



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

Aaron Dushku,
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, JANUARY 13, 2015 @ 6:15 PM RICHARD E. MASTRANGELO COUNCIL CHAMBER ADMINISTRATION BUILDING MINUTES

1. **ROLL CALL:** A regular meeting was called to order at 6:15 pm, in the Richard E. Mastrangelo Council Chamber. Present for the meeting were Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., 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.

2. **EXECUTIVE SESSION – 6:15 PM:** Vice President Corbett made the motion to go into executive session as stated below, seconded by Councilor Woodland and adopted by unanimous roll call vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

- a. To consider the purchase or value of real estate -- Offered Railroad Property (Reference #14C-9).
- b. To discuss strategy with respect to Collective Bargaining with the DPW Union, Town Hall Associates Union, Library Union, Fire Union, Police Patrol Union, Police Supervisors Union, as an open meeting may have a detrimental effect on the Town's bargaining position.

3. **RETURN TO OPEN SESSION: 7:15 PM**

4. **PLEDGE OF ALLEGIANCE**

5. **EXAMINATION OF MINUTES:** [December 9th](#). Councilor Piccirilli moved to accept the minutes as written, seconded by Councilor Woodland and adopted by unanimous voice vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, 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:

The Chair recognized:

1. Rob Mannix, Firefighter/union president local 1347 - requested that the Town Council reconsider their December 9th vote that rejected the transfer to settle the firefighters' Agreement. Mr. Mannix read a letter from school union president Debra King and noted all the other unions in Watertown that support the firefighters' contract and stated that not funding the contract based on the false statement that the other unions would be offended was insulting to the firefighters.
2. Ed Kelly, Boston firefighter and President of Professional Firefighters of Massachusetts – stated that the vote taken on December 9th threw the concept of joint labor management decisions out the window and cost Watertown firefighters and working families everywhere. He asked that the Town Council find a solution to this.
3. Bob Quinn, Deputy Fire Chief of Watertown - noted his disappointment at how the arbitration process has been treated and stated that the Town Council has let him down by not playing by the rules. He asked them to do the right thing.
4. Bob McCarthy, former Watertown firefighter and President of Professional Firefighters of Massachusetts – recalled that after layoffs due to the passage of prop 2 ½; firefighters and the town worked together to find a solution. He noted that town has now turned their backs on public employees and that firefighters should not have to beg for a raise. He asked that the elective leaders do the right thing.
5. Tommy McManus, Deputy Fire Chief of Watertown – noted a lot of disappointment in the room as firefighters followed a process, provided concessions and were let down on the December 9th vote. He indicated that the council Rule 18 “dispute resolution” process indicates respect for their own procedures but doesn't honor firefighters' dispute resolution.
6. Mike Dattoli, 61 Carroll Street, noted that you cannot do a one size contract negotiation and stated that everyone is in favor of the contract and that the 3rd party review was what the arbitration award was. He noted his embarrassment and asked the Council to accept the award.
7. Bob Erickson, 27 Lloyd Road – noted that it all comes down to bold leadership and respect. He stated that the arbitration award should be approved; as all unions are in agreement, the town has the money, the firefighters deserve it and we owe it to them.

Councilor Piccirilli moved to Suspend the Rules and move forward agenda item 12 Communications from the Town Manager, seconded by Councilor Lenk and adopted by unanimous voice vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

- a. Request for a revised date for submission of the [Proposed Fiscal Year 2016-2020 Capital Improvement Program](#). Councilor Piccirilli moved to approve of the date changes as outlined in the revised date submission, seconded by Councilor Lenk and adopted by unanimous voice vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.
- b. The Manager read a [statement](#) with respect to the arbitration award.

7. PRESIDENT'S REPORT:

The Chair stated that in order to have reconsidered the vote on December 9th, a written request would have had to have been forwarded to the Council Clerk by noon of December 10th. The Chair stated that it is important for the community to see a fair resolution to this matter and for that reason he is looking to the Town Manager to work with the union leadership to get this matter resolved.

The Chair indicated that he will be postponing the appointments to the Victory Field Ad Hoc committee pending a further review of the list of candidates.

The Chair called a five minute recess.

8. INFORMATIONAL PRESENTATION:

a) [Watertown Bicycle & Pedestrian Committee Presentation](#) - Ethan Davis, Chair. Mr. Davis reviewed a power point presentation along with an annual update of the Committee's work. The Chair thanked Mr. Davis for the update.

Councilor Dushku asked what the process is for site plan reviews. Mr. Davis stated that plans are sent to the committee member who is assigned to that role; who will review the plans and weighs in on them.

Councilor Dushku stated that as opposed to a react mode he would like to see the committee look at the town's regulations and see what needs to be enhanced and stay in touch with the Council.

Councilor Lenk stated that it is great to see this presentation and to bring this committee to the forefront. She noted that Baptist Walk needs to be addressed; perhaps with a bicycle path or other amenities.

9. MOTIONS, ORDERS AND RESOLUTIONS:

a. [Resolution](#) authorizing a transfer in the amount of \$6,500 from the Fiscal Year 2015 Community Development & Planning Part Time Salaries Account to the Fiscal Year 2015 Community Development & Planning Contracted Services Account in order to fund services for the remainder of the fiscal year. The Manager provided a brief overview of the transfer. Councilor Piccirilli moved the resolution, seconded by Councilor Lenk and adopted by unanimous roll call vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

b. [An Order](#) accepting an Easement for Public Way Purposes at the Intersection of Church Street and Summer Street and authorizing the Town Manager to Execute an Acceptance for said Easement. The Manager provided a brief overview of the Order and recognized Mr. Gerald S. Mee, Jr., Superintendent of Public Works and Matt Shuman,

Town Engineer who explained changes to the intersection including updated ADA compliance and improved signalization.

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

10. COMMITTEE REPORTS:

a) Committee on Public Safety [report](#) and action on a [re-appointment](#) to the Traffic Commission – Susan G. Falkoff, Chair. Councilor Falkoff read the Committee report. Councilor Woodland moved to accept the report, seconded by Councilor Falkoff and adopted by unanimous voice vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

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

c) Committee on Personnel and Town Organization [report](#) and action on the finance director position recommended by the Division of Local Services – Susan G. Falkoff, Chair. Councilor Falkoff read the Committee report. Councilor Woodland moved to accept the report, seconded by Councilor Piccirilli and adopted by unanimous voice vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

ACTION ITEMS:

1. Councilor Falkoff moved to allow the Manager to appoint the Town Auditor as Assistant Town Manager for Finance, to oversee and monitor all financial management staff, assist with budget preparation, and undertake other financial responsibilities as assigned by the Manager, seconded by Councilor Lenk.

Councilor Palomba stated that the town auditor is a position that we hire and we review and now we are asking that person to take on an additional job which will be supervised by the Manager; he asked how is this supposed to work?

Councilor Falkoff stated that the committee talked about that a lot and it seemed odd. However, she noted that there is another position in Lexington that seems to work well.

The Chair stated that the Town Council is not giving up any supervisory role with the Town Auditor. He indicated that we should give this a try as it was recommended by the by the people from the Division of Local Services who conducted a review of the town.

Councilor Kounelis concurred with Councilor Palomba's comments and indicated that the Town Auditor reports directly to the Town Council and that there is a disconnect here; as we are losing our ability to have unbiased information as there will be more interaction between the two offices.

Councilor Corbett stated that we already have this dichotomy this would broaden that and add responsibilities with an additional stipend. This was thoroughly discussed at the committee level.

Councilor Lenk concurred that this was thoroughly discussed; noting that we are trying to solve a problem that has been identified noting the many financial needs in the town and that the town simply does not have the resources to add that level of staff right now. This will be a team between the Town Manager and Town Auditor that will work effectively together

Councilor Piccirilli stated that he wants to make it clear that the Town Council would still retain the responsibility of appointing the town auditor position; reviewing the position and the salary.

The Chair stated that there will have to be a Charter change.

Councilor Palomba reiterated that the Council will retain responsibility as a council to oversee the auditor and salary of the auditor. He asked that the matter be reviewed in one year as a sunset clause. If we hire in the future a Town Auditor; will we be hiring a Town Auditor or the combined position?

The Chair stated that we would be hiring a Town Auditor only.

The Chair stated that we can add to the motion that we will report back to the council in one year for an overall review as to how this position is working.

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

On the Main motion as amended; it was unanimously voted with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

11. NEW BUSINESS:

Councilor Palomba stated that on the next Town Council agenda there will be a proposal to create an Ad Hoc Committee for the purpose of keeping Watertown in the mix with respect to the 2024 Summer Olympics.

Councilor Dushku, on behalf of the Chair's request, moved to refer the issue of "plastic bags" to the subcommittee of Rules and Ordinances to discuss if the banning of such bags would work in Watertown, seconded by Councilor Palomba and adopted by unanimous voice vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

12. COMMUNICATIONS FROM THE TOWN MANAGER:

a. Request for a revised date for submission of the [Proposed Fiscal Year 2016-2020 Capital Improvement Program](#). Previously voted.

13. REQUESTS FOR INFORMATION – none noted.

14. ANNOUNCEMENTS:

Councilor Lenk announced that Casey Park skating rink now open.

Councilor Lenk announced the Watertown Free Public Library – Hatch Maker Space open house– do it yourself place - January 25th at 1pm.

Councilor Woodland announced the Pleasant Street Corridor District changes tomorrow night at 7pm.

Councilor Dushku announced MLK unity breakfast – Sunday at the Hellenic Cultural Center.

Councilor Dushku announced Design Guideline process meeting, Middle School 6pm, Thursday, January 22nd.

Councilor Palomba announced Lessons Learned from Somerville revitalization – Waltham 8am tomorrow – Tempo Restaurant.

Councilor Palomba announced 7pm, High School; tomorrow; forum for parents regarding how to talk with your children about the Boston Marathon Bombing.

The Chair announced Blood Drive, January 17th at the Police Station.

15. PUBLIC FORUM:

Ed Shinebart, 275 Main Street – asked that the Town request having MBTA director Beverly Scott come back to speak before she leaves her post.

Pat Gold, Flu shot clinic in the library tomorrow.

Bob Mannix Firefighter/union president local 1347 – responding to a written statement made by the Manager earlier; he stated for the record that he would never meet with the Manager without his negotiation team.

Bob McCarthy former Watertown firefighter and President of Professional Firefighters of Massachusetts – responding to the Manager's statement with respect to Chapter 1078 of the

Acts of 1973; he stated that the Manager left out a vital sentence at the end of that sentence and that the joint MMA committee is starting an investigation as to how this vote on December 9th was taken. He assured the Council that the district attorney and attorney general will be contacted and will respond to any issues with respect to jurisdiction and procedures to ensure they were done in accordance with all laws.

Tommy Thibaut, firefighter/former union local 1347 president – stated that our Locals spent a lot of money on these negotiations and that the public should be aware of what the town has spent on this. He indicated how frustrating it has been to go through this and that he feels that it is time for a change on the Council.

16. ADJOURNMENT – There being no further business to come before the Town Council, Councilor Woodland moved to adjourn the meeting at 8:40 pm, seconded by Councilor Palomba and adopted by unanimous voice vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

I hereby certify that at a regular meeting of the Town Council, the above minutes were adopted by unanimous voice vote on February 10, 2015.

Mark S. Sideris, Council President