



Watertown Town Council

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

ELECTED OFFICIALS:

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

Caroline Bays
Councilor At Large

Anthony J. Donato,
Councilor At Large

Susan G. Falkoff,
Councilor At Large

Anthony Palomba,
Councilor At Large

Angeline B. Kounelis,
District A Councilor

Lisa J. Feltner,
District B Councilor

Kenneth M. Woodland,
District D Councilor

TOWN COUNCIL MEETING TUESDAY, JULY 9, 2019 AT 7:15 P.M. RICHARD E. MASTRANGELO COUNCIL CHAMBER MINUTES

1. ROLL CALL

Council President Sideris called to order a regular meeting of the Town Council at 7:15 p.m. in the Richard E. Mastrangelo Chamber, Administration Building. Those present were Councilors Caroline Bays, Anthony J. Donato, Susan G. Falkoff, Lisa J. Feltner, Angeline B. Kounelis, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., Kenneth M. Woodland, and Council President Mark S. Sideris. Also present were Michael J. Driscoll, Town Manager, Mark Reich, Town Attorney, and Marilyn W. Pronovost, Town Council Clerk.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC FORUM

Thomas Sullivan – 11 Upland Road – Former Recreation Department Director – He raised concerns about play areas that may be eliminated at Arsenal Park and stated that the changes did not seem to be improvements. He stated that a fence was needed at Filippello Park between the two openings to prevent a potential accident. Also the Grove Street area should be purchased by the Conservation Preservation Committee.

There being no other speakers, the forum was closed.

4. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS

[Minutes of the June 25, 2019 Town Council Meeting](#)

Councilor Piccirilli moved to accept the minutes as written; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

5. PRESIDENT'S REPORT

A Proposed Resolution Regarding the [Fiscal Year 2021 Budget Process](#)

President Sideris read the resolution. Councilor Piccirilli moved to adopt the resolution on the budget; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

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

Acceptance of Proclamation Honoring [Brian Costello](#)

Councilor Piccirilli read the Proclamation honoring Brian Costello who recently retired from the Watertown Housing Authority. Councilor Piccirilli moved to adopt the proclamation; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

7. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

- A. Resolution Authorizing a Transfer of Funds in the Amount of \$25,000 From the Fiscal Year 2019 Debt Retirement Short Term Interest Account to the Fiscal Year 2019 Transfer to Capital Projects [Skating Rink Account in Order to Fund the Replacement of the Public Address System](#).

Mr. Driscoll asked for the Council's favorable consideration on the replacement of the public address system at the skating rink, which is over 25 years old. Originally this was to be part of a loan order but as there are funds available in the Debt Retirement Account, he would like to transfer the funds.

Councilor Piccirilli moved to authorize a transfer of funds in the amount of \$25,000 from the Fiscal Year 2019 Debt Retirement Short Term Interest Account to the Fiscal Year 2019 Transfer to Capital Projects Skating Rink Account in order to fund the replacement of the public address system; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.

- B. Resolution Authorizing a Transfer of Funds in the Amount of \$42,048 From the Fiscal Year 2019 Town Council Reserve to the Fiscal Year 2019 Election Equipment Account in Order to Fund the [Replacement of the Election Voting Booths](#).

Mr. Driscoll stated that this request is to replace the booths originally purchased in FY96. He stated that it would be a purchase of 16 carousel booths for 4 voters, including the disabled, to use. Councilor Piccirilli moved to authorize a transfer of funds in the amount of \$42,048 from the Fiscal Year 2019 Town Council Reserve to the Fiscal Year 2019 Election Equipment Account in order to fund the replacement of the election voting

booths; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.

- C. Resolution Authorizing a Transfer of Funds in the Amount of \$250,000 From the Fiscal Year 2019 Town Council Reserve to the Fiscal Year 2019 Transfer to Capital Projects Arsenal Park Account in Order to Proceed with the Design of [Renovations and Improvements at Arsenal Park](#).

Mr. Driscoll provided background on the matter. Mr. Magoon provided a [presentation on the proposed design](#). Phase I of the design, which is 75% complete, will be used to improve the easternmost part with hopes that construction will begin soon. Arsenal Yards will provide \$500,000 toward the project as part of its mitigation damages, and there is a desire to have a Housing Choice grant supplement the funding. As a public-private project, the park will redesign will include:

- * A play area with natural features in the current amphitheater area as well as a slide
- * A community pathway from Arsenal Street to the Charles River
- * An entrance with seating areas and a tree pavilion
- * A knoll raised to provide an overlook to the Charles River
- * Landscaping along the promenade

The design for the remainder of the park is at a 25% design level. The requested transfer is to provide funding for the 75% design of the remainder of the park.

Councilor Piccirilli moved to authorize a transfer of funds in the amount of \$250,000 from the Fiscal Year 2019 Town Council Reserve to the Fiscal Year 2019 Transfer to Capital Projects Arsenal Park Account in order to proceed with the design of renovations and improvements at Arsenal Park; Councilor Woodland seconded the motion. After a discussion, the Council adopted the motion unanimously on a roll call vote.

8. REPORTS OF COMMITTEES

- A. Committee on Economic Development and Planning Report Regarding the Zoning Ordinance [Excavation Work Requirements](#) – Kenneth Woodland, Chair

ACTION ITEM:

That the Town Council Move Forward with an Amendment to the Zoning Ordinance for Changes in Section 8.00 as Presented in the Attachment, by Removing the Phrase “Other Construction as Described Above” and Replacing it with “a By-Right Construction Project Using a Vehicle-Mounted Hydraulic Jackhammer or Rockbreaker”

Councilor Woodland read the Committee Report. Councilor Piccirilli moved to accept the report; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

President Sideris noted that this matter, if adopted, would still need to come up for a First Reading with a referral to the Planning Board before it may be considered.

Councilor Piccirilli moved that the Town Council move forward with an amendment to the Zoning Ordinance for changes in Section 8.00 as presented in the attachment (of the report), by removing the phrase “other construction as described above” and replacing it with “a by-right construction project using a vehicle-mounted hydraulic jackhammer or rockbreaker”; Councilor Feltner seconded the motion.

In the discussion that followed, these items were listed:

- * This method would allow for the discussion and method of excavation and set clear expectations of what will occur
- * This language would provide the opportunity to raise concerns and discuss how they will be handled
- * There is no guarantee that expected changes will be made, but it might provide an understanding
- * There was concern that this is a by-right right that could affect other by-right rights; is this a dangerous precedent?
- * This does not address the situation of encroachments and possible damage
- * The Building Inspector may dictate the time and duration for using such equipment
- * There is a concern that this could lead to an increase of by-right project complaints

The action item was adopted on a vote 8-1 on a roll call vote. All Councilors voted in the affirmative except for Councilor Woodland who voted in the negative.

B. Committee on Economic Development and Planning Report Regarding the [Transportation Management Association \(TMA\) Progress and the Transportation Demand Management \(TDM\) Annual Report](#) – Kenneth Woodland, Chair

Councilor Woodland read the Committee Report. Councilor Piccirilli moved to accept the report; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

C. Committee on Media and Public Outreach Report Regarding [Kitchen Table Conversations](#) – Anthony Palomba, Chair

Councilor Palomba read the Committee Report. Councilor Piccirilli moved to accept the report; Councilor Woodland seconded the motion. Councilor Bays noted two changes were needed: the date of the Committee hearing was June 17, not July 17, and that the group name needed to be revised to read Watertown Community Conversations. The motion was adopted unanimously on a roll call vote.

D. Committee on Rules and Ordinances Committee Report Regarding the [Approval, Issuance, and Enforcement of Building Permits](#) Issued by the Department of Public Works and the Building Department – Anthony Donato, Chair

ACTION ITEM:

That the Town Council Recommend to the Town Manager that the Department of Community Development and Planning with the Department of Public Works Develop a Building Department Brochure

Councilor Donato read the Committee Report. Councilor Piccirilli moved to accept the report; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

Councilor Piccirilli moved that the Town Council recommend to the Town Manager that the Department of Community Development and Planning with the Department of Public Works develop a Building Department brochure; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

E. Committee on Rules and Ordinances Report Regarding the [Enforcement of Building Permits](#) – Anthony Donato, Chair

AGENDA ITEM:

That the Town Council Refer to the Committee on Public Works a Review of the Fee Structure/Schedules for Both the Department of Public Works and the Department of Community Development and Planning

Councilor Donato read the Committee Report. Councilor Piccirilli moved to accept the report; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

Councilor Falkoff moved that the Town Council refer to the Committee on Public Works a review of the fee structure/schedules for both the Department of Public Works and the Department of Community Development and Planning; Councilor Woodland seconded the motion.

Councilor Piccirilli stated that the Public Works Committee was not charged with the Department of Community Development and Planning. Both Councilors Falkoff and Woodland withdrew their motion. Councilor Piccirilli moved that the Town Council refer to the Committee on Public Works and the Committee on Economic Planning and Development a review of the fee structure/schedules for both the Department of Public Works and the Department of Community Development and Planning; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

- F. Committee on Rules and Ordinances Committee Report Regarding the [Review of Fees for Liquor Licenses](#) Granted Pursuant to Chapter 73 of the Acts of 2016

ACTION ITEM:

That the Town Council Consider Implementing a Fee Structure Wherein Chapter 73 Liquor License Grantees Would Pay a Reduced Annual Fee of \$2,700 Until Such Time as They Receive a Certificate of Occupancy

Councilor Donato read the Committee Report. Councilor Piccirilli moved to accept the report subject to the addition of the attachments to the report; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

Councilor Falkoff moved to table the Action Item as the attachments were not available; Councilor Woodland seconded the motion. The motion was adopted on an 8-1 voice vote. All Councilors voted in the affirmative except for Councilor Woodland who voted in the negative.

- G. Committees on Human Services and Rules and Ordinances Report Regarding [Noise Regulations](#) – Anthony Palomba, Chair, Human Services, Anthony Donato, Chair, Rules and Regulations

Councilor Palomba read the Committee Report. Councilor Piccirilli moved to accept the report subject to the following changes: the addition of four missing attachments, correction of Councilor Piccirilli's district from B to C; the hours 7a.m to 7 a.m. to 7a.m to 7 p.m. in two places; the hours 7a.m to 8 a.m. to 7a.m to 8 p.m; and the correction of the spelling of Captain Dupuis' name; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

9. NEW BUSINESS

There was no new business.

10. COMMUNICATIONS FROM THE TOWN MANAGER

Mr. Driscoll stated that on Friday, July 12, at 11:00 a.m., there would be a dedication of the PFC Paul James Gorman Square at Emerson Road and Main Street; PFC Gorman was a lifelong resident who died in Vietnam in 1968.

He also mentioned that there would be two Family Movie Nights, both on Fridays, July 19, 2019 and August 8, 2019. It would begin at 6:30 p.m. with the movie beginning at 8:00 p.m.

A news release was sent out regarding Watertown's Electricity Choice program. Beginning September 2019, all Eversource customers would become part of the change where at least 50% of the energy would be derived from clean renewable resources. This would be a 35% increase over the minimum amount required by the state, reduce the Town's carbon footprint, and provide price stability until December 2021 for the electricity. Public information sessions would be held on July 24, from 2:30 p.m. – 6:30 p.m. at a booth at the Farmer's Market; July 27 at the Free Public Library at noon, a formal presentation with questions and answers; and August 6, at 10:00 a.m. at the Senior Center, a formal presentation with questions and answers.

Mr. Driscoll also thanked the Council for the Proclamation for Mr. Brian Costello and stated Mr. Costello had provided a high level of services to the community for 36 years and had worked to improve the quality of life for its citizens. He wished Mr. Costello a happy retirement.

11. REQUESTS FOR INFORMATION/REVIEW OF LIST OF PENDING MATTERS

A. Referral to the the Following Matters:

- 1) What is the Intent of the Requests for Information Section of the Council Agenda? When is it Appropriate to Make a Request for Information at a Council Meeting and When Is it Better to Make a Phone Call and Ask the Question Privately? If There Are Requests for Information Which Should Properly be Made in Public, How Are/Should Be the Replies Made Available to the Public?
- 2) Review of the Language in the Request for Information Section of the Council Rules that Refer to What to Do If the Questioner Is Not Satisfied With the Answer, or If the Answer Is Not Provided in a Timely Way

Councilor Piccirilli moved to refer to the Committee on Rules and Ordinances the questions regarding what is the intent of the requests for information section of the Council Agenda? When is it appropriate to make a Request for Information at a Council Meeting and when is it better to make a phone call and ask the question privately? If there are requests for information which should properly be made in public, how are/should be

the replies made available to the public?; Councilor Falkoff seconded the motion.

In the discussion, the following issues were brought up:

- * The Council was voluntarily stifling itself
- * The matter had been previously reviewed and defeated
- * The matter could be reviewed in January when the Council Rules were taken up again

The motion was defeated on a vote of 1-8 on a voice vote. All Councilors voted in the negative except for Councilor Falkoff who voted in the affirmative.

Councilor Piccirilli moved to review of the language in the request for information section of the Council Rules that refer to what to do if the questioner is not satisfied with the answer, or if the answer is not provided in a timely way; Councilor Falkoff seconded the motion. Councilor Falkoff stated she would be comfortable waiting until the next review of the Council Rules and moved to withdraw the motion and Councilor Palomba seconded it the motion. The motion was withdrawn.

B. Referral to the Committee on Rules and Ordinances Consideration of Recreational Marijuana Local Options

President Sideris stated that this item should be a referral request to the Committee on Economic Development and Planning because they are handling the host agreements and should also be considering the local options. Councilor Piccirilli moved to refer Committee on Economic Development and Planning the consideration of recreational marijuana local options; Councilor Palomba seconded the motion. The motion was adopted unanimously on a voice vote.

12. ANNOUNCEMENTS

There were no announcements.

13. PUBLIC FORUM

There were no speakers for the Public Forum.

14. RECESS OR ADJOURNMENT

Councilor Palomba moved to adjourn the meeting; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote. The meeting adjourned at 9:09 p.m.

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 a vote of _9_ for, _0_ against, _0_ present on July 9, 2019.

Mark S. Sideris, Council President
s:/MWP

**TOWN COUNCIL MEETING
TUESDAY, JULY 9, 2019 AT 7:15 P.M.
RICHARD E. MASTRANGELO COUNCIL CHAMBER
LIST OF DOCUMENTS**

1. Minutes of the June 25, 2019 Town Council Meeting – Item 4
2. Resolution on the Fiscal Year 2021 Budget Process – Item 5
3. Proclamation Honoring Brian Costello – July 9, 2019 – Item 6
4. Agenda Item – Transfer of Funds Request Regarding the Replacement of the Public Address System at the Skating Rink – Michael Driscoll, Town Manager, to Town Council – July 2, 2019 – Item 7A
5. Agenda Item – Transfer of Funds Request Regarding the Purchase of Election Voting Booths – Michael Driscoll, Town Manager, to Town Council 1, 2019 – July 2, 2019 – Item 7B
6. Agenda Item – Transfer of Funds Request Regarding the Design of Renovations and Improvements at Arsenal Park – Michael Driscoll, Town Manager, to Town Council – July 2, 2019 – Item 7C
7. Arsenal Park Conceptual Design – Steve Magoon, Assistant Town Manager, Director of Economic Development and Planning to the Town Council – July 9, 2019 – Item 7C
8. Committee on Economic Development and Planning Report Regarding Excavation Work to Protect Neighbors – June 10, 2019 – Item 8A
9. Committee on Economic Development and Planning Report Regarding the Transportation Management Association (TMA) and Transportation Demand Management (TDM) – June 18, 2019 – Item 8B
 - Attachment A – List of Attendees
 - Attachment B – Remarks of Bridger McGaw, President Watertown Transportation Management Association – June 18, 2019
 - Attachment C – Follow- Up from 6-18-2019 Meeting on 2019 Transportation Demand Management Annual Report – Laura Wiener, Senior Transportation Planner to the Economic Development Planning Committee, Steve Magoon, Director of Economic Development and Planning and Assistant Town Manager – June 24, 2019
10. Committee on Media and Public Outreach Report Regarding Plans for the Kitchen Table Conversations – June 17, 2019 – Item 8C

11. Committee on Rules and Ordinances Report Regarding Processes for Approval, Issuance, and Enforcement of Permits Issued by DPW and the Building Department – May 2, 2019 – Item 8D
12. Committee on Rules and Ordinances Report Regarding the Review of Processes for the Enforcement of Building Permits - June 13, 2019 – Item 8E
13. Committee on Rules and Ordinances Report Regarding the Fees of Liquor Licenses – June 13, 2019 – Item 8F
14. Committees on Human Services and Rules and Ordinances Report Regarding Noise Regulations – April 3, 2019
 - Detailed Minutes of the April 3, 2019 Meeting
 - Sign In Sheet
 - Noise Ordinance Regulations: Zones, Standards and dBA Levels the Board of Assessors – June 11, 2019 – Item 11A