Watertown Town Council
Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

Town Council Meeting
Tuesday, September 13, 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. 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 were the Town Manager Michael J. Driscoll, Town Attorney Mark Reich and Council Clerk Valerie Papas.

2. PLEDGE OF ALLEGIANCE

3. ACCEPTANCE OF MINUTES: August 9th. Vice President Corbett moved to accept the minutes, 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.

4. PUBLIC FORUM: The chair recognized:

   Jim Loughlin, 465 Arsenal Street – who invited councilors to a Planning Board meeting on Wednesday, September 14th in opposition to the proposed 42 space parking lot project at Arsenal Apartments courtyard.

5. PRESIDENT'S REPORT:

   The Chair asked for a motion to refer to the Public Works subcommittee the development of a policy to name squares, town buildings, town hall rooms, parks, etc in honor of residents. Councilor Piccirilli moved the matter, seconded by Vice President Corbett 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.

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The Chair asked the Personnel Committee to keep moving forward with discussions regarding town reorganization.

6. PRESENTATIONS OF PETITIONS, PROCLAMATIONS, AND SIMILAR PAPERS AND MATTERS:

a) Public hearing and vote on a petition by Comcast requesting permission to install a single 3 inch conduit from pole #3 on Pleasant Street, crossing for approximately 35 feet. This work is necessary in order to provide service to the businesses of 9 Galen Street. The Chair recognized Mr. Brian who provided a brief explanation of the petition. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Piccirilli stated that he had a conversation with Mr. Frank Foss of Comcast today regarding concerns with double poles. Councilor Piccirilli stated that he is satisfied with Mr. Foss's response regarding this matter.

Councilor Piccirilli moved the petition, seconded by Councilor Falkoff 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.

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Acceptance of Proclamation honoring Patriot Day. The Chair asked for a motion to accept a proclamation honoring Patriot Day which was previously read on 9/11. Vice President Corbett moved the proclamation, seconded by Councilor Lawn 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.

7. COMMITTEE REPORTS:

a) Committee on Economic Development and Planning report and action on the appointment of Mr. Neal Corbett to fill an unexpired term on the Planning Board – Stephen P. Corbett, Chair. Vice President Corbett read the Committee report. It was noted that Mr. Neal Corbett is not related to Vice President Corbett. Councilor Donohue moved to accept the report, seconded by Councilor Lawn 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.

Vice President Corbett moved the appointment of Mr. Neal Corbett, seconded by Councilor Donohue 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.

b) Committee on Public Works report on a Recycling Center – Susan G. Falkoff, Chair. Councilor Falkoff read the Committee report. Councilor Kounelis moved to accept the report, seconded by Councilor Falkoff 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.

c) Joint Committee on Economic Development and Planning and Public Works report on cell towers – Stephen P. Corbett and Susan G. Falkoff, Chairs. Vice President Corbett read the Committee report. Councilor Lawn moved to accept the report, seconded by Councilor Donohue 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.

It was noted by Councilor Piccirilli that the second report from earlier in the evening will be forwarded to the Clerk.

d) Works Charitable Ad Hoc Committee reports and action on the 2011 Harvard/O'Neil/Watertown charitable awards – Council President Sideris. The Chair read the Committee reports. Councilor Donohue moved to accept the reports, seconded by Councilor Kounelis 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.

The Chair asked for a motion to adopt the proposed charitable awards for 2011. Councilor Donohue moved the awards, seconded by Councilor Kounelis 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.

8. MOTIONS, ORDERS AND RESOLUTIONS:

a) Action on the cell tower recommendations per the joint Public Works and Economic Development and Planning committee report.

MOTION: Vice President moved to direct, through the Manager, the Planning Department to convene a meeting of the involved departments; fire, police, public works; to assess their emergency needs and develop a scope of work to arrive at an integrated system and to identify a cost to hire such a consultant to design such a system, seconded by Councilor Lawn.

Councilor Kounelis asked if by accepting the motion; does it mean the recommendations are accepted to place antennas on town buildings?

Vice President Corbett stated; no – that is separate.

Councilor Palomba asked if a deadline is needed? Mr. Magoon, Planning Director; stated this can be done in 60 days and that no deadline is needed.

Councilor Falkoff asked if there was a Homeland Security mandate regarding a time frame? Mr. Magoon stated that it was not a mandate.

The motion was 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.

MOTION: Vice President moved that the Town Council approve the development of an RFP to retain a consultant to assess the coverage of the major cell carrier throughout the town and identify potential town owned locations for cell towers at a cost not to exceed $10,000., seconded by Councilor Donohue.

Councilor Kounelis asked if by accepting this motion; would it open us up to accepting cell locations at the Brigham House, Coolidge School Apartments? Mr. Magoon stated that it would not be the intent of the study to identify or eliminate any town properties but to look at the scope of where service needs are and where that coincides with town property.

Councilor Palomba asked if this motion ties the hands of Mr. Magoon in finding a consultant who is within the bidding laws. Mr. Magoon stated that if a single company could be found within the confines of the laws, than an RFP would not be needed.

Councilor Lawn spoke in support of the motion indicating that it is a worthwhile study to conduct on our own and not rely on studies put forth by cell companies.

Councilor Piccirilli stated that health issues have been studied regarding cell towers and antennas which show no risk to the public. Councilor Piccirilli also stated that towers should be camouflaged so that they are hidden from view and by offering municipal properties, we can prevent less desirable placement of antennas.

Councilor Lenk stated that in order to get the best use of our monies we should make sure that we get a very detailed map.

Mr. Magoon concurred and stated that it would be beyond what is made available by carriers and more detailed that what is available on the internet.

Councilor Falkoff stated that she is in favor of going forward with the study but not necessarily in favor of the town placing antennas on town owned buildings.

Councilor Kounelis concurred with Councilor Falkoff.

The Chair stated that the town gathering its own information on where cell coverage is needed is very beneficial and prevents the town from relying on information gathered by cell carriers.

The motion was 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.

b) Action on the recycling center recommendations per the Public Works committee report.

MOTION: Councilor Falkoff moved to ask the Public Works Department evaluate moving the recycling center to the Schick property and report back to the subcommittee by November 1st for feasibility cost for moving it and a conceptual design, seconded by Councilor Lawn.

Councilor Kounelis stated that she will not support the moving of the recycling center to the Schick property because it involves a cost; the Schick property is too small and we will only be able to use the property for ten years.

Vice President Corbett stated that he will support moving forward with a study but is leery about moving the recycling center to the Schick property because of concerns of its size and the cost.

Councilor Lenk stated that she is in support of moving the recycling center to the Schick property and noted that down the line in ten years; we won't know what the needs will be at that time and moving it now will give the town time to find a more permanent site if a site is needed.

The Chair asked if the site is still available at this point. Mr. Magoon stated that it is available.

Councilor Piccirilli stated that we keep hoping for something to happen but that nothing ever does and that we need to find a solution and make decisions based on hard facts. Councilor Piccirilli stated that he believes that with the new contract and in moving toward single stream recycling; it will change the way we currently recycle and how we do business at the recycling center. He stated that the town should do the study first; think about recycling service in the future; do we need separate bins; do we need to haul; look at future compacting of yard waste. Lastly, Councilor Piccirilli noted that he did not think it would be expensive to move recycling to the Schick property as it will be rent free for ten years.

Councilor Lawn concurred with Councilor Piccirilli.

Councilor Palomba asked Superintendent Gerald S. Mee if he has enough time and the funds in his budget. Mr. Mee indicated that he will have the money in his budget; as he believes the cost will be minimal and that he can make it happen within the timeframe.

The motion was adopted 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 no.

MOTION: Councilor Falkoff moved that the Public Works Department close the recycling center at Filipello Park by April 1st whether or not another location has been identified at that time, seconded by Councilor Lenk.

Councilor Donohue stated that while he supports 100% moving the recycling center; he cannot support closing the current site without a backup plan as it would leave our residents without a place to bring their recyclables which would not be fair to them.

Councilor Falkoff stated that this has gone on long enough and that it has to leave the current site.

Councilor Palomba asked Mr. Mee how long it would take to move the recycling center to the Schick property if the study shows that it is feasible to do so.

Mr. Mee stated that he envisions it would be relatively easy; perhaps 30 days with no construction on the site.

Councilor Lenk stated that the recycling center needs to go and there needs to be a hard deadline.

Vice President Corbett stated he finds the motion irresponsible and therefore he cannot support it.

Councilor Piccirilli stated that he is in support of a solution and a good faith effort and is open to suggestions.

The Chair stated that he is not opposed to moving the recycling center but not in support of punishing ourselves and our citizens. The Chair asked for a motion that provides the community with a sense that we are working collaboratively and is interested in hearing from Mr. Mee regarding a date.

Councilor Palomba asked Mr. Mee about April 1st for single stream recycling. Mr. Mee stated that he is interested in getting single stream up and running as soon as possible first.

Councilor Palomba suggested a July 1st date.

The Chair asked Attorney Reich for an opinion regarding the matter and a possible middle ground.

Attorney Reich stated that Mr. Mee should be given an opportunity to carry out the evaluation process; look at the contracting issues; and tie in the whole process and reorientation of the recycling center with a contingency that allows the roll out of the new recycling center to be tied to the new program and not have recycling abandoned midstream through the whole process.

The Chair called for a five minute recess for closed captioning.

Upon reconvening of the meeting, the Chair continued discussion on the recycling center asked the Council to wait until Mr. Mee comes back before the Council on November 1st.

MOTION: Councilor Donohue moved to Table the motion, seconded by Councilor Falkoff.

Councilor Kounelis provided a history of Filipello Park as it relates to the recycling center. She asked if the Administration agrees with the opinion of the Conservation Commission in that the recycling center should never have been placed at the park site.

The Manager stated that in 2005 the State indicated that the recycling center needs to be removed from the parkland and that he is not willing to spend taxpayer dollars to determine through the courts if the recycling center can remain there or not.

Upon a roll call vote to Table the matter until November 1, 2011, it was adopted unanimously 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) Resolution approving the Acceptance and Expenditure of a gift of funds in the amount of $9,850 to offset expenses related to the "Faire on the Square 2011". The Manager provided an overview of the resolution. Councilor Donohue moved the matter, seconded by Councilor Kounelis 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.

9. NEW BUSINESS:

The Manager read Policy guideline Fiscal Year Policy Guideline 4F: *Create a comprehensive plan for the town dealing with broad spectrum of issues, including development, zoning and transportation, in order to encourage town government and its citizens to work in concert towards common goals. Incorporate all previous resources, such as the Economic Development Study, the Open Space Plan, the Pleasant Street Corridor District Study, etc. Include traffic and transportation resources and improvement, and a review of the Zoning Ordinance*" and noted that the Planning Department is getting close to moving forward with a draft proposal and asked the Council to consider referring the draft report to subcommittee for their review. Councilor Donohue moved the referral, seconded by Vice President Corbett 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.

10. COMMUNICATIONS FROM THE TOWN MANAGER

1. Faire on the Square 2011 Saturday, September 24th from 10am – 4pm.
2. Yard Waste Pickup – Friday, September 16th.
3. List of Flu Clinics – available on line and at the Health Department.

11. REQUEST FOR INFORMATION – none noted.

12. ANNOUNCEMENTS:

Councilor Palomba noted his appreciation for the tour of TILL (Toward Independent Living & Learning), a human services agency that supports individuals with developmental disabilities.

Councilor Kounelis concurred and also noted her support for the new agency.

13. PUBLIC FORUM – none noted.

14. ADJOURNMENT: There being no further business to come before the Town Council, Councilor Lawn moved to adjourn the meeting at 9:10 pm, seconded by Councilor Piccirilli and adopted by voice vote.

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 voice vote on September 27, 2011.

Mark S. Sideris, Council President