

MINUTES

TOWN COUNCIL MEETING

TUESDAY, JANUARY 13, 2009 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, 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 Joe Fair and Council Clerk Valerie Papas.

2. PLEDGE OF ALLEGIANCE

The Chair announced that Councilor Hecht and Councilor Devaney have been sworn in at the State House to their positions as State Representative and Governor's Councilor, respectively.

A Moment of Silence was held for the passing of Mary Anastasi, wife of former electrical inspector, Louis and mother of Peter and Paul of the Public Works Department and formerly of the School Department.

The Chair wished everyone a happy new year, as the Council began their first meeting of the year.

3. ACCEPTANCE OF MINUTES: November 25th and December 9, 2008. Councilor Sideris moved to accept the minutes of November 25th and December 9th as amended, seconded by Councilor Piccirilli. The amendments included placing an updated version of the Budget Policy Guidelines with the December 9th minutes. So adopted, by voice vote.

4. PUBLIC FORUM: none noted.

Councilor Sideris moved to Suspend the Rules in order to move forward agenda item 8A, seconded by Councilor Lawn and adopted by voice vote.

a. Acceptance of Proclamations honoring Karen O'Reilly, Animal Control Officer/Sanitarian; and Raymond Isaacs as "an honorary ambassador of the Commission on Disability" – Clyde L. Younger, Council President

Chief Deveau provided a brief overview of a recent incident with respect to an armed assault. The Chair presented and read a proclamation honoring Ms. O'Reilly for her efforts in assisting with the incident, which led to the apprehension and arrest of a suspect involved in an armed assault/attempted murder charge. The Chair stated that the proclamation is a small measure of the Town's appreciation for her brave efforts. Ms. Reilly thanked the Council for the recognition and acknowledged the impressive response of police officers as well.

Councilors thanked Ms. Reilly for her efforts.

The Chair and Councilor Devaney presented a proclamation to Boy Scout Raymond Isaacs proclaiming him an honorary ambassador representing the Commission on Disability on January 20th at President Elect Barrack Obama's inauguration.

Raymond Isaacs provided an overview of his Boy Scout badges and thanked the Council for the honor.

5. PUBLIC HEARING AND VOTE:

a. Public hearing and vote on a proposed Ordinance amending the Fiscal Year 2009 compensation of the Council Clerk.

The Chair recognized Councilor Corbett who provided, on behalf of the Personnel Committee, a brief overview of the proposed ordinance and compensation for the Council Clerk. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

The Chair stated that the proposed compensation will result in an 88 cent raise per hour for the part time Council Clerk.

Councilor Kounelis, speaking in support of the taxpayers, stated that she will be voting against the proposed compensation for the Council Clerk due to the dire financial situation.

Councilor Sideris moved the Ordinance, seconded by Councilor Lawn and adopted by a roll call vote of 8 for 1 against and 0 present, with Councilor Kounelis voting no.

Councilor Sideris moved to Suspend the Rules in order to move forward agenda item 7A, seconded by Councilor Piccirilli and adopted by voice vote.

7a. Informational Presentation on Calendar Year 2008 accomplishments and future goals of the Bicycle and Pedestrian Committee – Fred Hewitt and Mari Ryan, Committee members. The Chair recognized Ms. Ryan who presented a lengthy and comprehensive power point presentation on the accomplishments of the Bicycle & Pedestrian Committee in 2008 and future goals (attached).

Councilor Devaney stated that she was very impressed with the quality of the materials presented tonight.

Councilor Hecht noted that this committee brings so much energy and creativity to its work. All the things they have accomplished are a testimony to the effort of this, all volunteer committee. He noted that as State Representative he is ready to work with the committee on the bike trail system and noted that Congressman Markey is a big proponent

of biking and alternative transport and will keep an eye on what will be a complicated stimulus package. Councilor Hecht asked Ms. Ryan what a walking school bus was.

Ms. Ryan stated that a walking school bus is essentially a parent/coordinator that will walk with the neighborhood children to school.

Councilor Lawn thanked Ms. Ryan for the impressive presentation and indicated that he has a contact with the American Heart Association for available childhood obesity grants and will be happy to pass it along to the committee. He also noted that a bike rack installation was coordinated through the Public Works Department, the School Committee and resident Julie Ahern.

Councilor Kounelis stated that Senator Tolman's Office was able to get a commitment from DCR to clean up the Nichols Avenue area. She urged residents to shovel their sidewalks so children can continue to walk to school through stormy weather.

Councilor Piccirilli stated that this committee's accomplishments are good examples of how citizens can get involved for change. He pointed out that we are New Englanders and children should be able to walk despite snow on the ground. He urged residents to get involved in the Safe Routes to School program by shoveling their sidewalks.

The Chair thanked Ms. Ryan and the Committee members for the informative presentation.

Ms. Ryan thanked Mr. Mee and his staff for their invaluable assistance. Materials are available on a link by the Bicycle & Pedestrian Committee on the Town's website.

6. COMMITTEE REPORTS:

Committee on Education and School Systems Matters report and action on appointments/reappointments to the Cable Access Corporation – Vincent J. Piccirilli, Jr., Chair. Councilor Piccirilli read the Committee report (attached). He noted that the Committee unanimously voted to recommend the appointments to the full Council. Councilor Sideris moved to accept the report, seconded by Councilor Corbett.

The Chair stated that the quality of the broadcasting of the Town Council meetings needs to be addressed. Equipment problems were promised to be addressed by the installation of new equipment, which has not come to fruition. The Chair asked that the Council Table the appointments and ask the Manager to return with a defined timeframe and plan for the needed improvements.

Councilor Devaney requested a report at the next meeting regarding the improvements.

Councilor Piccirilli stated that this matter was actually discussed at the committee meeting. He noted that all of the candidates are committed to making these improvements. He indicated that the bad signals originating from the council chamber is an equipment failure, parts have been placed on order in the amount of approximately \$2,000. He noted that prior to the meeting of the subcommittee; trouble shooting had not been completed, but has now been done. The Cable Advisory Board is looking into what equipment is best for the money. Councilor Piccirilli further stated that the appointments should be approved, as these are the people that are going to be supervising Ms. Greene. He noted that the job cannot be done without them on board.

The Manager stated that the Comcast issue is not the only issue. There are camera issues, which are not of the highest quality. He noted that there have been discussions with Ms. Greene about that. Another common theme is a matter relating to the dollar amounts, of about \$30,000. Monitors can be put up and with that being said, we have to fund this project, he noted.

Councilor Sideris asked if a professional has been brought on board to check out the council chamber and its configuration. He noted that perhaps, two cameras will be adequate, but we need professional advice.

The Chair noted that there is a microphone issue as well.

The Chair stated that it was his understanding that a definite plan had been put in place.

Councilor Corbett stated that a few issues are involved; he agreed that improvements need to be made; but in terms of the signals, he noted that it is related to the wiring that comes out of the town hall building. He stated that people have been working on it and that

Comcast has not been extremely helpful in getting to the bottom on that problem. He indicated that it is not helpful to hold up these appointments.

Councilor Piccirilli stated that it is more appropriate to approve the appointments and refer as a separate action the item to subcommittee a meeting with the cable board in order to come up with a plan that deals with all the issues.

Regarding the discussion of FIOS, Councilor Piccirilli noted that there is a benefit with having a better signal, but there is also a down side which will be the loss of revenue that comes with having FIOS, which is not a cable company. Every person who signs up for Verizon FIOS will then subsequently drop Comcast, resulting in a revenue loss for the town in a licensing fee. The Cable Access Board understands this and realizes that they have to come to grips with that reality, he noted.

Councilor Devaney reiterated that the entire Council Chamber must be reviewed for acoustics, furniture, etc. and that the Council can vote to approve the board members but also demand that the correct improvements be made.

Councilor Piccirilli moved the following Cable Access Corporation appointments: Mr. Airasian, Mr. Singer, Mr. Kaprielian, and Mr. Bejoian, seconded by Councilor Sideris and adopted by voice vote.

Councilor Piccirilli moved to refer back to the Education subcommittee that a meeting be scheduled with the Cable Access members and director in order to come up with timetable for the improvements to the Council Chamber, seconded by Councilor Devaney and adopted by voice vote.

- b. Committee on Budget and Fiscal Oversight report and action on the appointment of an audit firm and budget guideline rankings for 2010 – Mark S. Sideris, Chair. The Chair recognized Councilor Sideris who stated that the Committee met to interview two accounting firms for the 08 Town Audit; Melanson Heath & Company and Sullivan, Rogers & Company. Presentations were made with costs ranging from \$57,000 to \$74,400 and noted that both firms were highly qualified. The Committee authorized Mr. Tracy to check both firms' references and see if the firm of Sullivan and Rogers were flexible on their costs. A second meeting will be scheduled and a recommendation will be made to the full Council in January. Councilor Sideris moved to accept the written report, seconded by Councilor Lawn and adopted by voice vote (see attached report).

Councilor Sideris summarized the budget guideline rankings for FY 2010. He noted that the number one ranking for revenue/cost savings was to reduce energy use, with public safety services coming in second and the Pleasant Street coordinator in third. On Expenditures, the number one ranking was streets and sidewalks, followed by facilities management and then sewer storm water improvements (see attached rankings).

Councilor Sideris stated that these rankings will be impacted by budget issues.

The Chair stated that he received Councilor Devaney's rankings today and will forward them along.

Councilor Devaney stated that this summary is not a reflection of what she feels is important citing the rankings of Social Worker and Town Website as not an appropriate goal for the Manager. She noted that she did not have her say in these rankings and is disappointed.

Councilor Sideris moved to refer the Budget Rankings for FY2010 to the Manager with Councilor Devaney's submission, seconded by Councilor Kounelis and adopted by voice vote.

Councilor Sideris spoke on the need to call a meeting of the Whole and Finance in order to address state budget shortfalls which would likely affect local funding for Watertown.

Councilor Hecht stated that the legislature will be voting to give the Governor 9C authority which would allow him to address the one billion dollar state shortfall. He noted that there are not a lot of details, and that perhaps monies may become available to Watertown through the federal stimulus program. Councilor Hecht indicated that once given the authority, the Governor has 15 days to act, and that we are not likely to know how much Watertown will stand to lose until the end of the month.

The Manager stated that there was a similar approach back in January 2003, with Governor Romney, where Watertown received a \$780,000 local aid cut. He noted that we won't know until the later part of January but it does not preclude us from formulating discussions.

The Chair stated that the motion on the floor is to convene a meeting of the Whole and Finance to weigh in on possible cuts in the budget at the end of the month after hard numbers come back from the State, seconded by Councilor Piccirilli and adopted by voice vote.

c. Committee on Economic Development and Planning report and action on appointments/reappointments to the Historic District Commission – Jonathan Hecht, Chair.

Councilor Hecht stated that the Committee met last night to interview appointments to the Historic District Commission. The candidates represented a good mix of experience and new blood with different backgrounds. The Committee felt the candidates were well qualified and voted unanimously to recommend all five candidates be appointed. Ms. Carter was not able to attend the interviews and she will be rescheduled. Councilor Hecht noted that candidates commented that there was a need for more outreach to the community and a need for more public education generally to communicate about the historic district and create more awareness. Councilor Sideris moved to accept the report, seconded by Councilor Piccirilli and adopted by voice vote. Councilor Hecht moved the appointments of Mr. Hecker, Mr. Martoccia, Mr. Steiner, Ms. Sternberg and Mr. Childs, seconded by Councilor Piccirilli and adopted by voice vote. Councilor Piccirilli suggested that the town's website be updated with the recent confirmations as they take place.

7. INFORMATIONAL PRESENTATIONS:

Informational Presentation on Calendar Year 2008 accomplishments and future goals of the Bicycle and Pedestrian Committee – Fred Hewitt and Mari Ryan, Committee members. The Chair recognized Ms. Ryan who presented a lengthy and comprehensive power point presentation on the accomplishments of the Bicycle & Pedestrian Committee in 2008 and future goals. Previously presented.

8. MOTIONS, ORDERS AND RESOLUTIONS:

a. Acceptance of Proclamations honoring Karen O'Reilly, Animal Control Officer/Sanitarian; and Raymond Isaacs as "an honorary ambassador of the Commission on Disability" – Clyde L. Younger, Council President. Previously presented

b. First Reading on a proposed Ordinance amending the Fiscal Year 2009 compensation of the Town Manager. The Chair recognized Councilor Corbett, on behalf of the Personnel Committee who provided a first reading of the Manager's compensation and noted that the proposed Ordinance will be advertised for a public hearing and vote on January 27, 2009.

c. First Reading and Referral to Committee on a proposed Ordinance prohibiting the public use or consumption of Marijuana or Tetrahydrocannabinol. The proposed Ordinance was referred jointly to Rules and Ordinances and Public Safety by voice vote.

d. Resolution authorizing a contract term in excess of three years for the purchase of electric supply and related services. The Chair recognized the Manager who provided a brief overview of the resolution. Councilor Sideris moved to approve the contract, seconded by Councilor Piccirilli and adopted by voice vote.

e. Resolution approving excess expenditures for Snow and Ice Removal pursuant to Chapter 44, Section 31D, Massachusetts General Laws. The Chair recognized the Manager who provided a brief overview of the resolution. Councilor Sideris moved the resolution, seconded by Councilor Hecht. Councilor Corbett asked for a brief explanation on the language within the resolution referring to the Board of Assessors. The Manager explained that if the snow and ice deficit was not made up the following year, it would be carried over to the next year's tax rate. He noted that this has never happened nor would it be in anyone's best interest to allow it to happen.

Councilor Devaney stated that it is going to be a very difficult year, and that she has heard that there will be some relief for towns for the deficit. She thanked Mr. Mee and his crew for the exceptional job in snow plowing.

The Manager stated that discussions have revolved around local aid cuts for 2009, and he would be ecstatic if it were true that relief was coming.

Councilor Falkoff stated that she will not be voting on this item as she does not have enough information on whether or not we are managing snow removal in the most cost effective way. She also noted that she was struck by the speak-out item asking whether the DPW is violating a federal work rule by having 24 hour shifts. The Resolution was adopted by a roll call vote of 8 for 1 against with Councilor Falkoff voting no.

f. Motion to request the Town evaluate the need for a special open enrollment opportunity relating to Blue Cross Blue Shield. The Chair recognized Councilor Corbett who stated that it has come to his attention that Tufts Medical Center has been negotiating with Blue Cross Blue Shield for updated rates and have been unable to reach an agreement. Tufts sent out a letter informing their patients that if no agreement has been reached, they will no longer accept BCBS (see attached letter). He asked if the Town should assess if a special open enrollment should be conducted. He also suggested that the Council send a letter to BCBS urging them to reach an agreement, seconded by Councilor Lawn.

The Manager stated that we can report back in two weeks. Harvard Pilgrim has already agreed to have a special open enrollment, and the Town is waiting to hear back from Tufts.

Councilor Falkoff stated that she is in support of protecting employees but less comfortable with writing a letter without more information.

Councilor Devaney asked if many of our retirees subscribe to this particular plan.

Mr. Tracy stated that a first look revealed 6 total employees, including retirees. He noted that the providers are not allowed to tell who the 6 subscribers are, because of privacy laws.

The Manager indicated that he will return in two weeks with more information and noted that effective July 1st; the carriers will not include BCBS at any rate.

Councilor Corbett withdrew his motion for a letter from the Council pending a report back in two weeks from the Manager.

On the motion to look into a special enrollment, it was adopted by voice vote.

9. REPORTS FROM THE COUNCIL PRESIDENT:

The Chair stated that upon an annual review of Council subcommittee assignments for this year, he has decided to remove himself from the Committee of Education and School System Matters and place Councilor Devaney on the Committee as the third member.

Councilor Devaney objected and asked to be reappointed as Chair to Public Safety as she was removed for no reason.

The Chair stated that due to Councilor Devaney's appointment to the Committee of Education and School System Matters, he will be removing the Councilor from Public Works.

10. COMMUNICATIONS FROM THE TOWN MANAGER:

- a. Request for Confirmation of reappointment to the Board of Health. Unanimously referred to Human Services Committee.
- b. Submission of the Fiscal Year 2010 Capital Improvement Program – the Manager provided a brief overview of the Fiscal Year 2010 Capital Improvement Program due to the lateness of the evening. Councilor Sideris moved to accept the submission, seconded by Councilor Hecht and adopted by voice vote.

The Manager noted that televisions have been added to curbside pickup. A call must be placed at the Public Works office by Thursday for a Friday pickup.

The Manager stated that Planning Director, Steve Magoon is quarterbacking grant submissions with respect to the federal stimulus package.

11. REQUEST FOR INFORMATION

Councilor Devaney moved to refer the artificial turf matter to the Public Works subcommittee.

Councilor Sideris indicated that the matter is in the Budget and Fiscal Affairs subcommittee.

Regarding a recent Boston Globe newspaper article that referenced local communities consortium including Watertown, that had locked into heating oil prices, Councilor Kounelis asked how much is the town into this program and what can we do to get ourselves out of it in order to stop paying previous high prices and look into lower prices.

Councilor Sideris stated that due to a recent public safety incident, he would like the Manager to look into public safety inspections in Watertown in order to avoid the tragedy experienced recently within the Boston Fire Department.

Councilor Sideris stated that he will be looking to schedule a meeting of the Ad Hoc Committee regarding the Watertown/O'Neil/Harvard grant monies.

12. ANNOUNCEMENTS:

Councilor Hecht stated that he has some good news to report in that the State will be funding the re-start of the Nonantum Road reconstruction project. The work had previously been halted due to budget cuts. There is a need for community involvement and there will be opportunity for that in the near future, he noted.

13. PUBLIC FORUM – none noted.

14. ADJOURNMENT Councilor Sideris moved to adjourn the meeting at 10:30 pm, seconded by Councilor Piccirilli 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 were adopted by voice vote, as amended, on January 27, 2009.