possible.

Susan Flint, Bradford Road – also spoke in support of the resolution, noting that the initiative must come one city at a time.

Ernesta Krackiewicz, Riverside Road – spoke in support of nuclear reduction and disarmament.

Jill Halloran, Pleasant Street – spoke in support of the resolution and in concern with the U.S. selling weapons to other countries.

Will Twombly, Marion Road – spoke in support of the resolution, noting that even one nuclear incident will be catastrophic for the world.

Councilor Palomba acknowledge the other citizens in the audience who did not have an opportunity to speak on this issue. He further noted that abolition of nuclear weapons is a possibility and it all starts at the local level where input takes place.

Councilor Corbett noted that in all due respect, he does not feel qualified to cast a vote on a matter such as this. Councilor Kounelis stated that she will support the mayors' stance on this issue.

The resolution was adopted by voice vote, with Councilor Corbett voting Present.

b) Resolution authorizing a [transfer](#) of \$92,824 from the Fiscal Year 2010 Town Council Reserve Account to various Fiscal Year 2010 Snow and Ice Removal Accounts in order to fund the Snow and Ice Removal Deficit. Councilor Piccirilli moved the transfer, seconded by Councilor Lenk and adopted by unanimous roll call vote.

c) Resolution authorizing a [transfer](#) of \$35,000 from the Fiscal Year 2010 Town Council Reserve Account to the Fiscal Year 2010 Fire Department Indemnification Account. Councilor Piccirilli moved the transfer, seconded by Councilor Kounelis and adopted by unanimous roll call vote.

d) [Resolution](#) in support of US Conference of Mayors for a Nuclear Weapons Free Future – Councilor Anthony Palomba, sponsor. Previously discussed and voted.

e) First Reading on a proposed [Ordinance](#) to Temporarily Modify Hours of Operation of the Administration Building. The Manager reviewed the proposed Ordinance and noted that the subject matter was placed in the local paper for a public hearing and vote to take place on April 27th.

9. UNFINISHED BUSINESS FROM PRIOR MEETING:

a) Confirmatory vote on a proposed Order allocating property tax among or between property classes for Fiscal Year 2010. Daniel Loughlin, Town Assessor provided an overview of the confirmatory vote. Councilor Falkoff moved to confirm the vote taken on May 9, 2010, seconded by Councilor Lenk and adopted by unanimous roll call vote.

10. PRESIDENT'S REPORT

1. The President indicated that a memorandum was placed in each councilors' packet regarding the Manager's request to be absent from the May 11th Town Council meeting. Councilor Lawn moved the request, seconded by Councilor Corbett and adopted by voice vote.

2. Deadline for applications for the Ad Hoc Charitable monies is Friday, May 14th at 5:00 pm.

11. COMMUNICATIONS FROM THE TOWN MANAGER:

a) Request for confirmation of a [reappointment](#) to the Traffic Commission. Referred to the Committee on Public Safety.

b) Request for confirmation of an [appointment](#) to the Planning Board. Referred to the Economic Development and Planning Committee.

c) Request for confirmation of an [appointment](#) to the Board of Election Commissioners. Referred to the Committee on State, Federal and Regional Government.

d) Correspondence regarding the disposition of the Family Network Area is in need of additional discussion. Referred jointly to Budget & Fiscal Oversight and Committee on School System Matters.

12. REQUEST FOR INFORMATION

Councilor Falkoff noted that the Newton Alderman presented a resolution asking the Newton Retirement Board to reconsider taking a business trip to Las Vegas due to budget constraints. She asked if the Watertown's Retirement Board is planning any such trips and if so, at what cost.

13. ANNOUNCEMENTS

Councilor Falkoff announced a film about contamination at Bhopal with discussion by the filmmaker that will be shown at the Watertown Public Library at 7pm on April 15th.

Councilor Lenk announced an upcoming meeting of the Library Planning Committee focus group. For more info go to the Watertown Free Public Library's website.

Councilor Lenk announced the findings of a Boston Regional Challenge [report](#) in which Watertown was highlighted.

14. PUBLIC FORUM – Jill Halloran, Pleasant Street – spoke in support of recycling bins at town parks and schools. She noted the overflow of recyclable trash at the parks.

15. EXECUTIVE SESSION: There being no further business to come before the Council, Councilor Corbett moved to adjourn the Town Council meeting and go into executive session at 9:45 pm, in order to discuss strategy with respect to collective bargaining; the Council will not return to open session following the adjournment of the executive session, seconded by Councilor Lawn and adopted by unanimous roll call vote.

Addendum – [adopted/certified matters of business and roll call votes](#).

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted on April 27, 2010 by voice vote.

Mark S. Sideris, Council President