



## 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, DECEMBER 11, 2012 @ 6:15 PM RICHARD E. MASTRANGELO COUNCIL CHAMBER ADMINISTRATION BUILDING

### Minutes

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, Administration Building. Present for the meeting were Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, 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. Councilor Woodland arrived after the call of the roll.
2. **EXECUTIVE SESSION - 6:15 PM:** To consider the purchase, exchange, lease or value of real estate – Arsenal on the Charles. Councilor Falkoff moved the matter as stated above noting that having the discussion in open meeting could be detrimental to the Town, seconded by Vice President Corbett and adopted by unanimous roll call vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.
3. **RETURN TO OPEN SESSION: 7:15 PM.**
4. **PLEDGE OF ALLEGIANCE**
5. **EXAMINATION OF MINUTES:** [November 27<sup>th</sup>](#). Councilor Piccirilli moved the minutes, seconded by Councilor Woodland and adopted by unanimous roll call vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Anthony Palomba, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.
6. **PUBLIC FORUM** – none noted.
7. **PRESIDENT'S REPORT:**

The Chair asked for a motion to refer the Fiscal Year 2012 Audit to the Budget and Fiscal Oversight Committee. So moved by Councilor Piccirilli, seconded by

Councilor Lenk and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, 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 move the July 2013 meeting date from July 9<sup>th</sup> to the 16<sup>th</sup>. So moved by Vice President Corbett, seconded by Councilor Falkoff and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

It was noted that the August 2013 meeting date will remain at August 13<sup>th</sup>.

## 8. MOTIONS, ORDERS AND RESOLUTIONS:

- a) Motion on a citizen petition requesting the Town Council to support a resolution urging our state and federal elected officials to work toward reversing the effects of Citizens United v Federal Election Commission (2010).

The Chair recognized Attorney Reich who provided a brief explanation of the citizen petition as noted above. He stated that the Charter allows citizens to petition certain matters to come before their elected board; to allow them to speak on the matter and for the Council to consider what action to take if any.

The Chair briefly reviewed the Rules with respect to the process for this public hearing.

The Chair opened up the hearing and recognized:

1. Russ Arrico, Fayette Street – spoke against this matter coming before the Council noting that it is not a local issue but one that was decided by the Supreme Court.
2. Bevan Croft, Forest Street – spoke in support of the Council issuing a formal statement against Citizens’ United decision noting 63% of Watertown voters voted to overturn the Supreme Court decision on a non-binding ballot question.
3. State Representative Jonathan Hecht – spoke in support of the Council issuing a formal statement against Citizens’ United. He noted that the form in which you make your statement is not critical; what is important is that at every level people express their strong disapproval of the Citizens’ United decision.
4. Richard Markus, Walnut Street – stated that Citizens’ United is about voter intimidation. He spoke against Citizens’ United.
5. John Mosca, Forest Street – spoke against the Council taking up this issue; as it is not a local issue.
6. Bob McDonald, Edenfield Avenue – agreed with Mr. Mosca and stated that the issue is complicated and that the only way to handle it is either to not address the issue or hear both sides of the matter noting that power does intimidate and it works both ways noting the power of unions as well as corporations
7. Abby Anna, Washburn Street – spoke against Citizens’ United decision and stated that corporations are not people and that common sense needs to be restored.

The Chair asked for a motion to have him send a letter on behalf of the Council to elected state and federal delegations acknowledging that 63% of Watertown voters, voted on the non-binding ballot initiative and call upon Watertown state and federal senators and representatives to take all of these facts into consideration. Councilor Piccirilli moved the motion, seconded by Councilor Donohue and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

- b) [First Reading](#) on a Proposed Loan Order authorizing the Town Treasurer with the approval of the Town Manager to issue refunding bonds pursuant to G.L. c. 44, §21A in order to reduce interest costs, in an amount not to exceed Eleven Million Dollars (\$11,000,000), to refund all or any portion of the remaining principal of and redemption premium and interest on the following outstanding bonds of the Town:

<u>Original Amount</u>	<u>Original Issue Date</u>
\$ 4,103,000	November 1, 2003
\$ 5,263,000	March 15, 2004
\$15,965,000	November 1, 2004

and for the payment of all costs incidental and related thereto, and that the Town Manager and the Treasurer are each authorized to take any and all other action necessary to carry out the purposes of this Order. The Chair read the Loan Order and recognized the Manager who provided a brief overview and noted that a public hearing and vote will take place at the January 8<sup>th</sup> Town Council meeting.

[Resolution](#) approving the Acceptance of Gift of Materials, Supplies, and Services from Tufts Health Plan and Home Depot to restore the Watertown World War II Veterans Monument. The Chair recognized the Manager who provided a brief overview of the matter. Councilor Woodland moved the resolution, seconded by Councilor Piccirilli and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

Vice President Corbett moved to send a Thank you letter to Home Depot and Tufts Health Plan, seconded by Councilor Falkoff and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

## 9. COMMITTEE REPORTS:

Committee on Public Works report on Automated Trash and Recycling program; roads/street repairs and action on an [appointment](#) to the Storm-water Advisory Committee – Cecilia Lenk, Chair. Councilor Lenk read the report, she noted that a

full report will be prepared and submitted at the next meeting. Councilor Woodland moved the report, seconded by Councilor Piccirilli and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

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

- a) Committee on Budget & Fiscal Oversight [report](#) and action on Recommendations on the FY 2014 Budget Policy Guidelines – Vincent J. Piccirilli, Jr., Chair. Councilor Piccirilli read the report. Councilor Falkoff asked for a re-wording of the last sentence on page 4.

**MOTION:** Resolution of Ongoing Guidelines, So moved by Councilor Piccirilli, seconded by Councilor Lenk.

Councilor Palomba asked if the resolution can be changed at any time. Attorney Reich stated, yes, it is just a guidelines and an active document which can be amended by vote with proper notice on the agenda.

Councilor Falkoff asked for a grammatical change to delete word “establish” and replace with the word “use”. Councilor Piccirilli stated that he would make that grammatical change.

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

**MOTION AND VOTE:** Councilor Piccirilli moved to adopt the Budget Policy Guidelines including Attachment A, seconded by Councilor Lenk and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

**MOTION AND VOTE:** Councilor Piccirilli moved to change the dates as shown for the submission of the CIP from January 8<sup>th</sup> to January 22<sup>nd</sup>, from the adoption of the conceptual plans on the CIP from March 12<sup>th</sup> to March 26<sup>th</sup> and from the presentation of the budget from April 9<sup>th</sup> to April 23<sup>rd</sup>. seconded by Councilor Falkoff and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

The Chair noted a typo on page 2 of 2 and asked that the year be changed from 2012 to 2013.

The Chair asked that the deadline for the submission of the rankings be December 17<sup>th</sup> and be submitted to the Manager's Office as the Council Clerk will be on vacation.

The President's Technology Ad Hoc Committee [report](#) on Open Meeting Law compliance – Cecilia Lenk and John A. Donohue, Chairs. Councilor Lenk read the report. Councilor Donohue moved the report, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, 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 refer the matter of “electronic delivery to Council” to the Committee on Rules and Ordinances for discussion and recommendation. Councilor Kounelis asked for an opinion from Attorney Reich on this matter noting that there is no pre-requisite for an elected official to be computer literate. Attorney Reich stated the Council has the ability to determine how they will disseminate information. There is no requirement that documents be provided to any specific individual in any specific manner; they just have to be able to everyone at their request under the Public Records law.

The Chair asked Attorney Reich if the Council can determine how they will distribute documents; i.e. in electronic form.

Attorney Reich stated that there is no requirement that documents be provided in paper form as long as they are in some manner available.

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

10. NEW BUSINESS – none noted.

11. COMMUNICATIONS FROM THE TOWN MANAGER:

The Manager announced the following:

Holiday care package drive for Troops at the John A. Ryan Skating Arena tomorrow night as listed on the Town's website.

Observance of Christmas: Administration Building closed noon on the 24<sup>th</sup> and closed on the 25<sup>th</sup> and closed noon on the 31<sup>st</sup> and closed on January 1<sup>st</sup>.

Harvard University executed a purchasing and sales agreement with Athena Health for the Arsenal on the Charles property.

12. REQUESTS FOR INFORMATION – none noted.

13. ANNOUNCEMENTS:

:

Councilor Donohue announced that he received emails from residents on Keith Road regarding traffic patterns and speed. Councilor Donohue indicated that he put a call to the Police Chief and in response Sgt. Sampson placed a traffic monitoring system on the road to help out the residents in that area.

Councilor Kounelis stated that she received calls from Keith Road residents and also spoke with Sgt. Sampson about putting out a traffic monitoring system.

Councilor Palomba acknowledged and appreciated all the residents who sent emails to the Council regarding the new single stream trash and recycling program.

The Chair announced that the Watertown Community Foundation has awarded Healthy Watertown grants to 9 non- profit organizations.

The Chair wished everyone a happy and healthy holiday.

14. PUBLIC FORUM – none noted.

15. ADJOURNMENT: There being no further business to come before the Town Council, Councilor Woodland moved to adjourn the meeting at 8:45 pm, seconded by Vice President Corbett and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Anthony Palomba, 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 by unanimous voice vote on January 8, 2013.

Mark S. Sideris