



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

TOWN COUNCIL MEETING TUESDAY, JUNE 8, 2021, AT 7:00 P.M. MEETING WILL ONLY HAVE REMOTE OPPORTUNITIES FOR PARTICIPATION WITH PUBLIC ACCESS AGENDA

The Town Council of the City known as the Town of Watertown held a public meeting on Tuesday, June 8, 2021, at 7:00 p.m. in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 COVID-19 emergency and to avoid group congregation, this meeting had only remote opportunities for participation with public access provided as follows:

ACCESS INFORMATION:

- A. The meeting was televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/?channel=3>
- B. The Public was permitted to join the virtual meeting online: <https://watertown-ma.zoom.us/j/92991331344>
- C. Public was permitted to join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 929 9133 1344 #
- D. Public was permitted to comment through email: vpiccirilli@watertown-ma.gov

1. ROLL CALL

Council President Sideris called to order a regular meeting of the Town Council at 7:01 p.m. in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 COVID-19 emergency and to avoid group congregation, this meeting had only remote opportunities for participation with public access. Those present were Councilors Caroline Bays, Anthony J. Donato, Lisa J. Feltner, John G. Gannon, Angeline B. Kounelis, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., and Council President Mark S. Sideris. Also present were Michael Driscoll, Town Manager, Steve Magoon, Director of Community Development/Assistant Town Manager, Thomas Tracy, Town Auditor/Assistant Manager for Finance, Mark Reich, Town Attorney, and Marilyn W. Pronovost, Town Council Clerk.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC FORUM

Elodia Thomas – Spoke about her concerns regarding the use of artificial turf on the BB & N fields; grass fields are acceptable. Due to a lack of response, a citizen petition was completed to have a public hearing on the matter. Interim Town Clerk, Patrick George, stated the signatures would not be verified until about July 14. The Planning Board would be considering the matter on Wednesday, June 9, 2021; she urged the postponement of the Planning Board's meeting until the Public Hearing is held. If the Planning Board has its meeting, she urged all councilors to attend that meeting. Council President Sideris noted that the Town Council has 90 days to hear the matter after the signatures have been verified by the Town Clerk.

Bob Shay – 139 Russell Avenue – he favored the referral regarding the removal of snow from private residences. Many Watertown citizens, especially older ones, find it difficult to walk about town in the winter because of the snow on the streets. The Bicycle Pedestrian Committee reviewed the matter and are suggesting that the referral should be approved.

Andy Compagna – 81 Robbins Road – Chair of the Ad Hoc Committee on Snow Removal – There are three components to such a program: 1 – Community Education and Support; 2 – Programs to enable those who cannot participate; and 3 - Develop programs to monitor compliance. This could be a significant development to provide safe access to everyone walking the streets.

There being no other speakers, the public forum was closed.

4. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS

A. [Minutes of the Town Council Meeting – May 11, 2021](#)

Councilor Piccirilli moved to adopt minutes as written; Councilor Gannon seconded the motion. The motion was adopted unanimously on a roll call vote.

B. [Minutes of the Town Council Meeting – May 25, 2021](#)

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

5. PRESIDENT'S REPORT

A. Watertown High School Update

Council President Sideris two actions were completed regarding the new Watertown High School. The School Building Committee selected the option of completing the High School in a single phase using Moxley Field as a swing space. The decision was difficult, and many were opposed to the choice. Many love the design. All parties are committed to mitigating the issues as quickly as possible to complete the project in the quickest manner;

sacrifices are being asked of all. The School Committee in its meeting on Monday June 7, 2021 unanimously supported the option selected; the approved the naming of the temporary modules as Watertown High School at PFC Moxley Field.

Dr. Galdston, Superintendent of Schools, expressed her appreciation to all involved and stated the schools are ready to move forward and this is the best option for students while learning in the swing space.

B. Letter [Requesting Signature](#)

Council President Sideris stated that he had a letter requesting the Town to sign onto asking the Department of Public Utilities and the Gas companies to consider cities and towns as partners recommending principles for framing of 20-80 process to support greenhouse municipal emission reduction goals.

Councilor Piccirilli moved to authorize Watertown to sign on to the letter from Emmett Environment Law and Policy Clinic at Harvard Law School; Councilor Gannon seconded the motion. The motion was adopted unanimously on a roll call vote.

In the discussion that followed:

- * A request was made to have a presentation on the long-term effort. Council President Sideris stated he would speak to Mr. St. Louis, Superintendent of Public Works, and to coordinate a presentation.
- * A question arose as to how information would be disseminated. Mr. Driscoll stated that Watertown as part of the Multi Community Gas Leaks Participant would receive information. Mr. St. Louis would be the community's representative and would be part of the stakeholder process. PC and a select board member of Wellesley are part of the process.
- * Mr. Driscoll responded to a query as to whether the list of communities was a list of signatories. He was uncertain about that but would be able to provide a list of signatories after the June 14 deadline for signature.

The motion was adopted unanimously on a roll call vote.

C. District D Vacancy

Council President Sideris mentioned that four people put their name forward and are willing to serve for the remainder of the District D vacancy. He asked how the Council wished to proceed and what protocols would they like to implement.

In the discussion, it was stated:

- * The vacancy should not be filled.

- * Strong reservations were raised because this would be a very public process putting the nominees under heavy scrutiny. The term would be for a very short time and there is adequate representation for District D during this interim period
- * It seems that the process once started cannot be reversed. It was suggested that the Subcommittee prepare questions, a special Town Council meeting be held to interview candidates and then move into executive session to determine who the candidate is. Attorney Reich clarified that a Subcommittee could prepare questions and even interview the candidate; however, under the statute, there is no executive session reason that would allow for the appointment of a member to the Council. All decisions must be completed in open session.
- * When asked why this position could not come under personnel matters, Attorney Reich stated that elected officials are not personnel. They are considered employees for purposes of conflict-of-interest laws. There is no executive session purpose for interviewing and appointing finalists for a position. The initial screening and interviewing may be completed in executive session, but the disposition must be done in public.
- * The Ad Hoc Committee planned on preparing a list of questions to ask the candidate and wanted to solicit any questions from the Town Council
- * The pool of candidates is sufficiently small for the Town Council to create a process of creating questions, interviewing, and deciding upon a candidate. Although it is late in the year, there is a need to complete the process to prevent 4-4 split votes and to comply with the Charter requirements.
- * District D has sufficient representation for this short period of time with four at large councilors and the council president. There is a great deal of work to be completed within; there are concerns of fairness to the candidates. Moving forward does not make sense.
- * There are many concerns relating to the process for someone to serve for only five Town Council Meetings. It would be difficult to get six votes for one person. Many residents stated they are comfortable leaving the seat open until November when the elected Councilor can be sworn in. The Charter does not require the appointment.
- * Concerns about having the inability to break a tie with an even number of councilors has been superseded by the passage of time.
- * The appointment could be completed; however, timing is the biggest issue. The Council should be thanking those who applied and welcome their willingness to become involved.
- * The Charter language appears to require appointment and that as elected officials, the Council must uphold this requirement. In response, Attorney Reich explained that under the Charter, the Council may appoint or hold a special election to fill a vacancy within the second twelve months of a term. The language is directory and not mandatory;

therefore, the Council may choose to appoint or hold an election or not fill the vacancy.

- * It seems that if the Charter provides two options, the Town Council must choose between those options and is obligated to create a process. There is no third option of do nothing. Attorney Reich stated there is a settled concept of law where shall language is directory not mandatory. In case law, it was stated that the word case law “shall”, while appearing to be imperative, is not mandatory but directory for the orderly conduct of business and compliance is not a required condition for the validity of the act. Therefore, the Council may not use either option provided and still be in compliance with the charter.

Councilor Palomba moved that the Town Council approve having the Ad Hoc Committee create questions to interview the candidates for District D Councilor, to have the candidates interviewed at the August Town Council meeting, to select a candidate through a ranking process, and to have the decision be announced by the Council President; Councilor Feltner seconded the motion. The motion failed on a vote of 1-7. All councilors voted in the negative except for Councilor Palomba who voted in the affirmative.

Councilor Feltner moved to leave the District D Councilor seat vacant until so appointed after the election; Councilor Piccirilli seconded the motion.

In the comments that followed:

- It was stated that the decision made reflects poorly on the Town Council. Perhaps it should have been considered more carefully but it appears as if the Council is reneging on its prior decision and is saying thank you but no thank you to those who offered to serve.
- It was noted that a process should be determined, and the Council should proceed with its previous decision of appointing someone to the seat
- Although the appointment was decided upon, there was no guarantee that it would occur. The Council may not have been sufficiently prepared complete the process. The appointment would have been fine if it could have been completed by July; however, given the reality of time, this does not seem feasible.
- It is perfectly fine for the Town Council to make decisions that are evolving; the urgency for filling the position as it may relate to the breaking ties with the passage of the budget has since passed.

The motion was adopted on a 6-2 roll call vote. All members voted in the affirmative except for Councilor Bays and Palomba who voted in the negative.

Council President Sideris thanked all those who were willing to serve.

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

Confirmation of the Proclamation Honoring [Mary Walkowska Cicconi](#) on Her 100th Birthday

Councilor Piccirilli moved to accept the proclamation honoring Mary Walkowska Cicconi on her 100th birthday; Councilor Gannon seconded the motion.

Council President Sideris read a Proclamation regarding the [celebration of Juneteenth](#). Councilor Piccirilli moved to adopt the proclamation; Councilor Feltner seconded the motion. The motion was adopted unanimously on a roll call vote.

7. REPORTS OF COMMITTEES

A. Committee on Parks and Recreation Report Regarding [Howe Dog Park](#) – John Gannon, Vice Chair

Councilor Gannon read the Committee Report. Councilor Piccirilli moved to accept the report regarding Howe Dog Park; Councilor Gannon seconded the motion. The motion was adopted unanimously on a roll call vote.

B. Committee on Personnel and Town Organization Report Regarding the [Reappointment of Kathleen Colleary to the Board of Assessors](#) for a Term to Expire on May 15, 2024 – Caroline Bays, Chair

ACTION ITEM:

That the Town Council Confirm Kathleen Colleary for Appointment to the Board of Assessors for a Term to Expire on May 15, 2024

Councilor Bays read the Committee report. Councilor Gannon read the Committee Report. Councilor Piccirilli moved to accept the report regarding the reappointment of Kathleen Colleary to the Board of Assessors for a term to expire on May 15, 2024; Councilor Gannon seconded the motion. The motion was adopted unanimously on a roll call vote.

Councilor Bays moved to confirm Kathleen Colleary for appointment to the Board of Assessors for a term to expire on May 15, 2024; Councilor Piccirilli seconded the motion. The motion was adopted unanimously on a roll call vote.

C. Committees on Public Works and Economic Development and Planning Report Regarding the [Bicycle – Pedestrian Master Plan](#) – Vincent J. Piccirilli, Chair, Public Works; Lisa J. Feltner, Vice-Chair, Economic Development and Planning

ACTION ITEM:

That the Town Council Make a Referral to the Joint Committees on Public Works and Rules and Ordinances to Explore and Make Recommendations for Expanding Sidewalk Snow Removal Ordinances to Include Non-Commercial Properties, Per Item J Under Policy Recommendations/Culture in the Adopted Bicycle and Pedestrian Plan

Before Councilor Piccirilli read the report, he noted two typos relating to the positions of Committee members. He then read the report. Councilor Piccirilli moved to accept the report; Councilor Gannon seconded the motion.

Councilor Piccirilli moved to refer to the Joint Committees on Public Works and Rules and Ordinances to explore and make recommendations for expanding sidewalk snow removal ordinances to include non-commercial properties, per Item J under Policy Recommendations/Culture in the Adopted Bicycle and Pedestrian Plan; Councilor Gannon seconded the motion. The motion was adopted unanimously on a roll call vote.

8. NEW BUSINESS

There were no new business requests.

9. COMMUNICATIONS FROM THE TOWN MANAGER

Mr. Driscoll that in honor of the Juneteenth celebration on June 19, a Saturday, the Town Buildings will be closed on Friday, June 18, 2021 and that Thursday, June 17, 2021 the Town buildings will be closed at 2:00 p.m. in accordance with the modified hours.

He also mentioned that Town Hall has been closed since March 16, 2020 due to the COVID crisis. As of Monday, June 21, 2021, the Town Hall will be open to the public.

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

Councilor Kounelis requested a listing, [a depository of information, regarding those honored with a dedication and memorial.](#)

Councilor Feltner requested [the status of the appointments to the Planning Board; what is Alexandria's/ARE commitment to the Mosesian Center for the Arts; and is there a gas leak at 34 Phillips Street?](#)

11. ANNOUNCEMENTS

Councilor Palomba asked if the next Town Council meeting would be at the Town Hall with the lifting of the Covid-19 restrictions. Council President Sideris stated he would like to do that; however, he is waiting for guidance from the Legislature. Attorney Reich stated there may be an extension of the Open

Meeting Law and to continue with the hybrid meeting to include zoom participation. This is currently in a To Be Determined stage.

Councilor Gannon congratulated the Watertown High School graduates who held their ceremony in person on June 4, 2021.

Councilor Feltner asked how to schedule meetings for future meetings. Council President Sideris stated that he did not want to answer that now because not all matters have been considered yet.

12. PUBLIC FORUM

Councilor Piccirilli read an [email from Elodia Thomas](#) correcting her previous statement. She stated interim Town Clerk, Patrick George, stated the petition's signatures would be verified by June 14 rather than July 14 as previously stated and requested the delay of the Planning Board's meeting until after the signature verification.

A question was posed in the Q & A as to when the new Town Clerk would be starting. Mr. Driscoll stated the new Town Clerk would begin on Monday, June 14, 2021.

13. RECESS OR ADJOURNMENT

Councilor Piccirilli moved to adjourn; Councilor Feltner seconded the motion. The motion was adopted unanimously on a roll call vote. The meeting adjourned at 8:38 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 8 for, 0 against, 0 present on June 22, 2021.

Mark S. Sideris, Council President
s:/MWP

**TOWN COUNCIL MEETING
TUESDAY, JUNE 8, 2021, AT 7:00 P.M.
MEETING HAD ONLY REMOTE OPPORTUNITIES
FOR PARTICIPATION WITH PUBLIC ACCESS
LIST OF DOCUMENTS**

1. Minutes of the Town Council Meeting – May 11, 2021 – Item 4A
2. Minutes of the Town Council Meeting – May 25, 2021 – Item 4b
3. Letter Regarding Local Governments Working in Partnership with the Department of Public Utilities on Gas Local Distribution Companies – Emmett Environmental Law and Policy Clinic, Harvard Law School – Item 5B
4. Proclamation Honoring Mary Walkowska Cicconi on Her 100th Birthday – May 26, 2021 – Item 6
5. Proclamation Celebrating Juneteenth – June 8, 2021 – Item 6
6. Committee on Parks and Recreation Report Regarding Howe Park – Councilor John G. Gannon, Vice Chair – May 6, 2021 – Item 7A
7. Committee on Personnel and Town Organization Report Regarding the Reappointment of Kathleen Colleary to the Board of Assessors for a Term to Expire on May 15, 2024 – Caroline Bays, Chair – May 26, 2021 – Item 7B
8. Committees on Public Works and Economic Development and Planning Report Regarding the Bicycle-Pedestrian Master Plan – Vincent J. Piccirilli, Chair, Public Works; Lisa J. Feltner, Vice-Chair, Economic Development and Planning – May 13, 2021 – Item 7C
 - Bike-Ped Plan Implementation – Laura Wiener, Senior Transportation Planner, Steve Magoon, Director of Community Development and Planning and Assistant Town Manager to Town Council Committees on Economic Development and Planning and Public Works – May 10, 2021
9. Request for Information Regarding a Depository of Information Regarding Those Honored with a Dedication and Memorial – Councilor Angeline B. Kounelis – June 8, 2021 – Item 10
10. Request for Information Regarding Planning Board Appointments, ARE Commitment to the Mosesian Center for the Arts, and a Possible Gas Leak at 34 Phillips Street – Councilor Lisa J. Kounelis – June 8, 2021 – Item 10
11. Email Regarding a Meeting with the Planning Board – Elodia Thomas – June 8, 2021 – Item 12