



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,
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

Kenneth M. Woodland
District D Councilor

TOWN COUNCIL MEETING TUESDAY, AUGUST 14, 2012 AT 6:00 PM RICHARD E. MASTRANGELO COUNCIL CHAMBER ADMINISTRATION BUILDING MINUTES

1. **ROLL CALL:** A regular meeting of the Town Council was called to order at 6:00 pm, in the Richard E. Mastrangelo Council Chamber, Administration Building. Present for the meeting were Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris. Also present were the Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk Valerie Papas. Councilors Lenk and Palomba arrived shortly after the call of the roll.
2. **EXECUTIVE SESSION:** 6:00 pm – To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the Town and the President so declares. Vice President Corbett moved the above stated motion, seconded by Councilor Woodland and adopted by unanimous roll call vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.
3. **RETURN TO OPEN SESSION:** 7:15 pm – All Councilors are present.
4. **PLEDGE OF ALLEGIANCE**
5. **EXAMINATION OF MINUTES:** [July 10th](#) and [July 17th as amended](#).

Councilor Piccirilli moved the minutes of **July 10th**, seconded by Vice President Corbett and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

Councilor Piccirilli moved the minutes of **July 17th** as amended, seconded by Vice President Corbett and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba,

Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

6. PUBLIC FORUM – none noted.

7. COMMUNICATIONS FROM TOWN OFFICERS AND EMPLOYEES:

- a) [Informational Update](#) and Report on the first week of new single streamline recycling and automated trash collection program that began on August 6, 2012 – Gerald S. Mee, Jr., Superintendent of Public Works. Mr. Mee stated that the compliance rate with the new trash collection/recycling program is at 99% and that residents need to be applauded for their efforts. He noted that while he did receive a number of calls of complaints; the program overall is working exceptionally well citing only two locations where flagrant violations occurred.

Councilor Donohue offered kudos to Mr. Mee and his staff and asked Mr. Mee to elaborate on burnable and cardboard items. Mr. Mee reiterated that two bulky/burnable items are allowed per week with trash per household which are not construction material or metal material. Cardboard can be cut to fit into the toter or just taken as is to the recycling center.

Councilor Kounelis offered kudos to Mr. Mee and his staff and noted instances where recycling toters were not put back in the same location by the truck operator. She also asked if there is something that can be done with residents who have stairs.

Mr. Mee stated that nothing can do done with respect to residents who have stairs and reiterated his previous comments that residents were required to use trash barrels in the past and now they will be required to use toters so nothing has changed with respect to getting either barrels or toters down the stairs.

With respect to complaints that parked vehicles are blocking the toters on trash day preventing them from being picked up, Councilor Piccirilli suggested that residents on trash day place the toters in the gutter thereby preventing cars from parking in front of them.

Vice President Corbett offered praised for how well the program is going.

Councilor Lenk stated that a list should be compiled of those few people who are having a hard time with the toters for various reasons and see what can be done for them noting that we don't want to unnecessarily stress people out over trash issues.

Councilor Woodland noted that he received positive feedback from residents.

Councilor Falkoff noted that the education effort really paid off.

Councilor Palomba noted two thoughtful letters and asked that the letters be looked over when an evaluation program is put in place.

The Chair praised Mr. Mee and his staff as well as Republic for a great start to the new program and asked for another update on September 25th.

- b) Informational Update and Report on issues with the broadcast quality of public meetings presented through the Watertown Cable Access Corporation – John Airasian, Chair. The Chair recognized John M. Airasian, Chair who answered a number of questions and concerns with broadcast quality in particular with respect to Comcast. It was noted that an outside engineer was hired to diagnose and cure problems as they occur. It was explained that RCN uses digital signals and have not had any problems but that Comcast still uses analog which creates failures along the way.

Councilor Donohue indicated that Comcast views can watch Town Council meeting streaming live through their computers.

Vice President Corbett stated that the Cable network is a great benefit to the community and asked for better communication with respect to hearing impaired services that are offered through the Commission on Disability and noted that there was no service in July and August and he does not know why.

Councilor Palomba asked about a new media server.

Councilor Lenk stated that she is happy to hear that there have been good solutions and that the Board should push Comcast for digital cable.

Mr. Airasian concurred.

The Chair thanked Mr. Airasian for his presentation and for answering all the questions put forth and asked for a motion to have Attorney Reich look at the contract and see what can be done with respect to Comcast upgrading from analog to digital. Councilor Falkoff made the motion, seconded by Vice President Corbett and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

- c) [Historic District Commission](#) – Request for Authorization to Commence Study of Creation of 917 Belmont Street Historic District. Attorney Reich provided a brief overview of the request and the study process and indicated that in effect the Historic District Commission is looking for the Town Council's blessing to move forward on a matter that is already within their jurisdiction. Community, Development and Planning Director Steven Magoon stated that the property owner did apply for a demolition permit to remove the historic house and there is

significant community interest in this property and noted that time is of the essence.

MOTION: Councilor Piccirilli moved that the Town Council endorse the Historic District Commission plan to study the establishment of a historic district which would include 917 Belmont Street, seconded by Councilor Lenk.

Councilor Falkoff asked if the Council can do anything to speed the process along.

Attorney Reich stated that there is 60 days after the transmittal from the State that triggers the public hearing process.

Councilor Palomba stated that before the study is even done, the Historical Society applying for an endangered historic resource list for the property feels like we are jumping the gun and asked where the good faith effort to work with the school is.

Mr. Magoon stated that cooperation is a two way street and that the applicant filed for a demolition permit and noted that the Town's interest isn't to do harm to the school but to preserve this historic property that is in danger.

Councilor Piccirilli stated that too many historic buildings have been torn down and noted that the Perkins School for the Blind has been a good neighbor and asked that the Walker School also be a good neighbor. He noted that the school does not pay taxes or anything in lieu of taxes and at this point the Town needs to deal with their wishes to tear the historic building down.

The Chair stated that since 2006 the Walker School has not worked with the community and that we are now taking steps to preserve this historic building.

Councilor Kounelis stated her support for the efforts of the Watertown Historic Commission to go forward with the study and noted that the property was purchased for the value of the other buildings on the site.

Vice President Corbett stated that the Council needs to get behind the Historical Society and the Historical Commission in preserving this building and concurred with Councilor Piccirilli that too many historical buildings have been torn down and the Town should not let this happen again.

Councilor Lenk stated her commitment to residents to save this building which has significant local, state and national history with respect to the Tea Party and the Abolition Movement and that the Town needs to be very wise about this and not be complacent.

VOTE: The motion was adopted by unanimous roll call vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

8. PRESIDENT'S REPORT:

The Chair stated that he has appointed Swaathi Joseph to the Stormwater Committee to a term expiring on July 15, 2014.

The Chair thanked Eileen Balzar for another successful Summer Concert series and to Arlene Smith for sponsoring the first concert of the series which was geared towards children.

The Chair stated that the Manager will be attending a conference on October 9th and asked for a motion to excuse him from the October 9th Town Council meeting. So moved by Councilor Donohue, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

The Manager indicated that he will be sending a representative in his place for the October 9th meeting.

The Chair announced that at either the September 11th or the 25th Town Council meeting a presentation will take place on the findings of the Whitney Hill Woods property line survey as well as the care, custody and control of the property to the Conservation Commission.

9. PUBLIC HEARING AND VOTE:

- a) [Public hearing](#) and vote on a Proposed Loan Order authorizing the Town Treasurer, with the approval of the Town Manager, to borrow and/or expend monies in the amount of \$2,500,000 under Chapter 44 of the General Laws or any other enabling authority for the costs of road, sidewalk and wheelchair ramp construction and reconstruction, and for the payment of other costs incidental or related thereto, including, but not limited to drainage and water service improvements, signing, pavement markings and related work as directed by the Superintendent of Public Works. The Manager and Superintendent of Public Works provided a brief overview of the Loan Order.

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

Councilor Lenk noted that the survey was very helpful and informative and asked that adequate notice be given to residents.

Mr. Mee indicated that he will be going out to the homes of those residents where streets will be receiving major changes; such as Aldrich Road; while others will be sent letters in advance of the street/sidewalk work.

Councilor Palomba asked about pothole monies from the State.

The Chair noted that those monies went to fund the schools.

Councilor Kounelis asked why Waverley Avenue is getting temporary asphalt sidewalks and stated that she hopes that she can get streets done in the east end next year.

Mr. Mee indicated that the walking surface along Waverley Avenue needs to be maintained until a permanent sidewalk can be installed and indicated that the east end received substantial amount of road work with the last project.

Councilor Piccirilli moved the Loan Order, seconded by Councilor Kounelis and adopted by unanimous roll call vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

10. MOTIONS, ORDERS AND RESOLUTIONS:

- a) [A Resolution](#) on the Fiscal Year 2014 Budget Process. Councilor Piccirilli read the resolution and moved its acceptance, seconded by Councilor Kounelis and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.
- b) [A Resolution](#) to Take Temporary Easements for Belmont Street Improvements. Attorney Reich provided a brief overview of the matter and noted that the Watertown side of the project will be done with minimum impact on Watertown property owners. Councilor Piccirilli moved the resolution, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

- c) [Order of Taking](#) – Easements Abutting Belmont Street. Attorney Reich noted that this Order of Taking is a companion order to the previous resolution just voted. Councilor Piccirilli moved the Order, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

11. COMMITTEE REPORTS:

- a) Personnel and Town Organization subcommittee [report](#) on the Town's Organizational Structure – Susan G. Falkoff, Chair. Councilor Falkoff read the Committee report. Councilor Woodland moved to accept the report, seconded by Vice President Corbett and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

The Chair asked for a motion to Suspend the Rules in order to bring forward a late agenda item transfer. So moved by Councilor Piccirilli, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

The Chair introduced a transfer in the amount of \$5,300 to fund a reorganization study as recommended by the Personnel Committee. So moved by Councilor Falkoff, seconded by Councilor Lenk.

Councilor Palomba questioned whether or not the transfer has to be referred to Committee first.

The Town Auditor stated that on a routine basis, the Manager has requested transfers of monies that do not get referred to the Fiscal and Oversight Budget.

Attorney Reich suggested that the vote be amended to also authorize the study itself.

Councilor Piccirilli moved the late agenda item for the transfer of funds as well as to proceed with the recommendations within the report, seconded by Councilor Lenk and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

- a) Public Works subcommittee [report](#) on a policy for the new Recycling Center at Stanley Avenue – Cecilia Lenk, Chair. Councilor Lenk read the Committee report.

Councilor Donohue asked how non-profits are getting their trash removed and asked if there is a clear determination of what constitutes a business.

Councilor Piccirilli noted that this has come up in Committee discussions and is answered in a report provided some time ago. He noted that non-profits are determined to be a business and the issue was resolved as such.

Councilor Lenk concurred.

Vice President Corbett asked Mr. Mee if non-profits are getting residential trash pickup. Mr. Mee stated that there are about 40 locations where non-profits are getting residential pickup but that with the start of the new trash/recycling program they were not given totes and noted that he is hearing a clear direction from the Council with respect to the issue.

The Chair asked the Public Works Committee to forward that [report](#) to the Council and Mr. Mee.

Councilor Donohue moved to have Mr. Mee provide an update on this issue along with his presentation at the September 25th Town Council meeting, seconded by Councilor Woodland and adopted by voice vote with John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

VOTE ON COMMITTEE RECOMMENDATIONS:

The Chair read each action item as follows:

ACTION ITEM ONE (endorse new recycling center policies and signs):
The Chair asked for a motion on Action Item One of the Committee report. So moved by Councilor Piccirilli, seconded by Councilor Donohue and adopted by unanimous voice vote with John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

ACTION ITEM TWO (investigate with Attorney fines for illegal dumping): So moved by Councilor Donohue, seconded by Councilor Piccirilli and adopted by unanimous voice vote with John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

The Chair asked Attorney Reich to work with Mr. Mee on the matter of fines.

ACTION ITEM THREE (accept policy on home businesses/group homes):
So moved by Councilor Donohue, seconded by Councilor Falkoff and adopted by unanimous voice vote with John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

Councilor Palomba asked how residents will be informed of the opening of the new recycling center. Mr. Mee indicated that there will be an opening ceremony which will be well advertised.

12. NEW BUSINESS – none noted.

13. COMMUNICATIONS FROM THE TOWN MANAGER:

- a) [Request for Confirmation](#) of reappointments to the Conservation Commission. So referred.
- b) [Request for Confirmation](#) of appointments and reappointment to the Storm-water Advisory Committee. So referred.

The Manager stated a Request for Proposals had been issued and that he will be placing on the next Town Council agenda a presentation and transfer of funds regarding moving forward with the Town's Comprehensive Master Plan.

14. REQUESTS FOR INFORMATION

Councilor Palomba asked for preliminary comparisons of eleven communities for tomorrow night's meeting of the Human Services Committee regarding a Social Service Coordinator.

The Chair asked for an update on the Town's new telephone system.

15. ANNOUNCEMENTS

Councilor Lenk announced the re-dedication of Victory Field on September 9th at 11:00 am and noted that there will also be commemorating September 11th.

16. PUBLIC FORUM – none noted.

17. ADJOURNMENT – There being no further business to come before the Town Council, Councilor Woodland moved to adjourn the Town Council meeting at 9:40 pm, seconded by Councilor Piccirilli and adopted by unanimous voice vote with John A. Donohue, Susan G. Falkoff, Cecilia Lenk, Angeline B. Kounelis, Anthony Palomba, Vincent J. Piccirilli, Kenneth M. Woodland, Vice President Stephen P. Corbett, and Council President Mark S. Sideris voting in the affirmative.

Addendum

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted on September 11, 2012 by unanimous voice vote.

Mark S. Sideris, Council President