



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

John J. Lawn, Jr.
District D Councilor

Town Council Meeting
Tuesday, February 22, 2011 at 7:15 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, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris. Also present for the meeting were Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk Valerie Papas.
2. **PLEDGE OF ALLEGIANCE**
3. **ACCEPTANCE OF MINUTES:** [February 8th](#). Councilor Piccirilli moved to accept the minutes, seconded by Councilor Lenk and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.
4. **PUBLIC FORUM:** None noted.
5. Councilor Falkoff moved to Suspend the Rules in order to bring forward agenda item 6B b) a [Resolution](#) in support of Earth Hour 2011 – Susan G. Falkoff, Councilor. The motion was seconded by Councilor Piccirilli and adopted by voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

Councilor Falkoff read the resolution which called for the turning off of all lights on March 26th between the hours of 8:30 and 9:30 pm as a call to action on climate change.

The Chair recognized Recycling Committee Chair, Katherine Ryan, who spoke in support of the resolution and announced that on March 26th a

march will take place from the Middle School to Watertown Square to commemorate the event.

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

6. COMMITTEE REPORTS:

- a) Committee on Economic Development and Planning [report](#) on the disposition of the former police station and municipal parking lot – Stephen P. Corbett, Chair. Vice President Corbett read the Committee report and noted that the Committee voted to maintain the building for municipal use at this time and requested the Planning Director to gather additional information in order to arrive at more definitive recommendations as outlined in the report with an additional meeting to be scheduled for the review of the compiled information.

Councilor Donohue moved to accept the report, seconded by Councilor Falkoff.

Councilor Kounelis commented that as far as records storage, there are flooding issues in the lower level of the building. She further noted the overhead costs to maintain the building and while she supports retaining the building; she doesn't necessarily support its use for municipal uses.

Councilor Lawn indicated that the Credit Union is looking for outside space better suited for their needs and should be contacted.

Councilor Lenk noted that a plan must be put in place for retention of records and that the Town should consider looking at a system where a stored document could be easily located and where documents deemed no longer vital can be easily weeded out and destroyed as necessary. She indicated that she would not want to see documents simply placed in boxes with no plan on how to gain access to them.

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

Committee on Public Works [report](#) on Snow Removal and the review of the Role and Procedures of the Traffic Commission; – Susan G. Falkoff, Chair. Councilors Falkoff and Piccirilli read the report. There being no questions or comments, Councilor Falkoff moved to accept the report, seconded by Vice President Corbett and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

b) Committee on Rules and Ordinances [report](#) and action on the Council [Rules](#) and [Definitions](#) and [Table of Contents](#) – Anthony Palomba, Chair. Councilor Palomba provided a summary of the Committee report and the proposed changes to the Council Rules. Councilors Lawn and Donohue thanked Committee Chair Palomba for his diligent work on this document.

MOTION: Councilor Donohue moved to amend the proposed Rules under consideration tonight: Section 8.1 Order of Business by moving “Communications and Reports from Town Officers and Employees” ahead of “President’s Report”, seconded by Councilor Palomba and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

MOTION: Councilor Donohue moved to amend the proposed Rules under consideration tonight: Section 10.3 add words “or Bond Counsel” to the third sentence after the words “Town Attorney”, seconded by Councilor Lawn and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

Councilor Kounelis spoke against the proposed amendment to Section 8.7 which she felt places limitations on the number of times a councilor can request information on the same subject matter.

Councilor Lawn stated that the proposed amendment allows any councilor to bring to the attention of the whole council any request for information, the councilor feels has not been addressed or addressed adequately by the administration.

Councilor Falkoff spoke in support of the amendment and noted that in the past, Requests for Information have been abused and used in some instances to disparage the town government. She indicated that while the proposed amendment may not be the best way, she cannot think of any other way to address the matter.

Councilor Palomba stated that he understands Councilor Kounelis' concern and noted that the Committee crafted this language in order to give councilors an additional opportunity to bring the issue to the attention of the full council; he indicated that he hopes that if information is not forthcoming, that the council would support the idea of information sharing and transparency.

The Chair asked Councilor Kounelis if she would like to bring forth a motion or an amendment.

MOTION: Councilor Kounelis moved: that Section 8.7 be limited to the first sentence, seconded by Councilor Falkoff.

Councilor Piccirilli stated that that the proposed amendment put forth by the Committee is in keeping with the language in the Town's Charter, Section 2.7 ©regarding this subject matter.

Upon a roll call vote, the motion was defeated by a vote of 2 for and 7 against with Councilors Angeline B. Kounelis and Susan G. Falkoff voting in the affirmative and Councilors John A. Donohue, Anthony Palomba, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting against.

MAIN MOTION: Vice President Corbett moved to adopt the Council Rules as amended, seconded by Councilor Falkoff and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative. .

Former Branch Library Reuse Advisory Committee [report](#) on the republishing of RFPs to lease the former branch library buildings – Vincent J. Piccirilli, Jr., and Angeline B. Kounelis, co-chairs. Councilor Piccirilli read the Committee report. Councilor Kounelis moved the report, seconded by Councilor Piccirilli.

Councilor Donohue asked what condition the two buildings are in. Mr. Magoon indicated that he has been in the buildings and that while there are ongoing issues, the buildings are still in relatively good shape.

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

- c) The President's Technology Ad Hoc Committee [report](#) on technology – John A. Donohue and Cecilia Lenk, co-chairs. Councilor Lenk read the Committee report. Councilor Donohue moved to accept the report, seconded by Vice President Corbett.

Councilor Falkoff stated that she assumes that for boards and commissions, similar to the council, they can have their town emails forwarded to their home emails so they do not have to check two emails. Councilor Lenk stated, yes.

Councilor Piccirilli asked if it were true that the Town cannot direct the School Committee and Library Board of Trustees to have town email addresses as opposed to them using their personal email addresses to communicate with constituents. Attorney Reich stated the following: That yes, there is no mechanism for enforcement. Any individual has the ability to say how they will communicate and that using their own email address is more of a burden to them personally in maintaining the public record of their communication. Mr. Reich indicated that the Manager can lay out rules on emails to board and commissions and can enforce it by means of the reappointment process for which any board or commission member does not follow established rules.

Councilor Piccirilli asked if a Charter amendment on the email issue would help enforce the compliance among School Committee and Library Board of Trustee members. Attorney Reich stated that yes, it could help, but it would be a provision that is directory not mandatory.

Councilor Donohue indicated that while the use of a town email address may not be enforceable it is advisable and in the best interest of all public officials to have and use one.

Attorney Reich concurred.

The Chair stated that a Town email address is an added layer to ensure compliance with the open meeting law.

Attorney Reich agreed that a Town email address is a tool for a more seamless and transparent and effective way to comply. The difficulty is in the enforcement, he noted.

Councilor Lenk concurred and stated that the Technology Committee saw a need for compliance with the open meeting law and the need for a tool to help facilitate communication and compliance; as well as to allow for communication to be uniform among all public officials.

The report was accepted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

The Chair called for a 5 minute recess. Upon convening, the Chair took up the remaining items on the agenda.

7. MOTIONS, ORDERS AND RESOLUTIONS:

a) Acceptance of [Proclamation](#) recognizing March as Arts in our Schools Month – Mark S. Sideris, Council President. The Chair read the proclamation which will be presented at the next School Committee

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

b) [Resolution](#) in support of Earth Hour 2011 – Susan G. Falkoff, Councilor. (Previously taken up and adopted).

7. NEW BUSINESS: Vice President Corbett moved that the issue of snow removal on sidewalks throughout the town be referred to Public Works with an invitation to the Commission on Disabilities, seconded by Councilor Lawn and adopted by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

8. PRESIDENT’S REPORT:

The Chair announced that due to the State Special Primary and Election taking place on a regularly scheduled Town Council meeting, the April 12th Town Council meeting will be moved to April 13th and the May 10th Town Council meeting will be moved to May 11th.

9. COMMUNICATIONS FROM THE TOWN MANAGER:

1. The Manager noted that the Victory Field Phase 1 timeline and fundraising efforts were presented to the School Committee on February 10th for which they unanimously endorsed.
2. The Manager announced that the Emergency Parking Ban enacted on February 2nd has been partially lifted. Parking is now allowed on all even number sides of secondary roads.
3. The Manager indicated that as of tonight, the town has a \$494,000 deficit in the Snow and Ice budget with a total spending amount for this year at \$1,285,000.
4. The Manager announced that the Commander’s Mansion Annual Wedding Faire will take place March 5th and 6th.

10. REQUEST FOR INFORMATION:

Councilor Kounelis requested an [update](#) of legal fees.

11. ANNOUNCEMENTS:

Councilor Falkoff thanked the Manager for removing the signs on Thaxter Street which were deemed obsolete.

Councilor Donohue announced that the Human Services Committee will meet to discuss the Watertown/Harvard/O'Neil Charitable fund to address ideas/concerns and options moving forward.

Councilor Donohue announced the well attended and successful annual Spelling Bee which was held on February 13th and headed by Ms. Amy Donohue. Councilor Donohue gave a special thanks to the Education Foundation.

12. PUBLIC FORUM: None noted.

13. EXECUTIVE SESSION: To consider the purchase, exchange, lease or value of real property. Vice President Corbett moved to go into executive session on the above stated matter as discussing the matter in open session will have a detrimental effect on the subject matter, seconded by Councilor Palomba.

Councilor Kounelis asked how discussing the matter in open session would be detrimental to the community.

Attorney Reich stated that discussing the town's position regarding the purchase, exchange, lease or value of real property could compromise the town's position, and that further elaboration would intrude upon the intent of the executive session.

Upon a roll call vote the motion was adopted by a vote of 8 for and 1 against with Councilors John A. Donohue, Susan G. Falkoff, Anthony Palomba, Cecilia Lenk, Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative and Councilor Kounelis voting against.

Addendum

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted on March 8, 2011 as amended by unanimous voice vote with Councilors John A. Donohue, Susan G. Falkoff, Angeline Kounelis, Anthony Palomba, Cecilia Lenk,

Vincent J. Piccirilli, Jr., John J. Lawn, Jr., Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

Mark S. Sideris, Council President