



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, NOVEMBER 25, 2014 @ 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 Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, 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 Joe Fair, and Council Clerk Valerie Papas. Councilor Lenk arrived shortly after the call of the roll.

2. **EXECUTIVE SESSION – 6:15 pm:** 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; and to discuss strategy with respect to litigation (Fire Union JLMC 12-22F), as an open meeting may have a detrimental effect on the Town's bargaining and litigating positions. Councilor Woodland moved the above stated executive session, seconded by Vice President Corbett and adopted by unanimous roll call vote with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Angeline B. Kounelis, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris voting in the affirmative.

3. **RETURN TO PUBLIC SESSION:** 7:15 pm

4. **PLEDGE OF ALLEGIANCE**

5. **EXAMINATION OF MINUTES:** [November 12th](#). Councilor Piccirilli moved to accept the minutes, 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 noted several people who have signed up to speak and asked that public forum be held in conjunction with agenda item 9A, which will be moved forward.

7. **PRESIDENT'S REPORT** – none noted.

The Chair asked for a motion to Suspend the Rules in order to move forward agenda item 9A.

Councilor Piccirilli moved to Suspend the Rules in order to bring forward agenda item 9A, 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.

9. MOTIONS, ORDERS AND RESOLUTIONS:

a). [Resolution](#) authorizing the [transfer of funds](#) in the amount of \$2,739,759 from the Fiscal Year 2015 Town Health Insurance Account and the Fiscal Year 2015 Town Council Reserve Account to various Fiscal Year 2015 Fire Department Accounts in order to fund the Joint Labor-Management Committee Arbitration Award in the matter of the arbitration between the Fire Union and the Town of Watertown. The Manager read a memorandum dated November 20, 2014 regarding Resolved Issues.

The Chair recognized: Public Forum

Rob Mannix, Firefighter/Local 1347 Union President – spoke in favor of the proposed transfer asking that the Award be funded. He indicated that all the rules were followed and that firefighters would like to move on.

Alan Morash, Firefighter/member of the bargaining team – spoke in favor of the transfer to fund the Award and noted that within the memorandum, all the resolved issues were the town's issues. He asked that the Award be funded.

Paul Lafauci, Firefighter and member of the bargaining team – note that this has been a long process with many meetings and that the firefighters would like to move forward and asked that the proposed transfer be funded.

Tom McManus, Firefighter – echoed all previous comments and asked that the Town Council respect the decision of the arbitration process.

Tom Ganjian, 30 year Firefighter – stated that it is humiliating to have to come before the Town Council after a long arbitration process. He asked that the Town Council approve the Award.

Thomas Thibaut, Firefighter/past president of the union – stated that the firefighters are not the bad guys and that they have been through a five year process which included arbitration. He noted that a no vote, would hurt the morale and that firefighters will be devastated.

Dave Wanger, Union Attorney – noted that arbitration ended a four year ordeal. He stated that the law was followed and that the legislative body has the discretion to determine if this can be funded. He indicated that it would be in error to vote this down based on any other issue and that if this is voted down; it will go back to mediation and round and round it goes.

Mario Orangio, Chief of Fire Department – thanked the firefighters. He stated that they believed in the process and have been selfless. He noted that the department applied for

and received a grant for staffing and that previously they were instrumental in saving four firefighters from being laid off.

Captain Igoe, firefighter – indicated that firefighters played by the rules and asked that the Town Council do the right thing and vote yes on the transfer to fund the arbitrators Award.

There being no further comments, the Chair closed the public forum.

Councilor Piccirilli moved the transfer of \$2,739,759.00 as presented, seconded by Councilor Lenk.

Councilor Palomba exercised his Charter Privilege to postpone the vote until the next Town Council meeting.

The Chair stated that under the Rules there will be no more debate from this side of the Table. He noted that discussion and vote will be held at the next Town Council meeting on December 9th.

The Chair asked Attorney Fair to explain the Charter Privilege process.

Attorney Fair stated that section 2-8 (b) allows any councilor to exercise this privilege and that a vote will automatically take place at the next Town Council meeting, which is scheduled for December 9th. He noted that a vote will take place on December 9th unless 4 or more councilors object to the taking of the vote, whereupon the matter will be postponed for not less than additional five days; this procedure cannot be used again to extend the vote.

The Chair called a five minute recess.

8. PUBLIC HEARING AND VOTE:

a) [Public hearing](#) and vote on a proposed Order allocating the property tax levy among or between property classes for Fiscal Year 2015. Town Assessor – Francis Golden, provided a power point presentation. Following the presentation, the Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Woodland stated that he appreciates the thorough presentation and noted that we are very fortunate for the booming real estate market in Watertown.

Councilor Piccirilli stated that he appreciates the page 8 charts describing the different valuations and property classes. He noted that the residential tax exemption is a fabulous thing along with all the new growth. He indicated his surprise and disappointment to hear that the new assisted living facility on Summer Street will be taxed at the residential class rate.

Councilor Kounelis indicated that residents are house poor and that we should shift the burden to the 48% absentee landlords.

Councilor Palomba thanked Mr. Golden for the informative presentation.

Councilor Dushku thanked Mr. Golden for the presentation and for the information on small business tax breaks. Mr. Golden reiterated that it is premature at this point to enact tax breaks for small businesses as he needs to compile a more detailed spreadsheet.

Councilor Dushku noted that he agrees with Councilor Kounelis and supports a shift to absentee landlords.

The Manager spoke for the need for a Home Rule petition to go beyond the 20% if Watertown decides to do that in 2016.

The Chair asked Mr. Golden to bring back something to the Town Council for discussion.

Councilor Lenk thanked Mr. Golden noting that she looks forward to the additional information to increase the exemption for 2016.

Vice President Corbett noted that he is not opposed to increasing flexibility but indicated that the increase will be passed onto renters and we have to be careful.

Councilor Kounelis noted that a 25% shift to non- owner occupied property will not be a severe impact.

Councilor Piccirilli moved the 175% CIP shift/20% exemption, seconded by Councilor Woodland and adopted by a roll call vote of 8 for, 1 against with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris in favor and Angeline B. Kounelis voting against.

b) [Public hearing](#) and vote on a proposed Order setting optional tax exemptions for Fiscal Year 2015. Councilor Kounelis recused herself and left the room for the presentation and vote. Mr. Golden provided a brief overview of the Order. The Chair opened up the hearing to the public. There being no comments, the hearing was closed.

Councilor Piccirilli moved the Order, seconded by Councilor Woodland and adopted by unanimous roll call vote of 8 for, 0 against and 0 present with Councilors Aaron Dushku, Susan G. Falkoff, Anthony Palomba, Cecilia Lenk, Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Vice President Stephen P. Corbett and Council President Mark S. Sideris in favor.

10. COMMITTEE REPORTS:

The Chair stated for the record that this action item was a [request](#) from the Chair of the BFO committee and the Town Auditor so that a vote could be expedited.

a) Committee on Budget and Fiscal Oversight [report](#) and action on selection of an outside audit firm – Vincent J. Piccirilli, Jr., Chair. Councilor Piccirilli read the Committee report.

Councilor Woodland moved to accept the report noting that an additional report will be forth coming, 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 Piccirilli moved to authorize Melanson Heath to conduct an audit for Fiscal Year 2014, seconded by Councilor Kounelis.

Councilor Lenk stated that going forward, she has asked the Auditor to bring in the other groups to speak and make presentations to the Committee so that going forward we will have a better sense of who we might want to choose in the future indicating that she is somewhat concerned with using the same firm and that the town should change firms as certain points and would like more dialogue on that.

Councilor Falkoff noted that she seems to recall that one of the recommendations was that we switch audit firms periodically.

Councilor Piccirilli indicated that this is only for fiscal year 2014 and that the Committee will revisit the proposals.

The Chair concurred.

Councilor Kounelis stated that she feels very comfortable with Melanson Heath noting that the do change their audit team so that different people are looking at the materials.

The motion was 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) Committee on Public Works [report](#) on the East End Dog Park and Church/Palfrey Streets intersection – Cecilia Lenk, Chair. Councilor Lenk read the Committee report.

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

Councilor Dushku asked; what were some of the lessons learned from the Howe Park Dog Park.

The Chair indicated that what was raised were parking problems; outside users; and barking dogs.

Councilor Woodland asked that the hours of operation be added to that list for referral to subcommittee.

The motion to accept the report was 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 Lenk moved that the Town Council request that the Department of Public Works implement the recommendations in the World Tech Engineering safety study of the intersection of Church and Palfrey Streets and do so as soon as quickly as possible, 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.

2. Councilor Lenk moved that the Committee recommends that the Town Council approve the incorporation of a dog park into the Town's planning of the Grove Street entrance of Fillippello Park a dog park if soil testing allows, 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.

3. Councilor Lenk moved as a friendly amendment that the Town Council refer to the Committee of Human Services a discussion of the policies regulating the Town's dog parks, seconded by Councilor Woodland.

Councilor Kounelis stated that there is no monitoring at Howe Park and all issues need to be discussed including Fillippello Park isolation issues.

The motion was 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 Education and School System Matters [report](#) on School Budget Activity – Aaron Dushku, Chair. Councilor Dushku 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.

11. NEW BUSINESS – none noted.

12. COMMUNICATIONS FROM THE TOWN MANAGER – none noted.

13. REQUESTS FOR INFORMATION - none noted.

14. ANNOUNCEMENTS:

Councilor Woodland announced: Coats for Kids – Drop off at the middle school up until January 10th.

Councilor Kounelis announced: Planning Board meeting on December 10th – CVS development.

The Chair announced the following: Girls Field Hockey Team championship win – 6th straight; 4 Watertown police officers were honored on November 19th at the State House for bravery.

Councilor Palomba announced the following: Family Network Holiday Photo – December 13th 10-11:30 am Church of Good Shepard; Boys High School Basketball fundraiser social at Fitzzy's on Saturday, November 29th; Watertown Community Foundation – December 4th 6-8:30 Plumbing Museum; Metro West Collaborative, December 4th 5-7pm 79 Chapel Street.

Councilor Falkoff announced: Observance, December 7th Pearl Harbor Day– 1pm; Charles River Dock.

Councilor Dushku announced: MBTA Transit meeting, December 9th at 11:00 am.

15. PUBLIC FORUM – none noted.

16. ADJOURNMENT: There being no further business to come before the Town Council, Councilor Woodland moved to adjourn the meeting at 9:30 pm, 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.

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 December 9, 2014.

Mark S. Sideris, Council President

[addendum](#)