

MINUTES

TOWN COUNCIL MEETING

TUESDAY, MAY 9, 2006 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, Marilyn M. Petitto Devaney, John A. Donohue, Jonathan Hecht, Angeline B. Kounelis, John J. Lawn, Jr., Stephen E. Romanelli, Vice President Mark S. Sideris and Clyde L. Younger, Council President.

2. PLEDGE OF ALLEGIANCE

3. EXAMINATION OF MINUTES: April 25th. Councilor Lawn moved the minutes as written, seconded by Councilor Donohue and adopted by voice vote.

4. PUBLIC FORUM

The Chair opened up the public forum and recognized:

1. James Voris, 142 N. Beacon Street – forwarded a petition requesting the rezoning of Beacon Park neighborhood from T zone to SC zone in response to over-development. He also spoke in favor of the neighborhood becoming the first neighborhood conservation district.

2. Fran Hession, 186 Lexington Street – spoke against a proposed resolution placing a recycling center at the corner of Bacon/Main Streets.

3. Irwin Hession, 35 Howard Street – spoke against the recycling center resolution citing the illegal dumping of debris on Howard Street.

4. Mary Keenan, 10 Beacon Park – spoke in support of the petition to rezone the Beacon Park neighborhood from T zone to SC zone.

5. Richard Hoover, Irving Park – asked for a response regarding a question he posed at the last meeting to the Town Attorney, if an illegal alien meets to age and wage requirements can they qualify for housing at the Coolidge School?

6. Joan Romanelli, Westminster Avenue – spoke against a recycling center on Bacon/Main Streets citing that no input from the public was solicited.

7. Dave Stein, owner of Halfway Café – spoke against a recycling center on Bacon/Main Streets noting that no notice was given to the public and that owners of the surrounding businesses need to have a say on this issue. Asked that other options be studied.

5. PUBLIC HEARING:

A. Public hearing and vote on a proposed Ordinance temporarily modifying the hours of operation of the Administration Building.

The Chair recognized the Town Manager who provided an overview of the proposed Ordinance temporarily modifying the hours of operation of the Administration Building for summer hours. The temporary hours include the closing of the Town Hall at 2 pm on Fridays from May 30th to September 1st and extending Tuesday hours to 7pm.

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

Councilor Sideris moved the Ordinance, seconded by Councilor Devaney and adopted by voice vote.

Councilor Sideris moved to Suspend the Rules in order to bring forward all agenda items under 8, seconded by Councilor Devaney and adopted by voice vote.

8. MOTIONS, ORDERS AND RESOLUTIONS:

A. Acceptance of Proclamations: In Recognition of Robert Kaprielian, Chair of Watertown High School Hall of Fame and Click It or Ticket Mobilization.

The Chair read a proclamation honoring Robert Kaprielian. Mr. Kaprielian thanked the Council for the honor and accepted the proclamation noting that he had the support and assistance of many good people including Sal Ciccarelli and Clyde Younger.

Councilor Sideris read a proclamation for Click It or Ticket and recognized Police Chief Deveau who accepted the proclamation and elaborated on plans to introduce the program to the public by handing out faux tickets and warning the public of the new click it law and the benefits of wearing safety belts.

Councilor Devaney moved to accept both proclamations, seconded by Councilor Kounelis and adopted by voice vote.

B. Resolution relocating the Town's Recycling Center to corner of Bacon and Main Streets – John A. Donohue, Councilor.

The Chair recognized Councilor Donohue who stated that it has been a disservice to the residents that a viable site has not been chosen for the recycling center. He noted that he

will withdraw the resolution and asked that an Ad Hoc Committee be established, seconded by Councilor Romanelli.

Councilor Devaney stated that the Public Works Committee met last year to discuss this site and it was decided that because of its close proximity to many businesses, it was not a viable site. She noted that as this year's chair of the Public Works Committee she has been meeting with other communities to look into a shared recycling center.

Councilor Corbett stated that the matter was also assigned to the Committee of Economic Development and Planning and as chair of that committee he has met with town officials and visited all viable sites. He noted that he has developed a proposal for a new site and wished to present it to Councilor Donohue. He stated that Main Street is an inappropriate site for a recycling center as it is a commercial/retail center and not suited for waste disposal.

Councilor Corbett elaborated on the ambiguous language regarding Filipello Park land and the old incinerator site and the former Grove Street recycling center. He asked why the Conservation Commission remained silent on the issue all those years and has only recently come forward saying that Grove Street can no longer be used for recycling as it was designated park land by the State. He asked that everyone demonstrate restraint while dealing with this difficult problem.

Councilor Devaney noted that she has a rendering of a proposal to present as well from her meetings with the State on this issue.

Councilor Lawn stated that with respect to the resolution, Councilor Donohue was just trying to get things moving and that no site should be taken off the Table, even other options such as the acquisition of land.

Councilor Sideris stated that there are legal documents stating that park land cannot be used for recycling, Councilor Donohue saw lack of inactivity on the Council and Councilor Lawn saw a lack of communication. He stated that all Councilors should be invited to attend meetings on this subject and that the matter should be handled in a transparent and open process.

Councilor Kounelis stated that prior to the incinerator there was some discrepancy with the land as noted by former Conservation chair, Diana Proctor. And it was recently confirmed that a recycling center cannot be part of the park. She noted that as district councilor, she would like to be part of the process.

The Chair announced the following councilors to the Recycling Center Ad Hoc Committee: Mark Sideris, John Donohue, Steve Corbett and Angie Kounelis.

Councilor Donohue Called the Question, seconded by Councilor Romanelli and adopted by voice vote.

On the withdrawal of the resolution, it was adopted by voice vote.

C. Resolution authorizing a transfer of funds from the Fiscal Year 2006 Town Council Reserve Account to the Fiscal Year 2006 Fire Department Collection Services Account. The Town Manager provided a brief overview of the transfer. Councilor Lawn moved the matter, seconded by Councilor Kounelis and adopted by unanimous roll call vote.

D. First Reading: On a proposed Loan Order that \$630,035 is appropriated for the design and construction of sewers, sewerage systems and sewage disposal facilities; that to meet this appropriation the Town Treasurer with the approval of the Town Manager is authorized to borrow \$630,035 under Chapter 44 of the General Laws or any other enabling authority; that the Town 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 and in connection therewith to enter into a loan agreement and financial assistance agreement with the Authority with respect to such loan; that the Town Manager is authorized to contract for and expend any federal, state or other aid available for the project, including any grant related to such project from the Authority; and that the Town Manager is authorized to take any other action necessary to carry out this project.

The Town Manager provided a brief overview. It was noted that the proposed loan order was advertised in the local paper for a public hearing and vote on May 23rd.

6. COMMITTEE REPORT:

A. Committee on Rules and Ordinances report on Council Rules, Codification of Town Ordinances and proposed resolution regarding town boards and appointments – Jonathan Hecht, Chair. The Chair recognized Councilor Hecht who elaborated on his committee report (attached). He noted that codifying the town's ordinances will make them more accessible to the public via the town's website. He noted that the committee is looking to clarify public participation at public meetings and interaction between the public and councilors during public forum. Councilor Hecht also stated that the committee will look into proposing a resolution regarding a timeframe for making appointments to various boards.

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

B. Committee on Budget & Fiscal Oversight report on past water bills and plans to modify future billing – Jonathan Hecht, Chair. The Chair recognized Councilor Hecht who elaborated on the committee report (attached) regarding the review and water bills. It was noted that 71 accounts were identified to be effected by the late billing and that a fair solution to the higher billing is to compensate the effected owners by either an abatement or credit to their account. The committee will continue to look into the issue and that on July 1, 2007 quarterly billing will begin, which should prevent further late billing.

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

C. Ad Hoc Charitable Committee report and action on Harvard/O'Neil Charitable Awards – Mark S. Sideris, Chair. Postponed until May 23rd.

7. PRESENTATIONS AND REPORTS BY TOWN OFFICIALS AND EMPLOYEES:

A. Informational Presentation on a third party review of the proposed Mitchell Properties LLC Coolidge School Reuse Project. Planning Director, Gregory P. Watson, introduced Michael Jacobs to present the 3rd Party Review of the Coolidge School Project. He noted that it was a substantial undertaking and walked the Council thru the conclusions in his memorandum (attached). Mr. Jacobs noted that overall the project's assumptions are conservative including a cushion in cash flow and in the letter of credit.

Councilor Corbett stated that he has a sense of comfort with the analysis and how good a deal the project is from the town's perspective.

Councilor Kounelis stated that a lot of property owners at the East End are having a hard time renting their units. She noted that she hopes the project will be viable, but does not have that comfort level and that the parking spaces are too costly.

Councilor Lawn noted that Archstone has 100% occupancy and that one bedroom units are selling for \$1,800 and two bedroom units between \$2,200-2,700.

Councilor Kounelis stated that the market at the east end is not as strong as in the square.

Mr. Jacobs stated that the project cannot go forward without all the dollars in place.

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

B. Informational Presentation and Update on recommendations by Melanson & Heath, P.C. – Thomas Tracy, Town Auditor. Mr. Tracy provided an update on recommendations by Melanson & Heath in the Fiscal Year 2005 Audit Report, specifically items 9,10,11 (see attached). It is noted that the policies will be issued to all departments within the month of May and that other policies being developed will be issued prior to the end of June (attached).

Councilor Kounelis thanked Mr. Tracy for the update and asked what the internal audit time frames were. Mr. Tracy stated that smaller departments will be audited first.

Councilor Sideris asked what the write off policy was for the skating rink, noting that it was his belief that groups had to pay for rink time up front. Mr. Tracy noted that it is more complicated than that and he would update the Council again.

The Chair asked Mr. Tracy to return with an update in 3 months.

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

9. PRESIDENT'S REPORT

A. Referral of a feasibility study in the Capital Improvement Program for Fiscal Year 07 regarding Coolidge Square Improvements. Councilor Sideris moved to refer the above subject matter to the Committee of Economic Development and Planning, seconded by Councilor Donohue and adopted by voice vote.

Councilor Hecht moved to refer the petition for rezoning of Beacon Park to the Planning Board, seconded by Councilor Sideris and adopted by voice vote.

10. COMMUNICATIONS FROM THE TOWN MANAGER

A. Request for confirmation of a reappointment to the Housing Authority. Councilor Corbett moved to refer the above subject matter to the Human Services Committee, seconded by Councilor Kounelis and adopted by voice vote.

B. Tour of the Library will take place on Thursday, at noon.

11. REQUEST FOR INFORMATION

The Chair made an inquiry regarding the disposition of the branch libraries and the viability of them remaining open. Councilor Kounelis moved to refer the matter to the Committee of Human Services, seconded by Councilor Sideris and adopted by voice vote.

Councilor Sideris asked for a complete inventory of all town owned land, including any easements.

Councilor Devaney clarified a meeting held recently regarding Nonantum Road, and that is was not with the DCR.

12. ANNOUNCEMENTS

Councilor Devaney announced that she will be presenting an agenda item for Chapter 70 funds on May 23rd.

Councilor Hecht noted that with respect to the meeting on Nonantum Road, it included State police as well as Watertown, and Newton discussing interim measures on the road such as speed limits, signage, ect.

Councilor Lawn stated that he will be hosting a neighborhood meeting on May 10th at 7pm in the Council Chamber on the new police station.

13. PUBLIC FORUM

Richard Hoover, Irving Park – asked if councilors were aware of people using ambulance services as taxis.

There being no further business to come before the Town Council, Councilor Sideris moved to adjourn the open session at 9:30 pm and go into executive session in order to discuss strategy with respect to litigation. The Council will not return to open session following the adjournment of the executive session, seconded by Councilor Hecht and adopted by voice vote.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes for May 9, 2006 were adopted by voice vote, as amended, on June 13, 2006.

Clyde L. Younger, Council President