

**MINUTES
TOWN COUNCIL MEETING
TUESDAY, OCTOBER 27, 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 Council Chamber. 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 for the meeting were Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk Valerie Papas.

A Moment of Silence was held for Mr. Archie McDonald, father of Wayne McDonald, former Retirement Board Member and former Town Councilor.

2. **PLEDGE OF ALLEGIANCE**
3. **ACCEPTANCE OF MINUTES: October 13, 2009** Councilor Devaney moved the minutes as amended, seconded by Councilor Sideris and adopted by voice vote.
4. **PUBLIC FORUM: None noted.**
5. **COMMITTEE REPORTS:**
 - a) Joint Committee on Economic Development and Planning and Rules and Ordinances report on a proposed Historic Landmark Ordinance – Jonathan Hecht and Angelina B. Kounelis, Chairs. Councilor Hecht provided a brief update on the proposed Historic Landmark Ordinance. He noted that a written report will be forthcoming along with a revised draft of the proposed ordinance. He indicated that the revision will include Councilor Devaney moved to accept the verbal update, seconded by Councilor Sideris and adopted by voice vote.

6. PRESIDENT'S REPORT

The Chair noted that irregularities have occurred by certain reporters on the Cable Access channel. Not all candidates for office were contacted to appear on the Cable programs. The Chair asked, what is the role of these reporters with respect to their involvement with the election? He noted that they should be unbiased as the Cable Access Channel represents the Town. The Chair asked that Attorney Reich establish a policy. The Chair further stated that the Cable Channel is not a town newspaper; the Town Council votes the Board Members and it is incumbent on the Council that unbiased programs are produced.

Councilor Devaney moved the request and concurred with the Chair with respect for the need for unbiased programs. She stated that a policy is needed. All candidates should have been notified of a candidates' night that aired on Cable. Equal access is lacking, she indicated.

Councilor Piccirilli stated that the Cable Access Board does not have a conflict of interest policy or a board of ethics policy. He further noted that individuals who choose to produce a show on the Cable Channel control the content as it is solely their domain as the producer of that show. Councilor Piccirilli stated that what we need is to establish a conflict of interest policy but he noted, we cannot legislate the content of Cable shows.

Councilor Piccirilli offered a friendly amendment to the motion to instruct Attorney Reich to develop a Conflict of Interest Policy for the Cable Access Board. Councilor Devaney made an amendment to Councilor Piccirilli to omit "conflict of interest" as it would restrict the attorney and to simply request the attorney to adopt a policy.

Councilor Lawn asked Attorney Reich if he has dealt with this problem in other communities. Attorney Reich indicated that he has. He noted that conflict of interest and content of a program are different issues.

The Chair indicated that any program that is independent from the Town should be paid for by the producer of the show.

Councilor Kounelis seconded the motion and stated that she is not on-line nor has cable, but she concurs with the Chair and Councilor Devaney. She supports counsel looking into this issue as common courtesy should prevail and all candidates should have been extended an invitation to attend. She noted that when she was not invited she assumed it was due to her running unopposed in district A.

The Chair asked for a roll call vote.

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

The Chair stated that two Verizon poles on Pleasant Street are waiting for an accident to happen and pose a significant hazard. Mr. Gerald S. Mee, Jr., stated that the two poles are slated to be removed. During a meeting, it was indicated that Verizon would be in this week to remove the two poles as well as others.

The Chair asked that a letter be sent to Verizon. Councilor Devaney moved the matter, seconded by Councilor Sideris and adopted by voice vote.

7. COMMUNICATIONS FROM THE TOWN MANAGER:

a) Preliminary Budget Overview for Fiscal Year 2011. The Manager provided a lengthy overview of the Fiscal Year 2011 budget. Following the presentation, the Chair opened up the presentation for discussion.

Councilor Devaney spoke in concern over the proposed Fire and Police budgets. She asked who will conduct the police and fire department study. The Manager indicated that a consultant has not been chosen as of this date. Councilor Devaney said in these times crime is up and the number of police is at its lowest. She spoke about the Fire Department's ladder truck out of service in the East End and that there will be a tragedy if there is a fire and the ladder truck has to come from Main Street or if the ladder truck is already out on a call in other parts of Watertown.

Councilor Devaney stated that the Fire Chief is using overtime account to keep four firefighters that were cut from the budget. She stated that overtime will be depleted as presently two firefighters are out on medical and one serious illness. The Manager stated that reduction in overtime was agreed upon in order to maintain the four firefighter positions, which may be affected by any further local aid cuts in the future.

Councilor Devaney stated that there was no public notice that a vote was taken to close the branch libraries with no one from the public present. She stated as a councilor, she found out at the budget hearing. She noted that the branch libraries are deteriorating with a cost of \$2.6 million. The Manager noted that the Library Board of Trustees are elected to make those kind of decisions and that the Main Library is the crown jewel of the town with circulation up. He noted that the vote to close the branches took place in public session.

Councilor Devaney talked about the location of the new police station, the loss of an historic building, loss of a school, loss of over \$200,000 yearly from the Atrium lease. The Manager indicated that the Public Safety study is a Fiscal Year 2010 policy guideline from the Town Council and the decision to place the new police station at the Browne School was a policy decision made in concert with the Town Council.

8. REQUESTS FOR INFORMATION

Councilor Kounelis stated that a letter has been forwarded to the Manager and others regarding an incident at the library involving safety.

Councilor Devaney asked that the Manager provide a confidential letter to the Council explaining why there are so many grievances at the police department.

9. ANNOUNCEMENTS

Councilor Devaney announced that Governor Patrick has awarded Stimulus monies; including \$7.9 million dollars for Nonantum Road and asked that a letter be sent to thank our elected officials. The Chair indicated that all elected officials involved with Nonantum Road will be included in the letter.

Councilor Lawn announced the Boys and Girls Club Annual Road Race this Saturday.

Councilor Hecht announced that the Historical Society will conduct a tour of the Town Hall Building this Saturday.

The Governor is recommending \$7.9 for Nonantum Road, with the DCR working hard to wrap up the details of the design. Several Watertown residents have been generous in providing easements at the no cost. He noted that this represents the culmination of many years of hard work by several Councils, many residents, public officials, the manager, planning director, police and fire departments.

The Chair congratulated the Manager for an outstanding and precise presentation of the Fiscal Year 2011 budget.

10. PUBLIC FORUM – none noted.

11. ADJOURNMENT: There being no further business to come before the Town Council, Councilor Devaney moved to adjourn the meeting at 10:30 pm, seconded by Councilor Sideris and adopted by unanimous 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 on November 24, 2009 as amended.

Clyde L. Younger, Council President