

MINUTES

TOWN COUNCIL MEETING

TUESDAY, AUGUST 12, 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, Angeline B. Kounelis, Jonathan Hecht, 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. Councilor Lawn was absent.

2. PLEDGE OF ALLEGIANCE

3. ACCEPTANCE OF MINUTES: July 8th. Councilor Devaney moved to accept the minutes as amended, seconded by Councilor Sideris and adopted by voice vote.

4. PUBLIC FORUM

Steve Bagley, reporter for the Watertown Tab – introduced himself to the Council.

Jamie Murphy – Lloyd Road – spoke against cell phone use at the Library.

5. COMMITTEE REPORTS:

A. Committee on Public Works report on new charges for water/sewer and rate

structures for owner occupied two and three family homes and a policy on curbs and sidewalks – Susan G. Falkoff, Chair.

The Chair recognized Councilor Sideris, Devaney and Kounelis who recused themselves by leaving the Council Chamber during discussion and vote on water/sewer rates for owner occupied two and three family homes due to a conflict of interest relating to their ownership of a multi-family home.

Councilor Falkoff read the Committee report (attached) regarding the subject matter pertaining to water/sewer rate structure.

Councilor Piccirilli stated that he had initially been in favor of changing the rate but that the more he looked at the Public Works usage analysis the more he realized that the fairness issue can cut both ways and that two/three family homes should be treated as income driven properties where part of their water bill can be tax deductible; this is not available to single family home owners. He further noted that if the change were adopted, it would benefit far fewer people and would result in a 1% town wide increase.

Councilor Falkoff moved not to change the rate structure for two/three family owner occupied homes, seconded by Councilor Corbett.

Councilor Hecht stated that this is an important issue and a lot of effort has been expended but he noted that two and three family owner occupied homeowners are not being treated fairly.

Councilor Falkoff stated that on the other side of the issue, it is also not fair to increase everyone's water rate across the board and not reward conservation efforts.

Councilor Piccirilli stated that he struggled with this issue of fairness and that his gut feeling was to change the rate. Upon further review of the matter, he stated that property classes

should be treated the same. He noted that condos are treated as single homes and that he drew the line of fairness on that issue.

Councilor Hecht stated that many condos are not separated and that passing the cost along is not relevant and that it is not an issue of excessive use either and that he respectfully disagrees with the committee's conclusion.

Upon a roll call vote not to change the rates, the motion was adopted 4-1 with Councilor Hecht voting no.

Councilor Falkoff continued reading the Committee report on Miscellaneous Water Charges and stated that the Committee recommended Tabling this matter.

With respect to Miscellaneous Sewer Charges, the Chair questioned the proposed fee rates as too high and asked what other communities are doing.

Councilor Piccirilli noted that other communities subsidize these types of costs.

Councilor Corbett also questioned the proposed increase in fees.

Councilor Sideris asked for more information and noted that he is more interested in the facts and not the opinion of Mr. Woodcock who is a paid consultant for the town.

There was a discussion on sewer line clogs and when the property owner is responsible.

Councilor Kounelis asked that it be put in writing the fault issue.

Councilor Falkoff moved the re-refer the matter to public works committee, seconded by Councilor Sideris and adopted by voice vote.

Councilor Falkoff summarized the committee report with respect to a granite curbing and sidewalk policy. There was discussion regarding the varied policies between arterial streets, secondary roads and neighborhood streets with respect to the width of the street; parking on the street and placement of granite curbing and planting strips.

Councilor Piccirilli noted that the issue of curbs and planting strips were tied to on street parking and that the issue of on street parking must be addressed before a policy on curbs can be adopted.

Councilors discussed whether to re-refer the matter to the Public Works Committee, the Budget and Fiscal Affairs Committee or the Planning Department.

Councilors Falkoff and Hecht spoke about the complex issues and residents' strong feelings on the matter. Councilor Falkoff moved to asked that the Planning Department to fleshing out a process that will assist in furthering the discussions on these main issues by September 23rd, seconded by Councilor Sideris and adopted by voice vote.

Councilor Sideris moved to bring forward agenda items 7A and 7D under Motions, Orders and Resolutions, seconded by Councilor Devaney and adopted by voice vote.

- A. Acceptance of Proclamation honoring Mr. Carmello Casella upon his 90th birthday –

Councilor Angeline B. Kounelis. Councilor Kounelis read and moved said proclamation, (attached), seconded by Councilor Piccirilli and adopted by voice vote.

- D. Resolution requesting Blue Cross Blue Shield of MA to sever ties with the Anti-

Defamation League and No Place For Hate – Councilors Stephen Corbett,
Marilyn

Petitto Devaney and Mark Sideris.

Councilor Corbett read and moved the resolution. He noted that the resolution if adopted will not threaten or alter any Blue Cross/Blue Shield (BCBS) members' health care coverage.

The Chair asked that the matter be referred to committee in order to allow BCBS a chance to respond.

Councilor Devaney spoke against the referral and noted that the resolution is merely a follow up to the previously adopted resolution on the matter.

The Chair respectfully disagreed and noted that a person has a right to be heard on the issue.

Councilor Falkoff stated that the resolution simply asks BCBS to explain to the Council its relationship to the ADL.

Councilor Corbett agreed and indicated that the Armenian community has asked BCBS to respond to the issue and they have not and that there is no unfairness to the resolution.

Councilor Hecht stated that the resolution is a basic justice to the victims and that the purpose of the resolution is to continue to keep the spotlight on the failings of the ADL to recognize the Armenian genocide and that the resolution gives BCBS an opportunity to join with many others in promoting the cause.

Councilor Sideris stated that he is proud to be part of that process and asked that the Council draft a letter requesting BCBS to come in and be heard on the issue.

The Chair concurred with sending an invitation to BCBS along with the unsigned resolution.

Councilor Kounelis stated that BCBS health care provider is a union negotiated matter and spoke in concern and asked what impact, if any, the resolution would have on its health care members.

Councilor Hecht requested our past position on this issue be referenced in the letter. The Chair agreed.

Councilor Falkoff moved to Table the vote on 5B until September 9th and send letter as discussed to BCBS, seconded by Councilor Sideris and adopted by voice vote.

B. Committee on State, Regional and Federal Government report on the relationship between the Town and the Department of Conservation and Recreation – Susan G. Falkoff, Chair. Tabled until September 9th.

C. Joint Committee on Public Works and Rules and Ordinances report on a revised Wetlands Ordinance and sewer drain inspections – Susan G. Falkoff and Angeline B. Kounelis, Chairs.

Councilor Falkoff read the committee report regarding proposed sewer drain inspections when property changes hands between owners and moved that no further action on this issue take place until the Department of Public Works comes forward with a proposal, seconded by Councilor Sideris and adopted by voice vote.

Councilor Falkoff read the committee report regarding a proposed Wetland's Ordinance and noted that it is has previously had a first reading and is consistent with State regulations.

Councilor Piccirilli noted a clerical clarification to Section 10 of the proposed Wetland's Ordinance regarding vernal pools.

The proposed ordinance will be advertised for a public hearing and vote on September 9th.

6. INFORMATIONAL PRESENTATION BY TOWN OFFICERS:

A. Informational Presentation on Patriot Day 2008 Observance, September 11th –

Robert Erickson, Veteran's Service Officer.

The Chair recognized Mr. Erickson who reviewed plans for observance of Patriot Day to take place on September 11th at 6:30 pm, Saltonstall Park.

B. Informational Presentation on the new "Citizens Request for Services Tracking

System" on the Town's Website – Robert Erickson, Webmaster and Joseph

Mahoney, Information Technology Manager.

The Chair recognized Mr. Mahoney who provided a presentation on the Town's establishment of a customer service system to log, monitor and analyze inquiries and requests to town offices and departments. Mr. Mahoney reviewed the tracking system that will provide greater public access to town services. To date, it was noted that the tracking system is available through the Manager's Office, Public Works Department Office and Health Department Office.

Councilors expressed support for the system but noted some concern that citizens may be given a sense of false hope that their complaint will be automatically rectified and not just recorded and tracked by the departments.

It was decided that the Manager will return in six months with a follow up presentation as to how the system is working out.

7. MOTIONS, ORDERS AND RESOLUTIONS:

- A. Acceptance of Proclamation honoring Mr. Carmello Casella upon his 90th birthday –

Councilor Angeline B. Kounelis. Previously adopted.

- B. Motion to refer to Committee: a matter regarding the establishment of a Storm Water Advisory Committee – Councilor Susan Falkoff. Councilor Falkoff moved to refer to Public Works Committee a discussion on what is the best way to have more participation in a Storm Water Policy, seconded by Councilor Piccirilli and adopted by voice vote.

- C. Motion to Refer to Committee: a proposed Watertown Historic Landmark

Ordinance – Councilor Jonathan Hecht.

Councilor Hecht provided a brief overview of the proposed ordinance and moved to refer the matter jointly to the Committee on Rules and Ordinances and Economic Development and Planning with a review by legal counsel, seconded by Councilor Sideris and adopted by voice vote.

- D. Resolution requesting Blue Cross Blue Shield of MA to sever ties with the Anti-

Defamation League and No Place For Hate – Councilors Stephen Corbett, Marilyn

Petitto Devaney and Mark Sideris. Previously taken up.

- E. Resolution approving the Acceptance and Expenditure of a Gift of Funds in the amount

of \$9,000 to offset expenses relating to the “Faire on the Square 2008”.

The Town Manager provided a brief overview of the resolution. Councilor Devaney moved to adopt the resolution, seconded by Councilor Sideris and adopted by voice vote.

8. REPORTS FROM THE COUNCIL PRESIDENT

The Chair stated that he previously met with the Library Board of Trustees to select a replacement for the vacancy left by Lucia Mastrangelo's passing. He indicated that he would like to refer the matter of the library vacancy and the past school committee vacancy process as part of the 2010 Charter Review.

The Chair indicated that there was a recent mineral spill and though there was no danger to the public, he learned of the incident from another councilor who learned of the matter from internet bloggers. The Chair asked that a "threshold" be identified as to when a matter of importance be brought to the Town Council's attention by the Town Manager.

Councilor Kounelis stated that when a matter impacts the community, it behooves the Manager to bring it to the attention of the Town Council.

Councilor Sideris moved to refer the matter to Personnel and Town Organization as requested by the Chair, seconded by Corbett and adopted by voice vote.

9. COMMUNICATIONS FROM THE TOWN MANAGER

- A. Report on the \$15,650,000 General Obligation Bond Sale held on July 24, 2008. The Town Manager provided a brief report on the above matter noting

AA+ that Standard and Poor's has raised the Town's bond rating to a double rating.

B. The Manager indicated that the last scheduled summer concert will take place on Thursday, August 14th.

C. The Manager stated that with respect to upcoming elections, the Chief Election Officer will provide an update to the Council on September 9th.

10. REQUEST FOR INFORMATION

Councilor Falkoff requested the Council Clerk keep a running list of proposed Charter changes.

Councilor Devaney requested a written status on the hiring of a town engineer to include the salary, advertisement process, and interest.

Councilor Sideris noted that the matter was referred to Public Works as part of discussions on the structure of the public works department. Councilor Falkoff moved to have the engineer position as a separate discussion in committee, seconded by Councilor Sideris and adopted by voice vote.

11. ANNOUNCEMENTS – none noted.

12. PUBLIC FORUM

1. Joan Romanelli – spoke in support of the Council adopting rules with respect to sidewalk and curb issues.

2. Rose Ford, Nyack Street – asked if a resident pays for granite curbing will they also have to pay a betterment cost. The Chair indicated, no.

13. EXECUTIVE SESSION

There being no further business to come before the Council, Councilor Sideris moved to adjourn the open meeting at 10:30 pm in order to go into executive session to discuss the value of real property. The Council will not return to open session, following the adjournment of the executive session, seconded by Councilor Falkoff and adopted by unanimous roll call vote.

I hereby certify that the above minutes were adopted by voice vote at a regular meeting of the Town Council where a quorum was present on September 9th as amended.

Clyde L. Younger