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

John G. Gannon,
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, JANUARY 28, 2020 AT 6:15 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 6:15 p.m. in the Richard E. Mastrangelo Chamber, Administration Building. Those present were Councilors Caroline Bays, Anthony J. Donato, John G. Gannon, 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, Attorney Mark Reich, and Marilyn W. Pronovost, Town Council Clerk

2. EXECUTIVE SESSION – 6:15 P.M.
   A. To Discuss Strategy with Respect to Litigation – Workers' Compensation Claims

   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

   Councilor Piccirilli moved that the Town Council enter into executive session; Councilor Feltner seconded the motion. The motion was adopted unanimously on a roll call vote.

3. RETURN TO SESSION – 7:15 P.M.

4. PLEDGE OF ALLEGIANCE

5. PUBLIC FORUM
   Councilors Gannon and Woodland recused themselves from this item.

   Dave Powers – Perkins School for the Blind President and CEO – Stated that it was not right for the Town to penalize Perkins and to apply the largest one in the Town's history; other MA Assessors have been more forgiving. It was not right to demand a PILOT before lifting the tax assessment. Of the 210

charitable organizations in Watertown, only six have a PILOT agreement with the Town. Perkins already contributes $140,000 in taxes and provides subsidies to Watertown students. He urged the Town Council and the Administration to do the right thing.

David Cain – Suggested that the announcements the Town Councilors make at the Town Council Meeting should be added to the Town Website.

Mr. Driscoll provided an update on the Perkins School for the Blind tax status and stated that the Assessor met with Mr. Powers on January 21,2020; that Perkins does not wish to enter into a PILOT agreement; and that Mr. Smith, Chair, Board of Assessors, requested additional information and feels further discussion is needed with regards to the PILOT.

6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
Minutes of the January 14, 2020 Town Council Meeting

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

7. PRESIDENT'S REPORT
No items were presented for the President's report.

8. PUBLIC HEARINGS
Public Hearing and Vote on a Proposed Zoning Map Amendment by Removing the Parcels of Land Located at 70, 78, 84-86, and 88 Galen Street from the Limited Business District and into the I-2 (Industrial-2) Zoning District in Keeping with Abutting Properties

Mr. Magoon, Director of the Department of Planning and Development and Assistant Town Manager, stated the request is to rezone the above properties from Limited Business to Industrial-2 to create a consistent zoning district that affects 17% of the project property. One of the major reasons for the zoning change is to create a consistent set of rules for the project design. The intent is to create office space, a lab, and some small manufacturing development. This change would address an area of economic development opportunity and be compliant with the Comprehensive Plan of a mixed-use area. There is a discussion of realigning Water Street with Aldrich Road to provide a better road network.

The staff supported the change and the Planning Board after a Public Hearing supported the change on a vote of 4-1, with one member requesting more information. At the public hearing, traffic issues were discussed but that was considered a matter to be resolved at the project discussion. Concerns were raised regarding the relationship with the river; safe crossing of Nonantum Road; and demolition of existing buildings. Councilor Feltner raised concerns

regarding zoning and planning and the appropriate time and process for zoning consideration use of design guidelines.

Bob Doherty, Vice-President of Boston Development Group (BDG), spoke stating that it owned property located on 51-57 Water Street and later acquired property along Galen Street consisting of a gas station, a car dealership, a burned out duplex and a bungalow. The property of five acres is an opportunity to revitalize the area.

The listed properties are within a different zone create issues and this hampers consistent development planning. Working with Town officials and using the Strategic Framework and Comprehensive Plan as guidelines, the group would like to provide a Class A life science building, a 25,000 sq. ft. park near Watertown Square, and other accessible open space. The project will remove seven curb cuts on Galen Street and will possibly rework Water Street to improve traffic flow alleviating congestion at the bridge and the square.

Michael Wang, Architectural Land Use Consultant for the Project, stated that this change represents 17% of the total project. The project follows the Strategic Performance guidelines of creating public-private relationships that capitalizes on the key industry clusters in Town and strengthens the identity of the community in a location that is underutilized. It will fulfill goals of the Comprehensive Plan by creating a unifying character to land use and the buildings, provide well-balanced tax base, and address some traffic and pedestrian issues in the area. Seven traffic openings will be eliminated providing a more pedestrian friendly walkway. Using town requirements, the development will be 40% open space and could allow for bike connections to the river. If the zoning is approved, then there will be a full site plan review to address any site designs.

William York, attorney for BDG, summarized the presentation by stating that the zoning change would help to provide a better land use plan, create a land use cluster, provide access to the river, realign a street, provide a different access point for the MBTA, create jobs, increase taxes, and provide an open campus.

President Sideris opened the public hearing:
David Cain – 99 Pleasant Street – Asked if anyone had contacted the MBTA to get its reaction to the change. Mr. Doherty responded that there was a brief discussion with the MBTA that it liked the Aldrich Street egress as the change aided the turning radius for the buses.

Curtis Whitney – 43 Grandview Street – Stated he supported the redevelopment of property that is long overdue. The project was consistent with the Comprehensive Plan; would provide significant improved tax base on an aged

property; add green space to the community; bring employment to the area; and is an opportunity the Town should embrace.

Bob Lauricella – 260 Mount Auburn Street – Stated he was not sure why the change was needed or why the entire block could not be enlarged to an I-2 district as it could allow for housing. Mr. Magoon responded that this was not a zoning ordinance change to alter the goal of the zone, but rather a request to make the zoning consistent across a piece of land based on the ownership of the land. The uniformity allows for a coordinated development design. The other properties are individually owned and lend themselves to an LB status.

There being no other speakers, President Sideris closed the public hearing.

Councilor Piccirilli moved to approve the proposed zoning map amendment by removing the parcels of land located at 70, 78, 84-86, and 88 Galen Street from the Limited Business District and into the I-2 (Industrial-2) Zoning District in keeping with abutting properties; Councilor Woodland seconded the motion.

In the discussion that followed, the Councilors made the following points:

- The zoning change supports the vision for Watertown as stated in the Master Plan documents
- The project will result in a site that is better for the community; create two large green spaces; and improve traffic
- Although there is concern that the change may be zoning before planning, the Town Council should not punish a developer for doing what is stated in the Master Plan
- While there are valid concerns regarding traffic, the current property is 83% zoned as I-2
- There is confidence that the Planning and Zoning Boards will review and insist on conditions that will protect the Town
- This is a benefit for the developer and there is a hope that the result will be similar to the conceptual plan with green space provided
- There is a hope that the developers would acquire adjacent to be developed for housing
- There are too many unknowns to this project and what it entails
- There were no community meetings to provide a sense of what the Town is getting

Councilor Feltner moved to refer the matter to Committee to consider the change and to include a community meeting within a time certain. There being no second, the friendly amendment failed. Councilor Feltner invoked her Town Charter privilege to table the vote for the parcels on Galen Street per the Town Charter §2.8 (b). Councilor Piccirilli stated that this is not the first time the matter has been before the Town Council.

Attorney Reich stated that tabling a vote is permitted on the occasion of the matter first being put to the Town Council. While the matter was presented to the Town Council to refer it to the Planning Board, that was not a matter being presented to the Board. The Public Hearing had been closed prior to the tabling so requirements for notice have been satisfied; no further notice was required. Under the Town Charter, the vote is continued to the next regular or special meeting of the Town Council.

9. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

A. Review and Acceptance of a Public Easement on the Property of 73 Morse Street for Public Access and Utilities

Mr. Magoon stated that the Zoning Board approved the residential development for the property on Morse Street with a condition of easement approval with the Town prior to receiving a building permit. The easement would allow access to the Town to maintain and manage the stormwater management utilities on the property; provide pedestrian access through the property to Casey Park; allow bicycle access through the property to Casey Park; and permit public access to vehicles parking on the Town property abutting the rear of Casey Park. The developer would have the right to have visitors park on Town property not reserved for public use. During snow, the developers would maintain their property and the Town's.

Councilor Piccirilli moved to approve the Order accepting the easement from LaCourt Affordable Trust LLC known as the Grantor in conveying an easement for parking to the Grantor under the terms and conditions set forth in the amending and superseding grants of easements and authorizing the Town Manager to execute the amending and superseding grant of easements on behalf of the Town; Councilor Woodland seconded the amendment.

During the ensuing discussion, the Councilors asked or discussed the following

- How would the visitor parking be monitored – Could be done by a sticker or pass system
- What is the purpose of terminating the easement if the property use changes – This would allow the easement to be revisited. Also the Town retains ownership of its portion
- Signage could indicate parking in the rear and the spots would be designated by different coloring or striping
- A concern was raised regarding a duplicate desire for parking spots by both visitors and towns people, especially in the summer
- These spots will be available for winter overnight parking
- This is an issue that has taken a long time to resolve and the owner is being generous to the community

The motion was adopted unanimously on a voice vote.

B. Resolution Authorizing Transfers in order to Fund an Agreement with the Department of Public Works, Teamsters, Local Union No. 25 Covering the Period of July 1, 2019 – June 30, 2022

Mr. Driscoll stated that the Town had agreed to a three year contract with Department of Public Works, Teamsters, Local Union No. 25 covering the period of July 1, 2019 – June 30, 2022. DPW employees will receive a 2.5% increase for FY 2020; 2% for FY 2021; and 2% for FY 2022. The agreement also provides for additional increases and/or stipends for licenses and certifications to improve service and to attract and retain employees. The Town will also meet with the Union within 120 days of the agreement funding to hire two new employees with the proviso that the new employees do not need a CDL (Commercial Driver's License) but must obtain one within one year of hiring.

The funding of the agreement will come in two transfers: one will be paid from the Town Council Reserve ($37,200) and the other will be paid from the Water Council Reserve and the Sewer Council Reserve ($29,065). As different employees within the Department are paid from different accounts, the transfers need to be separated to accommodate the accounting.

Councilor Piccirilli moved to transfer $37,200 from the Town Council Reserve to fund the DPW agreement with Department of Public Works, Teamsters, Local Union No. 25; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.

Councilor Piccirilli moved to transfer $29,065 from the Water Council Reserve and the Sewer Council Reserve to fund the DPW agreement with Department of Public Works, Teamsters, Local Union No. 25; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.

10. REPORTS OF COMMITTEES

A. Committee on Education and School System Matters Report Regarding the Reappointment of Robert Kaprelian to the Board of Directors of the Cable Access Corporation – John G. Gannon, Chair
ACTION ITEM:
That the Town Council Confirm the Reappointment of Bob Kaprelian to the Board of Directors of the Cable Access Corporation for a Term to Expire on September 15, 2020

Councilor Bays read the Committee Report. Councilor Piccirilli moved to accept the report; Councilor Woodland seconded the motion. The motion was adopted 8 - 0 on a voice vote with Councilor Gannon voting present.

Councilor Piccirilli moved to confirm the reappointment of Bob Kaprelian to the Board of Directors of the Cable Access Corporation for a term to

expire on September 15, 2020; Councilor Woodland seconded the motion. The motion was adopted 8 - 0 on a voice vote with Councilor Gannon voting present.

B. Committees on Human Services and Rules and Ordinances Report Regarding the Noise Ordinance (December 2, 2019) – Anthony Palomba, Chair, Human Services; Anthony J. Donato, Chair, Rules and Ordinances

Councilor Palomba read the report of the meeting. Councilor Piccirilli moved to accept the report; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

C. Committees on Human Services and Rules and Ordinances Report Regarding the Noise Ordinance (December 17, 2019) – Anthony Palomba, Chair, Human Services; Anthony J. Donato, Chair, Rules and Ordinances
ACTION ITEMS:
A. That the Town Council Refer to the Committees a Leaf Blower Ordinance
B. That the Health Department Produce Education Materials to Help Explain the Noise Ordinance

Councilor Palomba 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.

Councilor Palomba moved that the Town Council refer to the Committees a Leaf Blower Ordinance; Councilor Feltner seconded the motion. Councilor Piccirilli moved to have the referral limited to the Rules and Ordinance Committee; Councilor Woodland seconded the motion.

In the discussion on the motion, it was stated that
~ Leaf blowers affect humans and as such the Human Services Committee should be involved
~ The noise ordinance addresses noise levels and decibels; this is merely an ordinance to affect leaf blowers
~ It is more efficient to complete with only one Committee presiding over the discussion
~ The requested ordinance may be too cumbersome and enforcement may be very difficult

The vote was adopted on an 8-1 voice vote. All Councilors voted in the affirmative except for Councilor Woodland who voted in the negative.

Councilor Palomba moved to have the Health Department produce education materials to help explain the Noise Ordinance; Councilor Feltner seconded the motion. In the following discussion, a concern was raised on

whether this request was premature as the ordinance had not yet been adopted. Councilor Palomba moved to withdraw his motion; Councilor Feltner withdrew her seconding of the motion.

A brief discussion followed with the Town Attorney regarding the need for the Committees to meet after they received comments from the Town Attorney. He advised the Committees that any action taken on the proposed ordinance would require a meeting.

11. NEW BUSINESS

A. Referral to the Committee on Public Safety for Consideration of the Winter Overnight Parking Ban

Councilor Piccirilli moved to refer to the Committee on Public Safety for consideration of the winter overnight parking ban; Councilor Feltner seconded the motion. These items were raised during the discussion:

- ~ Both the DPW and the Police do not support any changes in the policy
- ~ The matter has been brought up several times before the Town Council and the Traffic Commission and it has always been discouraged
- ~ It is essential that the roads be clear during potential storm conditions
- ~ Many citizens requested the change; they should be heard; and possible solutions should be considered
- ~ The question raised is important to many and the concerns should be reviewed with the possibility of a compromise between citizens and public safety concerns

The motion failed on a roll call vote of 4-5. Those voting in the affirmative were Councilor Bays, Gannon, Feltner, and Palomba; those voting in the negative were Councilors Donato, Kounelis, Piccirilli, and Woodland, and Council President Sideris.

B. Referral to the Committee on Economic Development and Planning Regarding Communication from the Environment and Energy Efficiency Committee Regarding Transportation Issues

President Sideris stated that he feels the letter regarding the TMA and the Shuttle from the Environment and Energy Efficiency Committee is a matter that is already being discussed by the Economic Development and Planning Committee. Councilor Piccirilli made a motion to add the letter to the existing referral to the Economic Development and Planning Committee regarding the TMA; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

12. COMMUNICATIONS FROM THE TOWN MANAGER

Submission of the Proposed Fiscal Year 2021-2025 Capital Improvement Program

Councilor Piccirilli moved to delay the submission of the proposed Fiscal Year 2021-2025 Capital Improvement Program by one week; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

Mr. Driscoll thanked the Town Council for delaying the submission of the proposed Fiscal Year 2021-2025 Capital Improvement Program due to the death of his mother. He also thanked those who reached out to him and his family during this time.

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

Councilor Feltner requested information regarding current on street residential parking availability; Public Safety calls made to the Perkins School for the Blind including the types of services and costs; and the abutter's list and letters for Frank and Louise Streets.

14. ANNOUNCEMENTS

Councilor Palomba thanked those who worked so diligently on the review of the Noise Ordinance especially the last two lengthy meetings.

He also stated that although the Town Council has no standing with the Tax bill sent to the Perkins School for the Blind, he would like to say that he hopes the Town will rescind the tax and that thereafter both parties would work to come to a PILOT agreement. Councilors Gannon and Woodland recused themselves during this statement.

Councilor Bays stated that eleven families lost their homes in the recent fire on Robert Ford Rd. For those who wish to help, there are several drop-off locations for donations that should be in "like-new" condition and gift cards can be provided. These items may be brought to all school buildings including the School Administration building and the Watertown Housing Authority at 55 Waverly Avenue. She was also appreciative of the help the Town was providing those affected.

Councilor Feltner stated she was able to attend the MA Municipal Association's annual meeting and trade show and found it helpful.

She also mentioned that on Friday, January 31, 2020, the Veterans Services Officer would have open office hours beginning at 3:00pm at the Schott Detachment Center on Mount Auburn Street.

Councilor Palomba stated that he spoke with Michael Lara, Director the Housing Authority, regarding what the fire victims need most is beds.

Councilor Donato mentioned that on Wednesday, January 29, 2020, from 7:00 – 9:00 pm, there would be a Community Preservation Committee Forum at Tufts Health.

President Sideris stated that over 100 people signed up for the CPA meeting. He also mentioned that the School Building Committee would be meeting in the Council Chamber at 6:00 p.m. to discuss options for the Watertown High School.

In addition, the opening for the Library Trustee vacancy would close on Friday, January 31, 2020. On February 4, 2020, he would be meeting with the Trustees to review the potential Trustee. Seven people have submitted their qualifications.

Another item is the Charter Review Commission. The Town needs to find six members of the community to review the Charter. He would like to create a broad diverse group of citizens. Anyone interested should contact him or the Town Council Clerk.

15. PUBLIC FORUM
    There were no speakers for the Public Forum.

16. RECESS OR ADJOURNMENT
    President Sideris requested a moment of silence in memory of Teresa Driscoll, the Town Manager's mother.

    Councilor Piccirilli moved to adjourn the meeting; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote. The meeting adjourned at 9:27 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 February 11, 2020.

_____

Mark S. Sideris, Council President
s:/MWP

TOWN COUNCIL MEETING
TUESDAY, JANUARY 28, 2020 AT 6:15 P.M.
RICHARD E. MASTRANGELO COUNCIL CHAMBER
LIST OF DOCUMENTS

1. An Updated Statement from Town Manager Michael J. Driscoll Regarding Perkins School – January 28, 2020 – Item 5

2. Minutes of the January 14, 2020 Town Council Meeting – Item 6

3. Proposed Watertown Zoning Map Amendment To Facilitate a Mixed-Use Office/Life Sciences Development 66 Galen Street, Watertown, MA – Boston Development Group, 93 Union Street, Newton Centre, MA 02495 to Watertown Town Council – January 28, 2020 – Item 8

4. Request for A Proposed Zoning Amendment – Jodie Zussman, COO, Boston Development Group – August 5, 2019 – Item 8

5. Planning Board Report Regarding a Zoning Map Amendment for 70, 78, 84-84, and 88 Galen Street – November 13, 2019 – Item 8

6. Letter Regarding the Amending and Superseding Grant of Easements Morse Street – Katherine Lord Klein, K/P Law to Michael J. Driscoll, Town Manager – January 23, 2020 – Item 9A

7. Committee on Education and School System Matters Regarding the Reappointment of Robert Kaprelian to the Board of Directors of the Cable Access Corporation – John G. Gannon, Chair – December 9, 2019 – Item 10 A

8. Committee on Human Services and Rules and Ordinances Report Regarding the Noise Ordinance – Anthony Palomba, Chair, Human Services and Anthony J. Donato, Chair, Rules and Ordinances – December 2, 2019 – Item 10B
   - ~ Draft Changes to Chapter 95: Noise Regulations – September 12, 2019 – Redlined
   - ~ Draft Changes to Chapter 95: Noise Regulations – September 12, 2019 – Clean Copy

9. Committee on Human Services and Rules and Ordinances Report Regarding the Noise Ordinance – Anthony Palomba, Chair, Human Services and Anthony J. Donato, Chair, Rules and Ordinances – December17, 2019 – Item 10C

10. Letter Regarding Town Overlapping Transportation Emergencies: Congestion and Carbon Emissions – Watertown Environment and Energy Efficiency Committee to the Town Council – November 2019 – Item 11B