



City Council Meeting

Tuesday, July 11, 2023 at 6:30 PM
Richard E. Mastrangelo Council Chamber

Agenda

ACCESS INFORMATION:

- A. This meeting will be held on July 11, 2023 at 6:30 PM. Location: Richard E. Mastrangelo Council Chamber
- B. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/?channel=3>
- C. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/92991331344>
- D. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID:929 133 1344
- E. Public may comment through email: vpiccirilli@watertown-ma.gov
- F. Please Visit the City Council Website here: <https://www.watertown-ma.gov/350/City-Council>

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- 1. ROLL CALL
 - 2. EXECUTIVE SESSION - 6:30 P.M.
Pursuant to G.L. c. 30A, §21(a)(3) to Discuss Strategy with Respect to Collective Bargaining as an Open Meeting May Have a Detrimental Effect on the City's Bargaining Position and the Chair so Declares – Police Supervisors Union
 - 3. RETURN TO SESSION – 7:00 P.M.
 - 4. PLEDGE OF ALLEGIANCE
 - 5. PUBLIC FORUM
 - 6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
 - A. Minutes from City Council Meeting June 13, 2023
 - 7. PRESIDENT'S REPORT
 - A. City Manager's Evaluation Process
 - 8. PUBLIC HEARINGS
 - A. Public Hearing and vote on proposed Zoning Ordinance amendments for reducing the maximum Floor Area Ratio in the Central Business District.
 - B. Public Hearing and vote on proposed Zoning Ordinance amendments to the transitions requirements between business, industrial or Special Zoning Districts and Residence

Districts and clarifying the Special Permit Granting Authority.

- C. Public Hearing and vote on a proposed Loan Order – Order that the sum of \$300,000 is appropriated to pay costs of replacing lead pipes that connect service lines to water mains, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the City Manager, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Treasurer, with the approval of the City Manager, is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (the “Authority”) pursuant to the Authority’s lead service line replacement program and in connection therewith to enter into a loan agreement and/or financial assistance agreement with the Authority and otherwise to contract with the Authority with respect to such loan and for any grants or aid available for the project or for the financing thereof; and that the City Manager is authorized to accept and expend any grants or aid available for the project or for the financing thereof, provided that the amount of the authorized borrowing for the project shall be reduced by the amount of any such grants or aid received.

9. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

- A. Resolution Authorizing a Transfer of Funds in the Amount of \$171,500 from Fiscal Year 2024 City Council Reserve to the Fiscal Year 2024 Various Police Personnel Accounts in Order to Fund an Agreement with the Police Supervisors Union Covering the Period of July 1, 2023 through June 30, 2024.
- B. Resolution Authorizing a Transfer of Funds in the Amount of \$500,000 From the Fiscal Year 2023 Planned Debt to the Fiscal Year 2023 Transfer to Acquisition of Land/Open Space Stabilization Fund.
- C. Resolution Authorizing a Transfer of Funds in the Amount of \$1,500,000 From the Fiscal Year 2023 Various Departmental Accounts to the Fiscal Year 2023 Collective Bargaining Stabilization Fund.
- D. Resolution Authorizing a Transfer of Funds in the Amount of \$55,000 From the Fiscal Year 2023 City Manager Full Time Salaries to the Fiscal Year 2023 City Attorney – Litigation/Legal Services Fund.
- E. Resolution Authorizing a Transfer of Funds in the Amount of \$354,000 From the Fiscal Year 2023 Various Departmental Electricity and Gas Accounts to the Fiscal Year 2023 ESCO Capital Stabilization Funds.
- F. Resolution Authorizing a Transfer of Funds in the Amount of \$1,122,262 From the Fiscal Year 2023 Planed Debt Account to the Fiscal Year 2023 Capital Projects/City Fund.
- G. Resolution Authorizing Acceptance and Expenditure of Gifts of Funds in the Amount of \$3,200 to the Watertown Cultural Council.

10. REPORTS OF COMMITTEES

- A. Committee on State, Federal, and Regional Government regarding the appointment of a member to the Board of Election Commissioners - Nicole Gardner, Chair
ACTION ITEM:
To recommend that the City Council confirm Margie Apfelbaum for appointment to the Board of Election Commissioners for a term to expire on April 1, 2027.
- B. Committee on Economic Development & Planning regarding a report from the meeting held on July 5, 2023 - Lisa Feltner, Chair
ACTION ITEM:
To recommend that the City Council confirm Alexander Dale for appointment as a full

member of the Zoning Board of Appeals for a term expiring February 15, 2027.

ACTION ITEM:

To recommend that the City Council confirm Rachel Sack for appointment to the Planning Board for a term expiring February 15, 2027.

11. NEW BUSINESS
12. COMMUNICATIONS FROM THE CITY MANAGER
13. REQUESTS FOR INFORMATION/REVIEW OF LIST OF PENDING MATTERS
14. ANNOUNCEMENTS
15. PUBLIC FORUM
16. RECESS OR ADJOURNMENT

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large

Nicole Gardner,
District A Councilor

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

John G. Gannon,
Councilor At Large

Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large

Emily Izzo,
District D Councilor



Watertown City Council

Administration Building

149 Main Street

Watertown, MA 02472

Phone: 617-972-6470

CITY COUNCIL MEETING

TUESDAY, JUNE 13, 2023, 7:00 P.M.

RICHARD E. MASTRANGELO COUNCIL CHAMBER

ADMINISTRATION BUILDING, 149 MAIN STREET

MINUTES

ACCESS INFORMATION:

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B. The meeting will be televised through WCATV (Watertown Cable Access Television):

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1. ROLL CALL

Council President Sideris called to order a regular meeting of the City Council at 7:00 p.m. in the Richard E. Mastrangelo Chamber, Administration Building. Those present were Councilors John M. Airasian, Caroline Bays, John G. Gannon, Nicole Gardner, Lisa J. Feltner, Emily Izzo, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., and Council President Mark S. Sideris. Also present were George Proakis, City Manager, Mark Reich, City Attorney, and Brendan T. McCarthy, Council Clerk.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC FORUM

Linda Scott - 55 Olcott – Stated that her car had recently been damaged by rats eating the wires of the vehicle. She is happy that the Health Department is getting a Rat Control

Officer. Linda raised concern with the health department's budget – not seeing any money allocated to bio safety measures. She has continued to bring the issue up but has not received a firm answer. She questioned why Watertown seems firm in capping labs at BSL2 level. She stated that Waltham has a BSL3 Level Lab that is not located in a residential area. She went on to explain how labs have errors in categories such as rule base, skill base, and knowledge base, and that Cambridge does an excellent job in training in BSL3 and BSL4 labs while encouraging honesty when potentially dangerous accidents happen. She concluded that Watertown's cap at BSL2 labs may lead to more accidents.

Cedar Pruitt - Stated how she has admired the Charles River and has seen it as a great resource for the City of Watertown, she realized her dream of living along it when she and her husband purchased a home behind Russo's (now no longer in business). She went on to explain that in the last two years there has been a very large increase in industrial noise including an ever-present buzz and incessant drones that are above acceptable decibel levels. This has taken over the natural landscape. She continued to say that constant industrial noises can lead to health issues and suggested that the city look into products like acoustic curtains to dampen the sounds of building's utilities. She concluded that she wanted to work with the city to help protect the vital natural resource that is the Charles River.

Joan Gumbleton – 32 Falmouth Rd – Joan opened with remarking that she saw a street cleaning vehicle for the first time in a while, and raised concerned about the lack of scheduled street cleanings which leads to inefficiencies due to parked cars. She asked if a schedule, like other surrounding communities, would be possible.

4. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS

A. Minutes from City Council Meeting May 9, 2023

B. Minutes from City Council Meeting May 23, 2023

Councilor Piccirilli moved to accept the minutes from May 9, 2023 and May 23 2023 with the provision that minor edits will be made. Councilor Gannon seconded.

The minutes for the previous meetings were accepted unanimously in a Voice Vote.

5. PRESIDENT'S REPORT

President Sideris remarked that he did not want to add any report in favor of giving time to address the budget.

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

A. Juneteenth Proclamation – 2023

President Sideris read the Proclamation – he acknowledged a small typo that would be revised (“City known as the Town of Watertown” to “City of Watertown”)

Councilor Piccirilli moved to accept the Proclamation and Councilor Gardner seconded.

The Proclamation was accepted unanimously in a Voice Vote.

B. To assign the name of Technology Way to a new private way between Galen St and the lower portion of Water Street, located across from Aldrich Road.

President Sideris tabled this item to the next meeting.

7. PUBLIC HEARINGS

A. Public Hearing and Vote on a Petition from Eversource for a Grant of Location in Waltham St to install and maintain approximately 7 linear feet of conduit from utility pole 139/29 to the property line of #249 Waltham Street. This work is necessary to provide electric service to #249 Waltham Street. The recommendations and conditions set out by the Department of Public Works shall be required upon approval of this application.

Jacqueline Duffy from Eversource presented the petition for the Grant of Location.

President Sideris opened the public hearing for questions or concerns.

There being none, President Sideris closed the public hearing, and asked for a motion from the council.

Councilor Piccirilli moved to approve the Grant of Location and Councilor Feltner seconded.

The Grant of Location was approved unanimously in a Voice Vote.

B. Public Hearing and Vote on Proposed City Auditor's Salary

President Sideris Tabled this Item.

President Sideris moved up several Items due to scheduling purposes.

9. MOTIONS ORDINANCES, ORDERS, AND RESOLUTIONS

A. First Reading on a Proposed Order Establishing Water and Sewer Rates and Charges for Fiscal Year 2024

City Manager Proakis presented the First Reading of the Water and Sewer Rates and Charges for Fiscal Year 2024. He marked the increases, noting that the increases are less than what was projected, but said that he would like to go into more detail on the following meeting.

B. Consideration and approval of exemptions of interests of existing City employees in

contracts with the City including summer, winter, holiday, and after school program employment positions in response to disclosures filed with the City Clerk by prospective employees and certification by the Recreation Director that no employee of that Department is available to perform those services as part of their regular duties, in accordance with G.L. c. 268A, sec. 20(b) – Recreation Department: Furtado, Eric and McDermott, Nicholas.

City Manager Proakis explained that ethics exemption requests are needed when city employees (typically those in the School Department) accept additional city employment (typically in the Recreation Department). He cited the same process that happened in the previous meeting.

Councilor Piccirilli moved to approve the exemption of interest and Councilor Feltner seconded.

Councilor Feltner asked for an overview or example of this exemption.

City Manager Proakis explained that many times the Recreation Department has positions that are filled/overlapped with members of the School Department due to advantageous availability. He cited certain positions like after school and summer employment.

The exemptions of interest were approved unanimously in a Voice Vote.

F. An Extension Authorizing a Five-Year Contract with Allied Waste Services of Massachusetts, LLC d/b/a Republic Services of Revere

President Sideris Clarified that what was in front of the Council was not to approve a contract, but to allow the City Manager the ability to enter into a 5 year contract as any contract over 3 years needs City Council approval.

City Manager Proakis presented the request. He stated that Watertown works with a solid waste and recycling committee to help advise, and that they are looking to continue to add services like expanding compost service. He also mentioned that rates across the board are going higher.

Councilor Piccirilli moved to authorize the ability to enter into a 5 year contract with Allied Waste Services and Councilor Feltner seconded.

Discussion ensued.

Councilor Palomba asked for clarification on the estimated cost.

Superintendent St. Louis clarified the difference between the contract to receive and transport trash to the contract to incinerate and dispose of the waste. He recalled that what used to happen is that the recycling was included in overall hauling tonnage but is now a pass through cost. Because of that shift, the rates have gone up.

Councilor Palomba asked if the contract covers pick up and delivery of solid waste and recycling and their delivery to respective processing locations.

Superintendent St. Louis confirmed that.

Councilor Palomba asked for clarification on the 425 dollars per haul figure.

Superintendent St. Louis explained that certain items like bulk and metal is now delivered to a different location from the Recycling Center.

Councilor Palomba asked if it was correct that the hauls are not included in the greater figure on the contract.

Superintendent St. Louis confirmed that. He stated that it's establishing a rate.

Councilor Palomba asked if it will be difficult to predict how many hauls there will be per year.

Superintendent St. Louis stated that they can estimate using numbers from previous years but admitted that overall numbers do vary.

Councilor Bays remarked about currently being in an inflation spike and asked how the rates varied per year between a 3 and 5 year contract.

Superintendent St. Louis stated a \$30 – \$50 thousand difference in a year one cost, and that every year there would be calculated rate based on the CPI index.

Councilor Feltner asked about the days and hours of operation for the recycling center – whether they were set in stone, or if they could be amended for more access.

Superintendent St. Louis remarked that they added an additional day last year. He went on to talk about different options that they could adopt at the recycling center including being open more, and potentially being more self-sufficient.

Councilor Feltner asked about oversight and accountability for the contracted services on the site.

Superintendent St. Louis stated that they check on all their contractors regularly. He went on to say that it would be disadvantageous for Republic to be negligent.

Councilor Feltner noted that the ladder on the site that they ask individuals to climb and haul recyclables is very precarious, and that she has sincere safety concerns.

Superintendent St. Louis said that they are in the process of purchasing a new ladder.

Councilor Gannon asked for a summary of how the city is doing with diversion of solid waste. He asked for percentages amount of solid waste vs. recyclables.

Superintendent St. Louis said that it was a moving target and that it needs to be tracked over a longer period of time. He marked that the 2030 goal doesn't take into account population growth, but they are making an effort to tighten the program. The average total amount is about 20 lbs per home per week, but they will have a better understanding of the numbers in regard to the 2030 goal when more houses are developed.

The authorization to approve a five-year contract with Republic was approved unanimously in a Voice Vote.

10. REPORTS OF COMMITTEES

A. Committee on Human Services Regarding the minutes from The Committee on Human Services meetings on December 15, 2022; January 31, 2023; March 23, 2023 - Anthony Palomba, Chair

Councilor Palomba presented the report.

Councilor Piccirilli moved to accept the reports with the provision of a small edit and the addition of missing attachments. Councilor Gannon seconded.

Councilor Feltner noted another revision to be made to the minutes, and she also remarked that there were several members of the public that complained about their waste receptacles being damaged by rats who were not addressed.

The reports were accepted unanimously in a Voice Vote.

B. Committee on Rules and Ordinances Regarding Discussion on Adoption of Human Rights Commission Ordinance -John Gannon, Chair

ACTION ITEM:

Recommend City Council Request the City Attorney Review the Draft Ordinance, and then Schedule a First Reading on the Proposed Human Rights Commission Ordinance for Adoption.

Councilor Gannon presented the reports.

Councilor Piccirilli moved to accept the meeting minutes and Councilor Feltner seconded.

The meeting minutes were accepted unanimously in a Voice Vote.

Councilor Piccirilli moved to approve the action item for the City Council to request the City Attorney to review the draft ordinance for consideration by the City Council. Councilor Feltner seconded.

That Action Item was approved unanimously in a Voice Vote.

Councilor Gannon thanked everyone involved with this process.

8. COMMITTEE OF THE WHOLE

A. Amendment to Fiscal Year 2024 - increases to revenue and expenditure lines.

City Manager Proakis explained that the reason for the amendment was due to a current lawsuit with a city employee that has gone to court and has had a ruling. While the city could appeal it, City Manager Proakis believes it's in the best interest of the city to resolve this and sign an agreement to pay the judgment. He went on to explain that a large chunk

of the ruling will be covered by insurance, but the proposed amendment will cover the difference and close the book on the issue.

Councilor Piccirilli moved to approve the amendment and Councilor Feltner seconded.

The amendment was approved unanimously in a Voice Vote.

B. Public Hearing and Vote on the Fiscal Year 2024 Budget and Related Matters

President Sideris made an opening statement regarding the process of presenting the budget, rules for public hearing, and the City Council's limitations in altering the budget.

President Sideris opened the public hearing.

There being no participants, President Sideris closed the public hearing.

City Auditor Langan presented the Fiscal Year 2024 Budget.

President Sideris thanked the new City Auditor Langan, City Manager Proakis, and former City Auditor Tracy for working together to accomplish created this year's budget.

Councilor Piccirilli made a motion of reconsideration of the budget and Councilor Bays seconded.

The motion for reconsideration of the budget failed unanimously in a Roll Call Vote.

Councilor Piccirilli clarified that the result means the FY24 budget passed.

9. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

C. Resolution Approving the Fiscal Year 2024 Retiree Health Insurance Appropriation and Authorization of Expenditures from the OPEB Trust Fund

City Auditor Langan presented the Resolution. She mentioned that this process will need to be updated and voted on every year.

Councilor Piccirilli moved to approve the Resolution and Councilor Gannon seconded.

The Resolution was approved unanimously in a Roll Call Vote.

D. Resolution Establishing Fiscal Year 2024 Expenditure Limits for Revolving Funds

City Auditor Langan presented the Resolution.

Councilor Piccirilli moved to approve the Resolution and Councilor Gannon seconded.

The Resolution was approved unanimously in a Roll Call Vote.

E. Motion to Appropriate the Community Preservation Act (CPA) Funds for Fiscal Year 2024

City Auditor Langan presented the Community Preservation Ave Funds for Fiscal Year 2024. She went on to remind the City Council before any project can be approved for funding by the CPC, the City Council will need to approve it.

Councilor Piccirilli moved to adopt the CPA funds for FY24 as recommended by the CPC. Councilor Feltner seconded.

The motion to adopt the CPA funds for FY24 as recommended by the CPC passed unanimously in a Roll Call Vote.

11. NEW BUSINESS

There was no new business.

12. COMMUNICATIONS FROM THE CITY MANAGER

A. Request for Confirmation of appointment to the Board of Election Commissioners

City Manager Proakis presented a request to appoint Marjorie Apfelbaum to the board of Election Commissioners. He noted that the Election Commission positions are appointed from the Democratic and Republican committees, and in this instance they sent three candidates to the Resident Advisory Committee, that then recommended two candidates to the City Manager's Office, and he then concluded with Marjorie as his recommendation.

City Manager Proakis went on to make note that this was his first year in office, and thanked all parties involved in the budget process. He also noted that he will be presented an updated City Org Chat next meeting along with various other items. He reminded the Council and public of the hours of operations for the administration building in the coming weeks and announced the opening of the Farmer's Market as well as the Saltonstall Park Concert Series.

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

Councilor Feltner requested information of the new 100 Forge Tower lighting policy. She noted that the lights have been staying on all night and thought that was in violation.

14. ANNOUNCEMENTS

Councilor Gardner invited the public to attend the Juneteenth celebrations on June 17th at the Public Library and June 18th in Belmont.

Councilor Gannon announced the final tour of the Watertown High School before

demolition begins. He also announced a scholar dinner for Lt. Paul J Sullivan Scholarship Committee at the Sons of Italy

Councilor Bays announced that on June 17th there will be a “Touch a Truck” event at the DPW.

15. PUBLIC FORUM

Tiffany York – 114 Riverside St – Thanked the Council for the Juneteenth Proclamation with special thanks to Councilor Gardner for her work. She mentioned that the Proclamation was quite revised from what they submitted. She went on to make known that the Watertown Community for Black Lives is a community organization that is responsible for being a resource with stories of black history and culture, but also a resource for awareness of the impact of racism in Watertown’s past and present. She went on the invite all to the Juneteenth Celebration. She made note that the annual “Touch a Truck” event fell on the same date and will continue to request that the date be moved in the future so that there is no scheduling conflict with Juneteenth. She concluded with asking the Council to consider eBooks in place of standard textbooks for budgetary purposes in the hopes to potentially help fund the Human Rights Commission.

16. RECESS OR ADJOURNMENT

Councilor Piccirilli made a motion to adjourn, and Councilor Feltner seconded.

The motion was adopted unanimously in a Voice Vote.

The meeting adjourned at 8:57 p.m.

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 ___ for, ___ against, ___ present on July , 2023.

Mark S. Sideris, Council President
s:/BTM

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large

Nicole Gardner,
District A Councilor

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

John G. Gannon,
Councilor At Large

Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large

Emily Izzo,
District D Councilor

City Council Meeting
Tuesday, June 13, 2023 at 7:00 PM
Richard E. Mastrangelo Council Chamber
Administration Building, 149 Main Street
List of Documents

1. Minutes from City Council Meeting May 9, 2023 - Item 4A
2. Minutes from City Council Meeting May 23, 2023 - Item 4B
3. Juneteenth Proclamation – Item 6A
4. A petition from Eversource for a Grant of Location in Waltham St in install and maintain 7 linear feet of conduit from utility pole 139/29 to the property line of #249 Waltham Street - Item 7A
5. Amendment to the Fiscal Year 2024 Budget from the City Manager – Item 8A
6. Fiscal Year 2024 Budget Line Items – Item 8B
7. Agenda Item – First Reading on proposed order establishing water and sewer rates and charges for Fiscal Year 2024 – Item 9A
8. Agenda Item – Memo from City Auditor to approve the Fiscal Year 2024 Retiree Health Insurance appropriation and authorization of expenditure from the OPEB Trust Fund – Item 9C
9. Agenda Item – Memo and spreadsheets regarding a Resolution establishing Fiscal Year 2024 expenditure limits for revolving funds – Item 9D
10. Agenda Item – Memo from City Auditor for CPA funds Fiscal Year 2024 – Item 9E
11. Agenda Item – Extension authorizing a five year contract with Allied Waste Services of Massachusetts, LLC d/b/a Republic Services of Revere – Item 9F
12. Report from the Committee on Human Services meetings on December 15, 2022; January 31, 2023; March 23, 2023 – 10A
13. Report from the Committee on Rules and Ordinances – 10B

ADDENDUM TO THE
MINUTES OF THE JUNE 13, 2023
CITY COUNCIL MEETING



Watertown City Council

City Council Meeting
Tuesday, June 13, 2023 at 7:00 PM
Richard E. Mastrangelo Council Chamber

Agenda

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 - 2. PLEDGE OF ALLEGIANCE
 - 3. PUBLIC FORUM
 - 4. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
 - A. Minutes from City Council Meeting May 9, 2023
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 - 6. PRESENTATION OF PETITIONS, PROCLAMATIONS, AND SIMILAR PAPERS AND MATTERS
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 - B. To assign the name of Technology Way to a new private way between Galen St and the lower portion of Water Street, located across from Aldrich Road.
 - 7. PUBLIC HEARINGS
 - A. Public Hearing and Vote on a Petition from Eversource for a Grant of Location in Waltham St to install and maintain approximately 7 linear feet of conduit from utility

pole 139/29 to the property line of #249 Waltham Street. This work is necessary to provide electric service to #249 Waltham Street. The recommendations and conditions set out by the Department of Public Works shall be required upon approval of this application.

B. Public Hearing and Vote on Proposed City Auditor's Salary

8. COMMITTEE OF THE WHOLE

A. Amendment to Fiscal Year 2024 - increases to revenue and expenditure lines

B. Public Hearing and Vote on the Fiscal Year 2024 Budget and Related Matters

9. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

A. First Reading on a Proposed Order Establishing Water and Sewer Rates and Charges for Fiscal Year 2024

B. Consideration and approval of exemptions of interests of existing City employees in contracts with the City including summer, winter, holiday, and after school program employment positions in response to disclosures filed with the City Clerk by prospective employees and certification by the Recreation Director that no employee of that Department is available to perform those services as part of their regular duties, in accordance with G.L. c. 268A, sec. 20(b) – Recreation Department: Furtado, Eric and McDermott, Nicholas

C. Resolution Approving the Fiscal Year 2024 Retiree Health Insurance Appropriation and Authorization of Expenditures from the OPEB Trust Fund

D. Resolution Establishing Fiscal Year 2024 Expenditure Limits for Revolving Funds

E. Motion to appropriate the Community Preservation Act (CPA) Funds for Fiscal Year 2024

F. An Extension Authorizing a Five Year Contract with Allied Waste Services of Massachusetts, LLC d/b/a Republic Services of Revere

10. REPORTS OF COMMITTEES

A. Committee on Human Services Regarding the minutes from The Committee on Human Services meetings on December 15, 2022; January 31, 2023; March 23, 2023 - Anthony Palomba, Chair

B. Committee on Rules and Ordinances Regarding Discussion on Adoption of Human Rights Commission Ordinance -John Gannon, Chair

ACTION ITEM:

Recommend City Council Request the City Attorney Review the Draft Ordinance, and then Schedule a First Reading on the Proposed Human Rights Commission Ordinance for Adoption.

11. NEW BUSINESS

12. COMMUNICATIONS FROM THE CITY MANAGER

A. Request for Confirmation of appointment to the Board of Election Commissioners

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

14. ANNOUNCEMENTS
15. PUBLIC FORUM
16. RECESS OR ADJOURNMENT

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large

Nicole Gardner,
District A Councilor

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

John G. Gannon,
Councilor At Large

Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large

Emily Izzo,
District D Councilor

CITY COUNCIL ATTENDANCE
MEETING DATE: JUNE 13, 2023

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: JUNE 13, 2023

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to accept Minutes from May 9, 2023 and May 23, 2023 City Council Meetings.

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: JUNE 13, 2023

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to approve the Proclamation of Jun 19, 2023 as Juneteenth in the City of Watertown.



Watertown City 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

John M. Airasian
Councilor At Large

Caroline Bays
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

PROCLAMATION

WHEREAS: President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States; and,

WHEREAS: Although President Lincoln's Emancipation Proclamation had been issued more than two years prior, Union troops had previously been unable to fully enforce the order until June 19, 1865, in the South and Southwestern United States; and

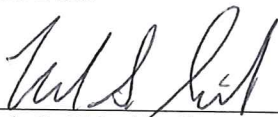
WHEREAS: June 19th has a special meaning to African Americans, and has been celebrated by communities for over 150 years; and

WHEREAS: As one of the oldest American holidays, Juneteenth commemorates formerly enslaved individuals and their descendants and has historically been a time of prayer, reflection and family reunion; and

WHEREAS: The Commonwealth of Massachusetts has recognized June 19th as a legal holiday to celebrate the emancipation of African Americans and their contribution; and

NOW THEREFORE BE IT RESOLVED: that the City of Watertown hereby proclaims Monday, June 19, 2023, as "Juneteenth Day" and urge all citizens to become more aware of the significance of this celebration in the African American History and in the heritage of our nation and our community.

IN WITNESS WHEREOF, I have
hereunto set our hand and caused the
Great Seal of the City of Watertown
to be affixed on this 13th day of
June 2023


Mark S. Sideris, City Council President



CITY COUNCIL ROLL CALL VOTE
MEETING DATE: JUNE 13, 2023

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to approve a Grant of Location request from Eversource in Waltham Street to install and maintain approximately 7 linear feet of conduit from utility pole 139/28 to the property line of 149 Waltham Street.



Watertown City Council

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

ELECTED OFFICIALS:

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

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

RESOLUTION # 30

2023 – R - 30

BE IT RESOLVED: That the Watertown Department of Public Works has reviewed the attached petition by Eversource for consideration of a Grant of Location in Waltham Street to install and maintain approximately 7 linear feet of conduit from utility pole 139/28 to the property line. This work is necessary to provide electric service to 249 Waltham Street. Said Grant of Location shall be subject to the following recommendations and conditions.

Standard Conditions

1. During construction, uninterrupted pedestrian access (or temporary pedestrian facilities) shall be provided at all times or an appropriate alternative path provided.
2. Please be aware that there may be utility infrastructure that is not shown on the plan and may be encountered in the field. If a conflict occurs between the proposed installation and existing City-Owned and/or private utility infrastructure, The City Engineer shall be contacted directly to discuss an appropriate resolution.

3. It is the sole responsibility of the Applicant, and their Contractor, to ensure that and City-Owned and or private utilities, if located within the limits of work should be properly marked and protected during construction activities.

The City of Watertown is not a member of Dig Safe and must be notified separately.

4. The proposed scope of work requires a DPW Street Opening Permit through the Watertown DPW prior to the start of construction.

5. All disturbances to curbing, grass strips, sidewalks, walkways, and roadway surfaces shall be repaired in kind to the satisfaction of the City of Watertown DPW. If any existing sidewalk is proposed to be removed and replaced in full width, the restoration must be completed in accordance with all current ADA, MAAB and City of Watertown standards.

6. All work within the Right of Way shall require the Contractor to schedule and coordinate a police traffic detail. Traffic control and safety measures shall be implemented in adherence to all applicable OSHA requirements, Massachusetts DOT Work Zone Safety Guidelines and Part VI of the Manual of Uniform Traffic Control Devices.

7. All material stockpiled on roadways and/or roadway shoulders shall be protected with erosion control devices such as silt fence or straw wattles. It will be the sole responsibility of the Contractor to remove any sediment that enters the City drainage system as a result of the proposed work.

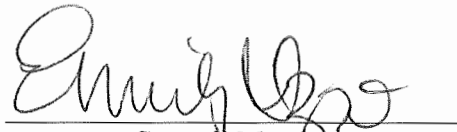
8. Equipment, staging, and stockpiles shall not be located in a manner so as to interfere with intersection sightlines and shall be kept in a neat and orderly fashion.

9. Public shade trees within and adjacent to the proposed work zone must be protected. The Contractor shall install individual tree protection on any public shade tree that may be impacted and the Contractor shall not stockpile material or equipment within the drip zone of a public shade tree.

10. Contractor shall coordinate with City Health Department on rodent control requirements.
11. An as-built survey shall be performed upon completion of the work and provided to the Department of Public Works.

BE IT FURTHER RESOLVED: That the petitioner shall deposit sufficient cash surety as determined by the Superintendent of Public Works to be held in escrow until the Superintendent of Public Works is satisfied with the condition of repair and restoration of the street.

BE IT FURTHER RESOLVED: That a copy of said petition is forwarded to the City Clerk for processing.



Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above Resolution was adopted by a vote of _ for, _ against, and _ present on June 13, 2023



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President



CITY OF WATERTOWN
DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET
WATERTOWN MA 02472

Gregory M. St. Louis, PE
Superintendent of Public Works

(P) 617-972-6420
(F) 617-972-6402

TYPE: Grant of Location
DATE: May 24, 2023
APPLICANT: Eversource
WORK ORDER: WO# 11013300
LOCATION: Waltham Street

The City of Watertown Department of Public Works has reviewed the attached petition by Eversource for consideration of a Grant of Location for the following installations:

- **Waltham Street – Install and maintain approximately 7 linear feet of conduit from utility pole 139/29 to the property line.**

This work is necessary to provide electric service to 249 Waltham Street. Upon completion of our review, we are submitting the following recommendations and conditions for consideration by the City Council should the Grant of Location be approved for this application. A photo of the location of the proposed work is presented attached to this document.

Standard Conditions

1. During construction, uninterrupted pedestrian access (or temporary pedestrian facilities) shall be provided at all times or an appropriate alternative path provided.
2. Please be aware that there may be utility infrastructure that is not shown on the plan and may be encountered in the field. If a conflict occurs between the proposed installation and existing City-Owned and/or private utility infrastructure, The City Engineer shall be contacted directly to discuss an appropriate resolution.
3. It is the sole responsibility of the Applicant, and their Contractor, to ensure that and City-Owned and or private utilities, if located within the limits of work should be properly marked and protected during construction activities. **The City of Watertown is not a member of Dig Safe and must be notified separately.**
4. The proposed scope of work requires a DPW Street Opening Permit through the Watertown DPW prior to the start of construction.
5. All disturbances to curbing, grass strips, sidewalks, walkways, and roadway surfaces shall be repaired in kind to the satisfaction of the City of Watertown DPW. If any existing sidewalk is proposed to be removed and replaced in full width, the restoration must be completed in accordance with all current ADA, MAAB and City of Watertown standards.
6. All work within the Right of Way shall require the Contractor to schedule and coordinate a police traffic detail. Traffic control and safety measures shall be implemented in adherence to all applicable OSHA requirements, Massachusetts DOT Work Zone Safety Guidelines and Part VI of the Manual of Uniform Traffic Control Devices.
7. All material stockpiled on roadways and/or roadway shoulders shall be protected with erosion control devices such as silt fence or straw wattles. It will be the sole responsibility of the Contractor to remove any sediment that enters the City drainage system as a result of the proposed work.
8. Equipment, staging, and stockpiles shall not be located in a manner so as to interfere with intersection sightlines and shall be kept in a neat and orderly fashion.
9. Public shade trees within and adjacent to the proposed work zone must be protected. The Contractor shall install individual tree protection on any public shade tree that may be impacted and the Contractor shall not stockpile material or equipment within the drip zone of a public shade tree.
10. Contractor shall coordinate with City Health Department on rodent control requirements.
11. An as-built survey shall be performed upon completion of the work and provided to the Department of Public Works.

RECEIVED
WATERTOWN D.P.W.
2023 MAY 22 AM 11:44

May 4, 2023

City Council
City Hall
149 Main Street
Watertown, MA 02472

RE: Waltham Street
Watertown, MA
W.O.# 11013300

Dear Members of the Council:

The enclosed petition and plan are being presented by the NSTAR Electric Company d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 7± feet of conduit in Waltham Street.

The reason for this work is to provide service to #249 Waltham Street, Watertown.

If you have any further questions, please contact Joanne Callender at 781-314-5053. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

RMS/sky
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY FOR
LOCATION FOR CONDUITS
AND MANHOLES**

To the **City Council** of the City of **WATERTOWN** Massachusetts:

Respectfully represents **NSTAR ELECTRIC Company d/b/a Eversource Energy** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **T. Thibault, dated December 1, 2022**, and filed herewith, under the following public way or ways of said City:

**NSTAR ELECTRIC COMPANY
d/b/a EVERSOURCE ENERGY**

Waltham Street - Northerly from pole 139/29, approximately 404± feet east of Gore Street, install approximately 7± feet of conduit.

WO #11013300

BY *Richard M. Schifone*
Richard M. Schifone, Supervisor
Rights & Permits

Dated this _____ day of _____ 2023

City of **WATERTOWN** Massachusetts

Received and filed _____ 2023

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
City of WATERTOWN

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the City thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

Waltham Street - Northerly from pole 139/29, approximately 404± feet east of Gore Street, install approximately 7± feet of conduit.

WO #11013300

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **T. Thibault, dated December 1, 2022**, on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the city council or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	City Council
3	_____	the City of
4	_____	WATERTOWN
5	_____	

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the council to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2023 at _____ in said City.

1	_____	
2	_____	City Council
3	_____	the City of
4	_____	WATERTOWN
5	_____	

CERTIFICATE

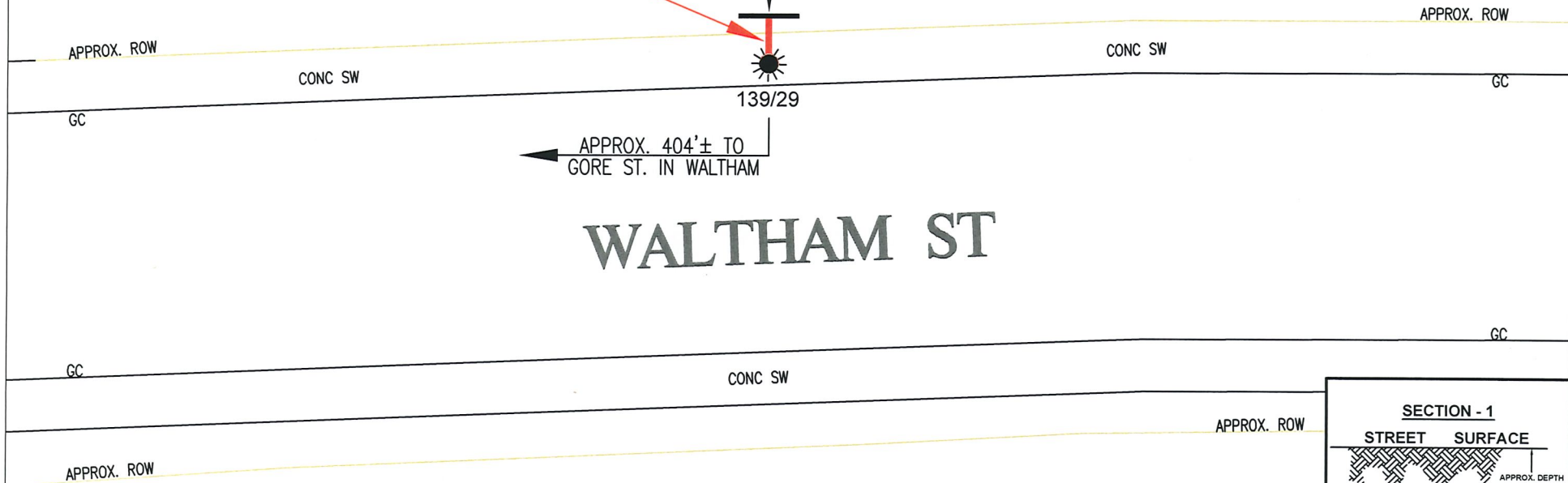
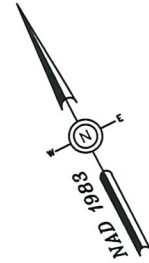
I hereby certify that the foregoing are true copies of the Order of the **City Council** of the City of **WATERTOWN**, Massachusetts, duly adopted on the _____ day of _____, 2023 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the City of **WATERTOWN**, Massachusetts

702 1A 0
249 WALTHAM ST
WATERTOWN
N/F
GORE PLACE SOCIETY

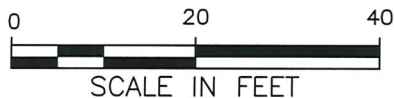
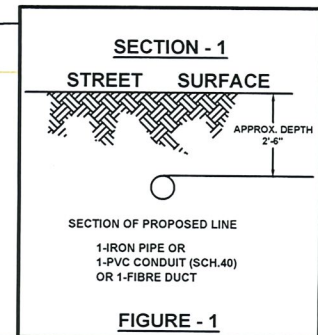
INSTALL 1 - 4" PVC PIPE
SCHEDULE 40, NO CONCRETE
SECTION 1 FIG. 1 7±

APPROX. PT.
OF PICKUP



WALTHAM ST

807 1B 1
100 WOODVIEW WAY
WATERTOWN
N/F
100 WOODVIEW WAY MA LLC



SCALE IN FEET

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C#	
Ward #	
Work Order #	11013300
Surveyed by:	N/A
Research by:	JC
Plotted by:	LM
Proposed Structures:	LM
Approved:	T THIBAUT
P#	

NSTAR EVERSOURCE
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of	WALTHAM ST
	WATERTOWN
Showing	PROPOSED COSTUMER CONDUIT LOCATION
Scale	1"=20'
Date	DECEMBER 1, 2022
SHEET	1 of 1

CITY COUNCIL ATTENDANCE
MEETING DATE: JUNE 13, 2023

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to Adopt an Amendment to the Fiscal Year 2024 General Budget.



Watertown City 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

John M. Airasian
Councilor At Large

Caroline Bays
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

ORDER # 31

2023 - O - 31

ORDER ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2024 GENERAL BUDGET

BE IT ORDERED: That the City Council of the City known as the Town of Watertown hereby adopts an amendment to the Fiscal Year 2024 General Budget, as attached.

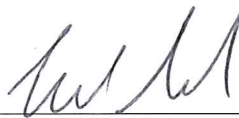
BE IT FURTHER ORDERED: That a copy of said Order be forwarded to the Town Auditor and the Town Treasurer.


Council Member

I hereby certify that at a special meeting of the City Council for which a quorum was present, the above resolution was adopted by a vote of 9 for, 0 against and 0 present on June 13, 2023



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: June 8, 2023

RE: Proposed Amendment to the Fiscal Year 2024 Budget

I respectfully request your favorable consideration on the Proposed Amendment to the Fiscal Year 2024 Budget.

The Proposed Amendment is related to the following:

- Increase Revenue Line - we will use an additional \$3,688,029 from Utilization of Free Cash for a total of \$5,688,029; and,
- Increase Expenditure Line - we will add \$3,688,029 to the Settlement Account changing that account total to \$3,738,029.

Given this amendment, the Fiscal Year 2024 Revenues and Expenditures will be each increased by \$3,688,029. Therefore, the revised Fiscal Year 2024 Revenues are \$194,013,029 and the revised Fiscal Year 2024 Expenditures are \$194,013,029.

Thank you for your consideration in this matter.

CITY OF WATERTOWN				
PROPOSED GENERAL FUND FY 2024 BUDGET				
AS AMENDED JUNE 13, 2023				
	(510100 to 510199)	(520200 to 570799)	(580800 to 590999)	
	PERSONNEL	SUPPLIES	CAPITAL	
DEPARTMENTS	RELATED COSTS	AND SERVICES	COSTS/ OTHER	DEPARTMENTAL TOTAL
CITY COUNCIL	\$199,568	\$3,929,100	\$25,000	\$4,153,668
CITY MANAGER	\$912,210	\$65,550	\$0	\$977,760
CITY AUDITOR	\$484,922	\$122,775	\$0	\$607,697
PROCUREMENT	\$234,662	\$205,102	\$40,000	\$479,764
CITY ASSESSOR	\$401,776	\$104,800	\$0	\$506,576
TREASURER/COLLECTOR	\$369,479	\$126,800	\$0	\$496,279
CITY ATTORNEY	\$0	\$235,000	\$0	\$235,000
HUMAN RESOURCES	\$248,360	\$81,235	\$0	\$329,595
INFORMATION TECHNOLOGY	\$551,631	\$1,073,605	\$155,013	\$1,780,249
CITY CLERK	\$281,480	\$16,600	\$0	\$298,080
ELECTIONS	\$156,993	\$59,000	\$0	\$215,993
COMM. DEV. & PLANNING	\$1,876,887	\$313,800	\$0	\$2,190,687
CONSTITUENT SERVICES	\$138,290	\$26,000	\$0	\$164,290
PARKING LOTS & METERS	\$201,200	\$147,500	\$15,000	\$363,700
PUBLIC BUILDINGS	\$898,115	\$499,340	\$315,000	\$1,712,455
POLICE	\$9,842,331	\$743,326	\$332,049	\$10,917,706
FIRE	\$11,316,773	\$703,720	\$420,000	\$12,440,493
EMERGENCY MANAGEMENT	\$2,660	\$54,095	\$0	\$56,755
PUBLIC WORKS	\$3,914,298	\$10,247,786	\$502,500	\$14,664,584
HEALTH	\$658,857	\$302,491	\$0	\$961,348
SENIOR SERVICES	\$355,765	\$93,232	\$15,000	\$463,997
VETERAN'S SERVICES	\$91,929	\$153,600	\$0	\$245,529
LIBRARY	\$2,527,678	\$1,049,163	\$101,000	\$3,677,841
RECREATION	\$425,479	\$69,060	\$0	\$494,539
RYAN SKATING ARENA	\$230,932	\$251,285	\$30,000	\$512,217
DEBT RETIREMENT		\$0	\$32,209,728	\$32,209,728
STATE & COUNTY CHARGES	\$0	\$3,385,224	\$0	\$3,385,224
RETIREMENT BENEFITS	\$1,150,000	\$0	\$9,080,432	\$10,230,432
INS. & EMPLOYEE BENEFITS	\$14,474,279	\$1,223,841	\$8,108,029	\$23,806,149
TRNS/CAPITAL PROJECTS	\$0	\$0	\$2,375,400	\$2,375,400
MISC./OTHER FIN. USES	\$0	\$0	\$5,475,465	\$5,475,465
EDUCATION				\$57,583,829
TOTAL	\$51,946,554	\$25,283,030	\$59,199,616	\$194,013,029

CITY OF WATERTOWN FY 2024 PROPOSED OTHER FINANCING SOURCES GENERAL FUND						
OTHER FINANCING SOURCES:						
TRANSFER FROM SALE OF LOTS FUND					\$20,000	
TRANSFER FROM PARKING METER FUND					\$250,000	
TRANSFER FROM OPIOID SETTLEMENT FUND					\$60,000	
TRANSFER FROM CEMETARY PERPETUAL CARE FUND					\$10,000	
TRANSFER FROM CAPITAL PROJECT STABILIZATION FUND					\$500,000	
TRANSFER FROM ESCO CAPITAL PROJECT STABILIZATION FUND					\$494,438	
TRANSFER FROM WATER FUND					\$1,423,464	
TRANSFER FROM SEWER FUND					\$1,494,512	
			TOTAL TRANSFERS		\$4,252,414	

CITY OF WATERTOWN FY 2024 PROPOSED OTHER FINANCING SOURCES GENERAL FUND								
OTHER FINANCING SOURCES:								
UTILIZATION OF OVERLAY SURPLUS						\$1,000,000		
UTILIZATION OF FREE CASH						\$5,688,029		
TOTAL UTILIZATION OF FREE CASH/OVERLAY SURPLUS						\$6,688,029		

CITY OF WATERTOWN FY 2024 PROPOSED WATER & SEWER ENTERPRISE BUDGETS									
	(510100 to 510199)	(520200 to 570799)		(580800 to 580899)	(590900 to 599999)				
	PERSONNEL	SUPPLIES			OTHER				
	RELATED	AND		CAPITAL	FINANCING				
FUND	COSTS	SERVICES		COSTS	USES		TOTAL		
WATER ENTERPRISE FUND	\$1,090,421	\$4,656,055		\$236,000	\$2,973,357		\$8,955,833		
SEWER ENTERPRISE FUND	\$778,548	\$7,636,880		\$1,355,000	\$2,046,660		\$11,817,088		
TOTAL	\$1,868,969	\$12,292,935		\$1,591,000	\$5,020,017		\$20,772,921		



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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149 Main Street
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To: Honorable City Council

From: George J. Proakis, City Manager

Date: June 13, 2023

RE: Fiscal Year 2024 Water & Sewer Rates

Attached please find correspondence from Gregory M. St. Louis, Superintendent of Public Works summarizing the Water and Sewer Rate Study Analysis performed for the City of Watertown. As stated in the report, this Study was performed to provide the City with recommended water and sewer rate changes that will generate sufficient revenue to fund the purchase of water and sewerage treatment from the Massachusetts Water Resource Authority ("MWRA"), operational costs, indirect costs, debt service costs, and short-term and long-term capital improvements and will ensure the water fund and sewer fund continue to maintain healthy retained earnings.

I respectfully request a First Reading on an Order establishing water and sewer rates and charges for Fiscal Year 2024 be considered at tonight's City Council meeting. The Public Hearing and consideration of rate schedules and fees designed to raise sufficient revenues to support the Fiscal Year 2024 operational services provided to customers of the City's Water/Sewer System would be scheduled for the June 27, 2023 City Council Meeting.

Thank you for your consideration in this matter.

cc: Gregory M. St. Louis, Superintendent of Public Works
Steven Magoon, Assistant City Manager/CD&P Director
Melissa A. Morrissey, City Treasurer/Collector



CITY OF WATERTOWN
DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET
WATERTOWN MA 02472

Gregory M. St. Louis, PE
Superintendent of Public Works

(P) 617-972-6420
(F) 617-972-6402

TO: George J. Proakis – City Manager

FROM: Gregory St. Louis, PE – Superintendent of Public Works
Megan Langan – Management Analyst – Water & Sewer Division

SUBJECT: Water and Sewer Rate Study 2024

DATES: June 5, 2023

I am pleased to present the following memorandum summarizing the Water and Sewer Rate Study Analysis performed for the City of Watertown ("City"). This Study was performed to provide the City with recommended water and sewer rate changes that will generate sufficient revenue to fund the purchase of water and sewerage treatment from the Massachusetts Water Resource Authority ("MWRA"), operational costs, indirect costs, debt service costs, and short-term and long-term capital improvements and will ensure the water fund and sewer fund continue to maintain healthy retained earnings.

Background

The City of Watertown consists of primarily urban commercial and residential development with a population of approximately 35,000, according to the 2020 U.S. Census. The Water and Sewer Department through its Department of Public Works ("DPW"), provides services to approximately 9,500 commercial, residential, industrial, and institutional accounts.

The Water and Sewer Department is responsible for providing its users with drinking water and sewage collection and conveyance in a cost-effective and environmentally friendly manner that meets EPA and DEP standards.

Water Utility

The City is a member community of the Massachusetts Water Resource Authority ("MWRA"), and the MWRA supplies water to the City, with an average daily demand of 2.6 million gallons per day per the Water System Analysis and Capital Improvement Plan dated March 9, 2015. The water is then conveyed to its residents through the City's 81 miles of water distribution mains.

Sewer Utility

The City's sewer system consists of approximately 76 miles of the sewer with an average daily flow of 3 million gallons per day per the Sewer Collection System Capital Improvement Plan dated December 2017, which transports the wastewater to the MWRA interceptors.

Existing Rate Structure and Charges

The City's water and sewer rates are based on a multi-tier rate structure in which the rate per 100 cubic feet of water increases with consumption. All 9,500 plus residential, commercial, and irrigation accounts are billed quarterly (every three months) which are staggered across each quarter according to the billing cycle.

The City currently has an inclining, four-tier structure for non-irrigation water consumption and sewer flow and a flat fee for irrigation water consumption, as well as meter and fire protection charges. Table 1 shows the current water and sewer rates for Fiscal Year 2023. Tables 2 and 3 detail current meter and fire service charges, respectively.

Table 1 – FY 2023 Water and Sewer Rates (Effective July 1, 2022)

Tier	Consumption	Water Rate (per 100 cubic feet)	Sewer Rate (per 100 cubic feet)
1	0-2,500 cu ft	\$5.20	\$10.44
2	2,501 - 5,000 cu ft	\$8.10	\$13.63
3	5,001 - 25,000 cu ft	\$10.96	\$15.23
4	Over 25,000 cu ft	\$14.29	\$18.64
Irrigation	All	\$14.29	N/A

Table 2 – FY 2023 Meter Service Charges (Effective July 1, 2022)

Meter Size (inches)	Rates/quarter
5/8	\$8.35
3/4	\$8.89
1	\$10.50
1 1/4	\$12.64
1 1/2	\$12.64
2	\$18.45
3	\$61.46
4	\$77.38
6	\$114.55

Table 3 – FY 2023 Fire Service Charges (Effective July 1, 2022)

Service Size (inches)	Rates
2	\$12.18
3	\$42.64
4	\$85.29
6	\$249.76
8	\$529.98
10	\$956.41

Comparison to Neighboring Communities

When considering rate changes, comparing the City's rates and tiers to neighboring communities' rates and tiers provides helpful information on how communities measure up. Table 4 below compares water rates by tier and base charges and Table 5 compares sewer rates by tier and base charges. The average customer's bill, based on an industry-standard 2,800 cubic feet of usage, is also included in the tables. Each community in the tables is a member of the MWRA.

Table 4 – Water Rates/Tiers Comparison to Neighboring Communities												
Community	Tiers					Base	Rates					Average Bill
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5		Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	
Watertown	0-2,500	2,500-5,000	5,001-25,000	Over 25,000		\$8.35	\$5.20	\$8.10	\$10.96	\$14.29		\$162.65
Waltham	0-2,100	2,100-4,500	4,500-12,000	Over 12,000			\$3.07	\$4.15	\$8.90	\$12.14		\$93.52
Needham	0-600	600-2,700	2,700-4,200	Over 4,200		\$15.00	\$3.24	\$3.46	\$4.35	\$5.34		\$111.45
Lexington	0-4,000	4,000-8,000	Over 8,000				\$4.79	\$7.18	\$9.48			\$134.12
Wellesley	0-500	500-1,200	1,200-2,400	2,400-3,600	Over 3,600	\$9.99	\$4.49	\$5.27	\$8.36	\$10.82	\$13.77	\$212.93
Brookline	0-1,800	Over 1,800				\$34.19	\$3.00	\$7.51				\$163.29
Belmont	0-3,000	Over 3,000				\$20.85	\$6.62	\$7.59				\$206.21
Arlington	0-1,500	1,500-3,000	Over 3,000			\$16.77	\$7.88	\$8.44	\$10.24			\$244.69
Newton	0-1,000	1,000-2,500	2,500-6,000	Over 6,000			\$7.40	\$8.55	\$9.83	\$12.26		\$231.74

Data is per quarter. Tiers are in cubic feet. Rates per 100 cubic feet. Average bill is for usage of 2,800 cubic feet with 5/8" meter.

Table 5 – Sewer Rates/Tiers Comparison to Neighboring Communities												
Community	Tiers					Base	Rates					Average Bill
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5		Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	
Watertown	0-2,500	2,500-5,000	5,001-25,000	Over 25,000			\$10.44	\$13.63	\$15.23	\$18.64		\$301.89
Waltham	0-2,100	2,100-4,500	4,500-12,000	Over 12,000			\$5.46	\$7.63	\$16.26	\$21.51		\$168.07
Needham	0-600	600-2,700	2,700-4,200	Over 4,200		\$12.00	\$9.53	\$10.52	\$11.35	\$12.38		\$301.45
Lexington	0-4,000	4,000-8,000	Over 8,000				\$9.30	\$15.19	\$24.16			\$260.40
Wellesley	Flat Rate					\$15.00	\$9.77					\$288.56
Brookline	Flat Rate					\$34.19	\$8.99					285.91
Belmont	Flat Rate					\$18.24	\$12.91					\$379.72
Arlington	0-1,500	1,500-3,000	Over 3,000				\$9.27	\$9.88	\$11.98			\$267.49
Newton	0-1,000	1,000-2,500	2,500-6,000	Over 6,000			\$11.41	\$13.35	\$14.34	\$16.49		\$357.37

Data is per quarter. Tiers are in cubic feet. Rates per 100 cubic feet. Average bill is for usage of 2,800 cubic feet with 5/8" meter.

Existing Expenses and Revenues

With a FY 2023 water rate increase of 6.5% and a sewer increase of 5.5%, along with increased consumption due to a dry summer in 2022 and the impact of altering the existing tier structure to a 4-tier structure, FY 2023 is projected to end in surplus for both the water and sewer funds. The water fund's surplus in FY 2023 is projected to be \$710,157 and the sewer fund's surplus in FY 2023 is projected to be \$195,399. The City's MWRA water assessment decreased 0.8% from FY 2022 to FY 2023 and water long-term debt more than doubled from \$645,000 in FY 2022 to more than \$1.2 million. FY 2023 sewer expenditures are projected to decrease by about 5%, and user charges revenue projects to increase approximately 20% over FY 2022's amount. These projections assume the FY 2023 water and sewer budgets will be fully expended. Based on the FY 2023 projections, available retained earnings will be about \$2.6 million for water and about \$1.4 million for sewer.

The City's MWRA water assessment was projected using the MWRA's methodology to calculate the City's assessment using its average flow share and the expected annual increase in MWRA's water expenses. The City's MWRA sewer assessment was projected using a conservative annual increase of 4%, which is slightly above the City's annual increase. Capital outlay expenses for FY 2024 were held steady using the FY 2023 budgeted amount, and then increased by \$50,000 annually in line with the City's CIP. The remaining expenditures, including salaries, indirect costs, and other expenses, were increased annually based on the amounts in the FY 2023 budgets. The resulting total projected expenditures for FY 2024 are \$10,209,452 for water and \$13,025,237 for sewer.

The MWRA's FY 2023 water and sewer assessments were \$4,147,401 for water and \$6,870,077 for sewer. Using the projection methodologies described above, the projected MWRA's FY 2024 water and sewer assessments are \$4,200,455 for water and \$7,130,880 for sewer, with a percent increase of 1.2% for water and a 3.8% increase for sewer. The MWRA's assessment is the most significant expense for the Water Enterprise Fund and the Sewer Enterprise Fund.

The City plans to invest in capital improvements via its regularly maintained capital improvement plans ("CIPs") and via additional capital improvements over the next five years. Included in the water projections presented, in addition to the funding of the CIP, is funding for capital improvements of \$1.25 million per year from FY 2024 to FY 2028. Included in the sewer projections presented, in addition to the funding of the CIP, is funding for sewer capital improvements of \$1.25 million per year from FY 2024 to FY 2028. Funding of these capital improvements would be via transfer to capital projects from retained earnings in FY 2024 and FY 2025 as well as long-term debt from FY 2026 through FY 2028 and are in addition to the City's use of available MWRA grant and loan funding.

Without any changes in revenue, as presented in the baseline financial analysis, total projected water revenues for FY 2024 are \$9,183,985 and projected expenditures are \$10,209,452, leaving a deficit of over \$1 million for FY 2024. In addition, the revenue total does not include liens, which is revenue from prior years that the City has already identified as revenue in those years.

Without any changes in revenue, as presented in the baseline financial analysis, total projected sewer revenues for FY 2024 are \$12,690,774 and projected expenditures are \$13,025,237, leaving a deficit of almost \$335,000 for FY 2024. In addition, the revenue total does not include liens, which is revenue from prior years that the City has already identified as revenue in those years.

The Water Enterprise Fund and the Sewer Enterprise Fund are experiencing budgetary shortfalls because revenue recovered from rates is insufficient to cover expenditures. The City should strongly consider rate action for FY 2024 and beyond to ensure sufficient revenue is realized from rates.

Billing Data Analysis

The City extracted billing information from its Munis billing system and compiled the data into a single Excel model. The model can be used to project water and sewer billings based on rate changes and/or tier changes.

There were 39,170 bills with a bill date from May 1, 2022, to May 01 2023. Most accounts are residential, accounting for approximately 90% of total bills sent. Table 6 below shows a breakdown of the number and percentage of FY 2023 bills by tier.

Table 6 – Bills by Tier		
Tier	# Bills	%
No Usage or Usage < 0	2,027	5.2%
1	2,839	71.1%
2	7,163	18.3%
3	1,837	4.7%
4	304	0.8%
Total	39,170	100.0%

The total amount billed for water and sewer consumption for the above period was \$20,752,074. The total amount billed for meter service charges was \$397,323. The total amount billed, but not necessarily collected, was \$21,149,397. Table 7 below shows the total billed amounts by tier.

Table 7 – Total Billings and Consumption May '22 – May '23								
			Water		Sewer		Total	
Tier	Usage (cu. ft.)	% Consumption	Billings	% Billings	Billings	% Billings	Billings	% Billings
1	64,342,208	61.6%	\$3,531,562	42.8%	\$6,414,879	51.3%	\$9,946,442	47.9%
2	11,087,757	10.6%	\$948,296	11.5%	\$1,431,149	11.4%	\$2,379,445	11.5%
3	12,851,632	12.3%	\$1,458,781	17.7%	\$1,813,127	14.5%	\$3,271,908	15.8%
4	16,124,297	15.4%	\$2,304,162	28.0%	\$2,850,118	22.8%	\$5,154,280	24.8%
Total	*104,387,894	100.0%	\$8,242,802	100.0%	\$12,509,273	100.0%	\$20,752,074	100.0%

*765.82 million gallons of water

Usage Trends

Consumption during FY 2022 was lower than usage in previous years due to the lessening of the COVID-19 pandemic's impact on consumption patterns. However, we have seen an increase in consumption again during FY 2023 due to ongoing draught conditions throughout the summer of 2022 which resulted in increased outdoor water usage. Accuracy with usage estimates is critical to the estimation of future revenues. If usage exceeds projections, the City will generate surplus revenue that can be used to fund future needs or can be used to offset future rates increases. If usage is less than anticipated, the City may need to adjust its operating expenses, postpone capital improvement projects, and/or utilize reserves. Table 8 shows usage since FY 2015 through FY 2023.

Table 8 – Water Usage		
Fiscal Year	Usage	Change
	(Cu. Ft.)	%
2015	105,294,393	-
2016	107,480,202	2.03%
2017	109,147,768	1.53%
2018	104,773,747	-4.01%
2019	103,788,033	-0.94%
2020	105,135,564	1.30%
2021	105,386,263	0.24%
2022	102,478,992	-2.76%
2023	104,400,441	1.88%

Options for Rates and Charges

Each of the following options for updated rates and charges included in this memorandum are designed to ensure retained earnings are not depleted from FY 2024 to FY 2028 and to target healthy retained earnings of at least 15% of total expenditures by the end of the five-year period. The City would ultimately like to target a retained earnings balance of 20% of total expenditures, but, given the current environment, the City is seeking more time to target 20% retained earnings. The recommended retained earnings balance is between 10% and 25%.

Since the analysis conducted was a five-year look-ahead, rates are presented for the next five fiscal years, including FY 2024. Each of these options will help the City achieve its goals of covering actual costs of services, maintaining healthy retained earnings, investing in capital improvements, and ensuring long-term fiscal stability.

Option 1

Option 1 is designed to change rates and charges only, without changes to the City's rate structure. This is consistent with how the City has changed rates and charges in the recent past.

Increases to rates are presented in Table 9 below:

Table 9 – Proposed Increases					
	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Water	5.5%	5.0%	4.0%	2.5%	2.5%
Sewer	6.0%	5.25%	4.5%	4.0%	4.0%

Tables 10 and 11 below present the current rates and charges and proposed FY 2024 rates and charges along with the differences between them. The increases to the meter service and private fire protection charges are not the same as the increases to rates. Table 12 below presents the quarterly bill impact for sample users.

Table 10 – Current and Proposed Meter Service Charges				
Meter Charge	FY 2023	FY 2024	Difference	
Meter Size	Current	Proposed	\$	%
5/8"	\$8.35	\$8.81	\$0.46	5.5%
3/4"	\$8.89	\$9.38	\$0.49	5.5%
1"	\$10.50	\$11.08	\$0.58	5.5%
1 1/4"	\$12.64	\$13.34	\$0.70	5.5%
1 1/2"	\$12.64	\$13.34	\$0.70	5.5%
2"	\$18.45	\$19.46	\$1.01	5.5%
3"	\$61.46	\$64.84	\$3.38	5.5%
4"	\$77.38	\$81.64	\$4.26	5.5%
6"	\$114.55	\$120.85	\$6.3	5.5%

Table 11 – Volumetric Rates (per 100 cubic feet)					
Tier	Volume	FY 2023	FY 2024	Difference	
Water	(cu. Ft)	Current	Proposed	\$	%
1	0-2,500	\$5.20	\$5.49	\$0.29	5.5%
2	2,501-5,000	\$8.10	\$8.55	\$0.45	5.5%
3	5,001-25,000	\$10.96	\$11.56	\$0.60	5.5%
4	Over 25,000	\$14.29	\$15.08	\$0.79	5.5%
Irrigation		\$14.29	\$15.08	\$0.79	5.5%
Sewer					
1	0-2,500	\$10.44	\$11.07	\$0.63	6.0%
2	2,501-5,000	\$13.63	\$14.45	\$0.82	6.0%
3	5,001-25,000	\$15.23	\$16.14	\$0.91	6.0%
4	Over 25,000	\$18.64	\$19.76	\$1.12	6.0%
Combined					
1	0-2,500	\$15.64	\$16.55	\$0.91	5.8%
2	2,501-5,000	\$21.73	\$22.99	\$1.26	5.8%
3	5,001-25,000	\$26.19	\$27.71	\$1.52	5.8%
4	Over 25,000	\$32.93	\$34.83	\$1.90	5.8%
Irrigation		\$14.29	\$15.08	\$0.79	5.5%
Private Fire Protection					
2"		\$12.18	\$12.85	\$0.67	5.5%
3"		\$42.64	\$44.99	\$2.35	5.5%
4"		\$85.29	\$89.98	\$4.69	5.5%
6"		\$249.76	\$263.50	\$13.74	5.5%
8"		\$529.98	\$559.13	\$29.15	5.5%
10"		\$956.41	\$1,009.01	\$52.60	5.5%

Table 12 – Bill Impacts for Sample Users (quarterly)									
Meter	Consumption	FY 2023			FY 2024			Difference	
Size	(cu. ft)	Water	Sewer	Total	Water	Sewer	Total	\$	%
5/8"	2,500	\$138.35	\$261.00	\$399.35	\$145.95	\$276.66	\$422.62	\$23.27	5.8%
5/8"	4,000	\$259.85	\$465.45	\$725.30	\$274.14	\$493.38	\$767.52	\$42.22	5.8%
5/8"	15,000	\$1,436.85	\$2,124.75	\$3,561.60	\$1,515.88	\$2,252.24	\$3,768.11	\$206.51	5.8%
1"	25,000	\$2,535.00	\$3,647.75	\$6,182.75	\$2,682.81	\$3,866.62	\$6,549.43	\$366.68	5.9%
4"	75,000	\$9,746.88	\$12,967.75	\$22,714.63	\$10,210.13	\$13,745.82	\$23,955.95	\$1,241.32	5.5%

The information presented for Option 1 includes the additional funding of \$1.25 million in water capital projects in FY26 through FY28 and the additional funding of \$1.25 million in sewer capital projects in FY26 through FY28. It also includes a direct appropriation from retained earnings of \$1.25 million for water capital projects in FY24 and FY25 and a direct appropriation from retained earnings of \$1.25 million for sewer capital projects in FY24 and FY25. This funding is in addition to what is in the City-maintained water and sewer CIPs.

Option 2

Option 2, like Option 1, is designed to change rates and charges only, without changes to the City's rate structure. This is consistent with how the City has changed rates and charges in the recent past. However, rather than including a direct appropriation from retained earnings of \$1.25 million for water capital projects in FY24 and FY25 and a direct appropriation from retained earnings of \$1.25 million for sewer capital projects in FY24 and FY25 Option 2 assumes the application of ARPA funding in the same amounts be utilized for capital projects in FY24 and FY25.

Increases to rates, including FY 2024, are presented in Table 13 below:

Table 13 – Proposed Increases					
	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Water	3.0%	3.0%	3.0%	3.0%	3.0%
Sewer	3.0%	3.0%	3.0%	2.75%	2.5%

Tables 14 and 15 below present the current rates and charges and proposed FY 2024 rates and charges along with the differences between them. The increases to the meter service and private fire protection charges are the same as the increases to rates. Table 16 below presents the quarterly bill impact for sample users.

Table 14 – Current and Proposed Meter Service Charges				
Meter Charge	FY 2023	FY 2024	Difference	
Meter Size	Current	Proposed	\$	%
5/8"	\$8.35	\$8.60	\$0.25	3.0%
3/4"	\$8.89	\$9.16	\$0.27	3.0%
1"	\$10.50	\$10.82	\$0.32	3.0%
1 1/4"	\$12.64	\$13.02	\$0.38	3.0%
1 1/2"	\$12.64	\$13.02	\$0.38	3.0%
2"	\$18.45	\$19.00	\$0.55	3.0%
3"	\$61.46	\$63.30	\$1.84	3.0%
4"	\$77.38	\$79.70	\$2.32	3.0%
6"	\$114.55	\$117.99	\$3.44	3.0%

Table 15 – Volumetric Rates (per 100 cubic feet)					
Tier	Volume	FY 2023	FY 2024	Difference	
Water	(cu. Ft)	Current	Proposed	\$	%
1	0-2,500	\$5.20	\$5.36	\$0.16	3.0%
2	2,501-5,000	\$8.10	\$8.34	\$0.24	3.0%
3	5,001-25,000	\$10.96	\$11.29	\$0.33	3.0%
4	Over 25,000	\$14.29	\$14.72	\$0.43	3.0%
Irrigation		\$14.29	\$14.72	\$0.43	3.0%
Sewer					
1	0-2,500	\$10.44	\$10.75	\$0.31	3.0%
2	2,501-5,000	\$13.63	\$14.04	\$0.41	3.0%
3	5,001-25,000	\$15.23	\$15.69	\$0.46	3.0%
4	Over 25,000	\$18.64	\$19.20	\$0.56	3.0%
Combined					
1	0-2,500	\$15.64	\$16.11	\$0.47	3.0%
2	2,501-5,000	\$21.73	\$22.38	\$0.65	3.0%
3	5,001-25,000	\$26.19	\$26.98	\$0.79	3.0%
4	Over 25,000	\$32.93	\$33.92	\$0.99	3.0%
Irrigation		\$14.29	\$14.72	\$0.43	3.0%
Private Fire Protection					
2"		\$12.18	\$12.55	\$0.37	3.0%
3"		\$42.64	\$43.92	\$1.28	3.0%
4"		\$85.29	\$87.85	\$2.56	3.0%
6"		\$249.76	\$257.25	\$7.49	3.0%
8"		\$529.98	\$545.88	\$15.90	3.0%
10"		\$956.41	\$985.10	\$28.69	3.0%

Table 16 – Bill Impacts for Sample Users (quarterly)									
Meter	Consumption	FY 2023			FY 2024			Difference	
Size	(cu. ft)	Water	Sewer	Total	Water	Sewer	Total	\$	%
5/8"	2,500	\$138.35	\$261.00	\$399.35	\$142.50	\$268.83	\$411.33	\$11.98	3.0%
5/8"	4,000	\$259.85	\$465.45	\$725.30	\$267.65	\$479.41	\$747.06	\$21.76	3.0%
5/8"	15,000	\$1,436.85	\$2,124.75	\$3,561.60	\$1,479.96	\$2,188.49	\$3,668.45	\$106.85	3.0%
1"	25,000	\$2,535.00	\$3,647.75	\$6,182.75	\$2,619.24	\$3,757.18	\$6,376.42	\$193.67	3.1%
4"	75,000	\$9,746.88	\$12,967.75	\$22,714.63	\$9,968.19	\$13,356.78	\$23,324.97	\$610.34	2.7%

The information presented for Option 2 includes the additional funding of \$1.25 million in water capital projects in FY26 through FY28 and the additional funding of \$1.25 million in sewer capital projects in FY26 through FY28. This funding is in addition to what is in the City-maintained water and sewer CIPs.

Recommendations

It is important to the City that the proposed rate increases are mitigated as much as possible, given the current environment. It is also imperative for the City to continue to fund its water and sewer capital improvement plans. The projections in this memorandum include the full funding of the CIPs, as well as funding of additional capital improvements. The City should weigh the different options presented. Both options include the current rate structure. Option 1 includes straight rate increases only as well as a transfer of \$2.5 million to capital projects from retained earnings in both water and sewer across FY24 and FY25. It also results in retained earnings of 15% by FY 2028.

Option 2 is structured the same as Option 1. However, Option 2 assumes the availability of ARPA funding in the amount of \$2.5 million for both water and sewer across FY24 and FY25 rather than utilizing retained earnings. In doing so, Option 2 projects retained earnings of 20% rather than the 15% seen in Option 1 by the end of the five-year projection.

It is recommended that the City strongly consider adopting Option 1 as the City has not determined the use of ARPA funding to date. If the City chooses to utilize ARPA funding towards water and sewer capital projects, a mid-year rate adjustment can be performed to decrease the rates in line with Option 2 thus providing rate relief for consumers while maintaining healthy retained earnings and continuing to fund its water and sewer capital improvement plans.

It is important for the City to continue to fund its water and sewer capital improvement plans. The projections in this memorandum include the full funding of the CIPs, as well as funding of additional capital improvements.

The projections provided in the memorandum are based on many assumptions. We recommend that the water and sewer analyses conducted for the City are reviewed and updated each year. Assumptions, like, for example, planned expenditures and consumption trends, change year to year and it is important to capture those changes to ensure that the rate plans presented are based on the most accurate information available at the time.

If, in future years, retained earnings projections show balances lower than those acceptable to the City, the City can look at its planned expenses to see if any can be adjusted for a given year. This review should include any planned debt as the City can choose to push out planned debt a year or two, if necessary.

CITY COUNCIL ATTENDANCE
MEETING DATE: JUNE 13, 2023

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to approve the Fiscal Year 2024 Retiree Health Insurance Appropriation and Authorization of Expenditures from the OPEB Trust Fund.



Watertown City 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

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

RESOLUTION # 32

R-2023- 32

A RESOLUTION APPROVING THE FISCAL YEAR 2024 RETIREE HEALTH INSURANCE APPROPRIATION AND AUTHORIZATION OF EXPENDITURES FROM THE OPEB TRUST FUND

WHEREAS, the City has established an Other Post-Employment Benefits (OPEB) Trust Fund in accordance with the provisions of G.L. c. 32B, s. 20; and

WHEREAS, monies contained within the OPEB Trust Fund are to be used solely for the purposes of funding non-pension post-employment benefits, i.e., the City's costs for health insurance for retired employees and their dependents; and

WHEREAS, pursuant to G.L. c. 32B, s. 20(h), the estimated amount necessary to be appropriated from the OPEB Trust Fund to fund the Fiscal Year 2024 annual budget for retiree health insurance to be \$4,370,000; and

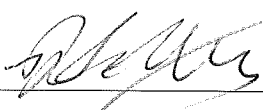
WHEREAS, the Treasurer, as Trustee of the OPEB Trust Fund, has certified that this amount will be available for appropriation from the OPEB Trust Fund; and

WHEREAS, G.L. c. 32B, s. 20 authorizes expenditures from the OPEB Trust Fund by 2/3rds vote of the City Council;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Watertown hereby approves the appropriation of \$4,370,000 from the OPEB Trust Fund to fund the estimated Fiscal Year 2024 cost for retiree health insurance (said amount having been already included in the City's annual operating budget), by 2/3rd vote.

Council Member

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Resolution was adopted by a vote of 9 for, 0 against and 0 present on June 13, 2023.



Brendan McCarthy, Council Clerk



Mark S. Sideris, Council President



Megan Langan
City Auditor

CITY OF
WATERTOWN
Office of the City Auditor

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6460
www.watertown-ma.gov
mlangan@watertown-ma.gov

TO: Honorable City Council

FROM: Megan Langan, City Auditor 

DATE: June 13, 2023

RE: Proposed Resolution – Authorization of the Fiscal Year 2024 Retiree Health Insurance and Related Expenditures from the OPEB Trust Fund

As you are aware, the Honorable City Council adopted G.L. c. 32B, s. 20; at its meeting on January 22, 2019 which established the Other Post Employment Benefits (OPEB) Trust Fund.

As was mentioned during the Fiscal Year 2020 Insurance and Employee Benefits budget discussion at the Saturday May 18, 2019 budget hearing, one of the requirements of G.L. c. 32B, s. 20; is that the health insurance premiums for the City's retirees must be paid from the OPEB Trust Fund and must be authorized by a two-thirds vote of the City Council.

The attached resolution is being proposed for the City Council's consideration as part of the process in adopting the Fiscal Year 2024 Budget. As mentioned during the FY 21 budget process a similar resolution will need to be updated every year and voted upon as part of the City's Annual Budget process. The attached resolution has been updated from the resolution that the City Council adopted for the FY 2023 Budget.

I respectfully request your approval of this proposed resolution.

cc: Mark R. Reich, KP Law
All Department Heads

CITY COUNCIL ATTENDANCE
MEETING DATE: JUNE 13, 2023

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to approve establishing Fiscal Year 2024 Expenditure Limits for Revolving Funds.



Watertown City 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

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

RESOLUTION # 33

R-2023- 33

A RESOLUTION ESTABLISHING FISCAL YEAR 2024 EXPENDITURE LIMITS FOR REVOLVING FUNDS

WHEREAS: revolving funds are established pursuant to the provisions of G.L. c.44, §53E ½ for the purpose of managing fees and revenues received by the Town for specific programs, allowing such fees and revenues to be expended for those programs without the need for further appropriation; and

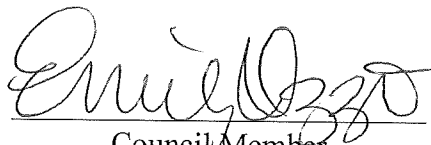
WHEREAS: traditionally, City revolving funds have been subject to annual reauthorization; and

WHEREAS: the Municipal Modernization Act, Chapter 218 of the Acts of 2016, includes revisions to the provisions of G.L. c.44, §53E ½, requiring that revolving funds be established by ordinance and eliminating the per board and total limitations on the size of these funds; and

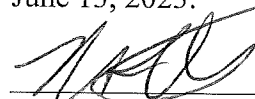
WHEREAS: the Honorable City Council previously adopted Ordinance 2017-47 which established eight revolving funds of the City;

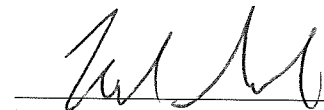
NOW THEREFORE BE IT RESOLVED: by the City Council of the City of Watertown that the following fiscal year spending limits for such revolving funds are hereby established:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Commander's Mansion	\$290,000
Organized Crime Drug Enforcement Task Force	\$1,000,000
Senior Center	\$35,000
Library Copier	\$25,000
Faire on the Square	\$35,000
Farmers' Market	\$46,000
Animal Control	\$17,500
Affordable Housing Development	\$0.00


Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above Order was adopted by a vote of 9 for, 0 against and 0 present on June 13, 2023.


Brendan McCarthy, Council Clerk


Mark S. Sideris, Council President

RESOLUTION #

R-2023-

**A RESOLUTION APPROVING THE FISCAL YEAR 2024 RETIREE HEALTH INSURANCE
APPROPRIATION AND AUTHORIZATION OF EXPENDITURES FROM THE OPEB TRUST FUND**

WHEREAS, the City has established an Other Post-Employment Benefits (OPEB) Trust Fund in accordance with the provisions of G.L. c. 32B, s. 20; and

WHEREAS, monies contained within the OPEB Trust Fund are to be used solely for the purposes of funding non-pension post-employment benefits, i.e., the City's costs for health insurance for retired employees and their dependents; and

WHEREAS, pursuant to G.L. c. 32B, s. 20(h), the estimated amount necessary to be appropriated from the OPEB Trust Fund to fund the Fiscal Year 2024 annual budget for retiree health insurance to be \$4,370,000; and

WHEREAS, the Treasurer, as Trustee of the OPEB Trust Fund, has certified that this amount will be available for appropriation from the OPEB Trust Fund; and

WHEREAS, G.L. c. 32B, s. 20 authorizes expenditures from the OPEB Trust Fund by 2/3rds vote of the City Council;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Watertown hereby approves the appropriation of \$4,370,000 from the OPEB Trust Fund to fund the estimated Fiscal Year 2024 cost for retiree health insurance (said amount having been already included in the City's annual operating budget), by 2/3rd vote.

Council Member

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Resolution was adopted by a vote of ____ for, ____ against and ____ present on June 13, 2023.

Brendan McCarthy, Council Clerk

Mark S. Sideris, Council President



Megan Langan
City Auditor

CITY OF
WATERTOWN
Office of the City Auditor

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6460
www.watertown-ma.gov
mlangan@watertown-ma.gov

TO: Honorable City Council

FROM: Megan Langan, City Auditor *ML*

DATE: June 13, 2023

RE: Proposed Resolution – Fiscal Year 2024 53 E1/2 Revolving Funds Expenditure Limits

As you are aware, the Honorable City Council adopted the attached Ordinance 2017 -47 at its meeting on June 27, 2017. The Municipal Modernization Act, Chapter 218 of the Acts of 2016 requires that revolving funds established pursuant to G.L. c.44, Sec. 53E1/2 be established by ordinance, which was completed by the adoption of ordinance 2017-47.

As you are aware, prior to the passage of the Municipal Modernization Act, the City would annually vote via resolution a spending cap for 53 E1/2 revolving funds.

Despite the Municipal Modernization Act, the annual expenditure limit for the 53 E1/2 revolving funds still needs to be re-authorized by the City Council via resolution. Please see the attached proposed resolution for Fiscal Year 2024.

For your information and review, attached is a spreadsheet outlining 4 years of revenue and expenditure activity for the 53 E1/2 revolving funds. Additionally, the proposed Fiscal Year 2024 Expenditure Limit for seven revolving funds are indicated on the spreadsheet.

I respectfully request your approval of the proposed resolution establishing the Fiscal Year 2024 Expenditure Limits on the seven revolving funds.

cc: Mark R. Reich, KP Law
All Department Heads



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

Michael F. Dattoli,
Councillor At Large

Anron P. Dushku,
Councillor At Large

Susan G. Palkoff,
Councillor At Large

Anthony Palomba,
Councillor At Large

Angelino B. Kounellis,
District A Councillor

Lisa J. Feltner,
District B Councillor

Kenneth M. Woodland,
District D Councillor

ORDINANCE # 47

O-2017- 47

AN ORDINANCE ESTABLISHING REVOLVING FUNDS

WHEREAS, revolving funds are established pursuant to the provisions of G.L. c.44, §53E ½ for the purpose of managing fees and revenues received by the Town for specific programs, allowing such fees and revenues to be expended for those programs without the need for further appropriation; and

WHEREAS, traditionally, Town revolving funds have been subject to annual reauthorization; and

WHEREAS, the recently enacted Municipal Modernization Act, Chapter 218 of the Acts of 2016, includes revisions to the provisions of G.L. c.44, §53E ½, requiring that revolving funds be established by ordinance and eliminating the per board and total limitations on the size of these funds.

NOW THEREFORE BE IT ORDAINED by the Town Council of the City Known as the Town of Watertown that the Watertown Code of Ordinances, Title III, Administration, Chapter 32, Finances, is hereby amended by inserting new Section 32.08 therein as follows:

§32.08 Revolving Funds

(A) There are hereby established in the Town of Watertown pursuant to the provisions of G.L. c. 44, §53E½, the following Revolving Funds, from which the specified department head, board, committee, or officer may incur liabilities against and spend monies from without appropriation in accordance with the limitations set forth in this ordinance.

(B) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.

(C) No liability shall be incurred in excess of the available balance of the fund.

(D) The total amount spent during a fiscal year shall not exceed the amount authorized by the Town Council or any increase therein as may later be authorized by the Town Manager and Town Council in accordance with the provisions of G.L. c. 44, §53E½.

(E) Interest earned on monies credited to a revolving fund established by this ordinance shall be credited to the General Fund.

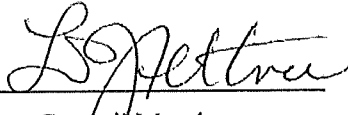
(F) Authorized Revolving Funds

REVOLVING FUND PROGRAM OR PURPOSE	DEPARTMENT RECEIPTS TO BE CREDITED TO FUND	REPRESENTATIVE OR BOARD ENTITY AUTHORIZED TO SPEND
<i>Commander's Mansion</i> to pay costs associated with rental and use of the Commander's Mansion	Fees and receipts from rentals and use	Director of Community Development and Planning
<i>Organized Crime Drug Enforcement Task Force</i> to pay costs associated with the operation and equipping of the crime task force	Fees and receipts for task force rental and operations	Town Manager
<i>Senior Center</i> to pay costs associated with programs and activities provided at or by the Senior Center	Fees and receipts for program participation	Senior Center Director
<i>Library Copier</i> to pay costs of copier maintenance, materials, and equipping	Fees from copier usage	Library Director
<i>Faire on the Square</i> to pay costs associated with Faire activities	Fees and receipts received from Faire participants	Town Clerk
<i>Farmers' Market</i> to pay costs associated with the operation of the Farmer's Market	Fees and receipts from participation in farmers' market	Director of Community Development and Planning
<i>Animal Control</i> to pay costs associated with the operation of the Animal Control Program	Fees and receipts from the Animal Control Program	Director of Public Health
<i>Affordable Housing Development</i> to pay costs associated with the creation and/or preservation of affordable housing	Fees and receipts received in connection with affordable housing development	Director of Community Development and Planning

(G) Procedures and Reports. Except as provided in G.L. c. 44, §53E½ and this ordinance, all applicable state and local laws and regulations that govern the receipt, custody, expenditure and payment of Town funds shall apply to the use of revolving funds established and authorized by this ordinance.

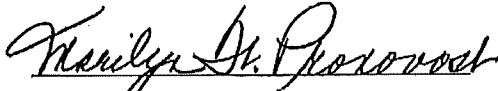
AND, BE IT FURTHER ORDERED by the Town Council, that the following fiscal year spending limits for such revolving funds are hereby established:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Commander's Mansion	\$230,000
Organized Crime Drug Enforcement Task Force	\$1,725,000
Senior Center	\$25,000
Library Copier	\$20,000
Faire on the Square	\$10,000
Farmers' Market	\$46,000
Animal Control	\$10,000
Affordable Housing Development	\$265,000



Council Member

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of 9 for, 0 against and 0 present on June 27, 2017.



Marilyn W. Pronovost, Council Clerk



Mark S. Sideris, Council President

RESOLUTION #

R-2023-

A RESOLUTION ESTABLISHING FISCAL YEAR 2024 EXPENDITURE LIMITS FOR REVOLVING FUNDS

WHEREAS, revolving funds are established pursuant to the provisions of G.L. c.44, §53E ½ for the purpose of managing fees and revenues received by the Town for specific programs, allowing such fees and revenues to be expended for those programs without the need for further appropriation; and

WHEREAS, traditionally, City revolving funds have been subject to annual reauthorization; and

WHEREAS, the Municipal Modernization Act, Chapter 218 of the Acts of 2016, includes revisions to the provisions of G.L. c.44, §53E ½, requiring that revolving funds be established by ordinance and eliminating the per board and total limitations on the size of these funds; and

WHEREAS, the Honorable City Council previously adopted Ordinance 2017-47 which established eight revolving funds of the City;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the following fiscal year spending limits for such revolving funds are hereby established:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Commander's Mansion	\$290,000
Organized Crime Drug Enforcement Task Force	\$1,000,000
Senior Center	\$35,000
Library Copier	\$25,000
Faire on the Square	\$35,000
Farmers' Market	\$46,000
Animal Control	\$17,500
Affordable Housing Development	\$0.00

Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above Order was adopted by a vote of ___ for, ___ against and ___ present on June 13, 2023.

Brendan McCarthy, Council Clerk

Mark S. Sideris, Council President

CITY OF WATERTOWN
53 E 1/2 REVOLVING FUNDS
AS OF JUNE 13, 2023

	COMMANDER'S MANSION		ORGANIZED CRIME		SENIOR CENTER		LIBRARY COPIER		FAIRE ON THE SQUARE		FARMER'S MARKET		ANIMAL CONTROL	
	REVOLVING FUND	REVOLVING FUND	DRUG ENFORCEMENT	TASK FORCE	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND	REVOLVING FUND
FY 2020 REVENUE	\$ 96,326.25	\$	1,463,185.55	\$	10,282.00	\$	13,071.95	\$	27,554.00	\$	10,999.50	\$	13,372.50	
FY 2021 REVENUE	\$ 211,308.00	\$	1,626,083.76	\$	5,523.00	\$	519.77	\$	10,000.00	\$	16,069.50	\$	15,483.50	
FY 2022 REVENUE	\$ 242,170.95	\$	865,755.15	\$	4,090.00	\$	10,547.77	\$	23,090.00	\$	24,129.00	\$	16,065.00	
YTD FY 2023 REVENUE	\$ 249,433.53	\$	342,724.69	\$	8,346.42	\$	10,979.42	\$	29,340.00	\$	33,059.50	\$	14,190.00	
FY 2020 EXPENDITURES	\$ 224,223.23	\$	1,373,136.26	\$	9,432.05	\$	16,141.12	\$	24,172.29	\$	15,373.89	\$	5,384.51	
FY 2021 EXPENDITURES	\$ 156,801.10	\$	1,556,214.39	\$	832.22	\$	6,315.88	\$	801.00	\$	20,073.56	\$	4,144.15	
FY 2022 EXPENDITURES	\$ 243,978.38	\$	563,661.66	\$	9,244.42	\$	10,355.54	\$	31,774.60	\$	25,058.81	\$	6,724.10	
YTD FY 2023 EXPENDITURES	\$ 258,702.43	\$	349,687.47	\$	11,092.75	\$	12,398.63	\$	26,843.90	\$	30,441.40	\$	10,973.41	
CURRENT CASH BALANCE	\$ 66,897.28	\$	520,959.33	\$	18,459.74	\$	6,651.30	\$	3,115.61	\$	13,092.87	\$	55,941.62	
FY 23 AUTH. EXPEND. LIMIT	\$ 275,000.00	\$	1,000,000.00	\$	35,000.00	\$	25,000.00	\$	35,000.00	\$	46,000.00	\$	15,000.00	
PROPOSED FY 24 EXPEND. LIMIT	\$ 290,000.00	\$	1,000,000.00	\$	35,000.00	\$	25,000.00	\$	35,000.00	\$	46,000.00	\$	17,500.00	



Megan Langan
Town Auditor

CITY OF
WATERTOWN
Office of the City Auditor

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6460
www.watertown-ma.gov
mlangan@watertown-ma.gov

TO: Honorable City Council

FROM: Megan Langan, City Auditor *ML*

DATE: June 13, 2023

RE: Fiscal Year 2024 Community Preservation Fund Budget

The Community Preservation Act (CPA) requires that the City Council approve the Community Preservation Fund Budget. Furthermore, the CPA requires that the estimated revenue for each Fiscal Year be reserved as follows:

A minimum of 10% for Affordable Housing
A minimum of 10% for Historical Preservation
A minimum of 10% for Open Space/Recreation

Additionally, up to 5% of the estimated revenue may be appropriated for CPC Administrative purposes. The remaining estimated revenue would be reserved for designation for a later date.

As you may be aware, at the Community Preservation Committee (CPC) meeting on May 18, 2023 voted the following:

- On a motion made and seconded it was voted to request the City Council to appropriate and transfer from the fiscal year 2024 Community Preservation Funds (T= \$4,000,000) the following funds: 5% (\$200,000) for the administrative expense of the Community Preservation Committee, 10% to the affordable housing reserve (\$400,000), 10% to the historical preservation reserve (\$400,000), 10% to the open space/recreation reserve (\$400,000), and 65% to the undesignated fund balance (\$2,600,000).

Therefore, I would respectfully request that the Honorable City Council adopt this recommended action for Fiscal Year 2024.

Please be advised that before any project can be approved for funding by the CPC, the Honorable City Council would need to approve the funding of the project.

cc: Community Preservation Committee



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager

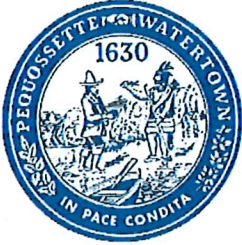
Date: June 8, 2023

RE: Agenda Item – An Extension Authorizing a Five Year Contract with Allied Waste Services of Massachusetts, LLC d/b/a Republic Services of Revere

Attached please find correspondence from Gregory M. St. Louis, Superintendent of Public Works recommending an extension to our current contract for another additional five years with Allied Waste Services of Massachusetts, LLC d/b/a Republic Services of Revere.

I respectfully request the attached recommendation and favorable consideration to extend the contract be placed on the June 13, 2023 City Council Agenda.

Thank you for your consideration in this matter.



CITY OF WATERTOWN
DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET
WATERTOWN MA 02472

Gregory M. St. Louis, PE
Superintendent

(P) 617-972-6420
(F) 617-972-6402

TO: George Proakis – Watertown City Manager

FROM: Gregory M. St. Louis, PE - Superintendent of Public Works
Anya Pforzheimer – Recycling & Sustainability Coordinator

SUBJECT: FY24 Republic – Five-Year Contract Extension

DATES: June 7, 2023

Over the past year, The Department of Public Works has been refining and negotiating Watertown's next Solid Waste and Recycling Hauling Contract with Allied Waste Services of Massachusetts, LLC d/b/a Republic Services of Revere ("Republic"). We have discussed various ways to collect, remove, and transport waste and recycling stream from Watertown to an appropriate facility and discussed our continued desire to proactively address the Massachusetts 2030 Solid Waste Goals. As this time, there are no new public program/policy changes proposed.

Attached you will find a proposed amendment for a Five-Year extension to our existing contract. As you are aware, the existing one-year extension is set to expire June 30th. The City's contract negotiation comes during an unprecedented time of substantial market inflation and market volatility, and we believe a Five-Year extension offers some cost savings when other costs have increased substantially.

A few highlights of the Agreement that mimic the Public Works FY24 budget that was submitted to Council for review and approval include:

- 5-year Extension Proposal Year 1 Rates per prevailing wages and CPI for All Urban Consumers (Water, Sewer, Trash Collection Services)
- \$2,982,137 contract cost plus Pass Thru of Processing Fees
- \$120,000 Stanley Ave Operation run by RSG employees
- Roll Off Rates per Haul and pass through of recycling processing fees for:
 - o Recycling (including an option for a compactor)
 - o Yard waste
 - o Metal
 - o Hard plastic
- Hard Plastic is now hauled to a separate entity for reuse (benches, etc.)

We believe that the terms of service highlighted above meet the City's growing needs and goals and addresses the current and future market conditions. We will be available to the Honorable City Council's to discuss any details of the City's sanitation and recycling programs at its regularly scheduled meetings.



Sustainability in Action

Greg St Louis, PE
Superintendent of Public Works
City of Watertown
124 Orchard Street
Watertown, MA, 02472

RE: Proposal to Extend

June 2, 2023

Hello Greg,

On behalf Republic Services, we are excited about the continued partnership with the city of Watertown. For over 30 years, Republic has had the pleasure to work with Watertown and we hope to continue this partnership for many years to come. As follow up to our discussions below is our proposal to extend our collections contract with the multiple options as requested by the City effective July 1, 2023.

5-year Extension Proposal Year 1 Rates (Service As Is):

- **\$2,982,137 plus Pass Thru of Recycling Processing Fee, Yard Waste Disposal, and Roll Off per Haul.**
- **\$120,000 Stanley Ave Operation run by RSG employees**
- **Roll Off Rates per Haul plus pass through of recycling processing fee, yard waste, metal, and hard plastic disposal:**
 - **\$425/haul – Single Stream – Greenworks – Peabody, MA**
 - **\$425/haul – Yard Waste – Landscape Express, Hyde Park, MA**
 - **\$425/haul – Metal – Newbury Auto Sales, Newburyport, MA**
 - **\$950/haul – Hard Plastic – Conigliario – Framingham, MA**
- **Bulk Rate: no change from current rates**
- **Stanley Ave Recycling Compactor:**
 - **\$450/month rent**
 - **\$425/haul single stream to Greenworks**

Extension Terms:

Our proposal is conditional on the following

- **5-year term**
- **Annual Rate Adjustments.** Company shall increase the rates for all Services effective on each anniversary of the Effective Date of this Agreement in an amount equal to the most recently available trailing twelve (12) months' average in the Consumer Price Index



Sustainability in Action

for All Urban Consumers (Water, Sewer and Trash Collection Services) U.S. City Average, as published by United States Department of Labor, Bureau of Statistics (the "CPI").

- Prevailing Wage: Any increase in the prevailing wage above the annual WST rate index will be passed through as a rate adjustment.
- The Fuel Adjustment is to be based on the average three-month difference between the Weekly New England No 2 Diesel Retail Rates by All Sellers as published by the Energy Information Administration (EIA INDEX) and the baseline cost as proposed. The Baseline Fuel Price from June 2023 is \$4.14 per gallon (including taxes) of diesel fuel. The increase or decrease, as determined above, will be applied to the Baseline Gallons (estimated volume of fuel used) of 3,876 gallons per month. The monthly Fuel Adjustment to begin with the new contract year on July 1, 2023 and will be made quarterly on first day of each quarter, and any adjustment will be reflected in the monthly invoice to the Town of Watertown in equal monthly installments over the proceeding 3-month period. These adjustments are based on the previous 3 month average cost of diesel fuel as determined by the EIA Index referenced above. For example, the adjustment beginning July 1, 2023 covering the periods July, August, and September will be based on the average cost of diesel fuel for the period of April 1, 2023 – June 30th, 2023.
- The City will continue to be responsible for the disposal costs for the City's Solid Waste volumes at Wheelabrator North Andover and will continue to allow Republic to redirect the Town's volume through Republic's Roxbury Transfer Station and then to Wheelabrator.
- Republic will invoice the City for the actual Recycling Processing credit or charge for the City's recyclables each month based on the actual recycling costs incurred for the City's recyclables volume without mark up. Our proposal reflect that Republic will invoice the City for credits or charges each month based on the actual tons. Republic and the City will review price and cost analysis to redirect recycling loads to Greenworks instead of Casella Charlestown. The City and Republic will mutually agree to any changes to any collection cost and processing costs per load or per ton.
- The City will provide an annual count of eligible service units and the City and Republic will mutually negotiate and agree on rate changes for increases in units.
- After the e-waste and white goods are collected curbside by appointment, they will be dropped in the appropriate roll off boxes at the Stanley Ave Drop Off Center. The residents will also be able to drop off white goods and e-waste at Stanley Ave in these roll off boxes. The City has their own disposal charge for the e-waste and white goods.
- Republic will invoice the City for Yard Waste Disposal at our partner end sites by a pass through of our costs.



Sustainability in Action

Please let me know if you have any questions or need any additional information. We appreciate our long-term partnership with the City, thanks for the considerations and the opportunity to continue to be the service provider to the City.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Tyler Finnegan".

J. Tyler Finnegan
Municipal Sales Manager
Republic Services

Cc: K Runge, D Higgins

**Watertown City Council
Committee on Human Services
Monday, December 15, 2022**

Members Present: Councilor Tony Palomba, Chair; Councilor Caroline Bays, Vice Chair; and Councilor John Gannon, Secretary

The Committee on Human Services held a public meeting on December 15, 2022, at 6:00pm to discuss rodent control measures in Watertown and to recommend changes to be made.

1. Call to Order

Committee Chair Palomba called the meeting to order at 6:05pm and introduced the other committee members present: Caroline Bays, Vice Chair; and John Gannon, Secretary. Also present during the course of the meeting were City Councilors Emily Izzo, John Airasian, and Nicole Gardner, as well as Watertown Health Department Director Larry Ramdin and Department of Public Works Director of Administration and Finance Tom Watkins, and over 20 members of the community, either in person or via Zoom.

This meeting was called to address a referral from the City Council relative to rodent control measures in Watertown and whether improvements may be made.

Councilor Bays stated that she had made an information request to the Council for information on rodent trap locations, types of traps, and management of traps. Councilor Gannon stated that he had previously made an information request to the Council for information on whether the City may legally ban rodenticides as a rodent control measure either citywide or for city properties only.

The committee heard from many residents sharing concerns on the overwhelming growth of the rodent problem in Watertown, as well as concerns with the number and types of rodent traps. Councilor Palomba stated that he is torn between feeling like we're finally doing something with respect to rodents and having concerns on the impact of the rodent traps. He noted the impact of East End development on the rodent problem. He noted that State Representative Steve Owens had sent a letter on the issue to City officials.

Eileen Ryan stated her concern that the 250 rodent control boxes on Mount Auburn Street had rodent poison that kills other wildlife. While such traps are cheaper than other traps, they can cause serious environmental harm. She expressed her concern that the City should utilize other solutions, including elimination of food sources for rodents.

Pat Rathbone asked a question on which entity has to approve the rodent traps. Councilor Palomba stated that city contractors are required to have a rodent control plan to be utilized during construction. Presumably, the Building Inspector is charged with monitoring such plans. This committee will seek to determine the areas of responsibility.

Other residents expressed their concerns about the rodent traps placed on Mt. Auburn Street. Councilor Palomba stated that he was aware that National Grid had also placed rodent control traps in the city.

Health Director Larry Ramdin addressed the placement of rodent traps. He stated that there is a need to bait the rodent traps in order to reduce the rodent population. He stated that the Department of Public Works places traps and that other departments monitor rodent control plans. Her stated that the departments have convened a task force to coordinate on rodent control issues, and that the Health Department would be in charge of the task force. He stated that education on rodent issues is key. To that end, he added information on rodents to the Health Department website. He also stated that the Health Department has a minimal budget to use a private contractor to address rodent issues. This contractor utilizes carbon monoxide in its traps. He stated that the Health Department will monitor vacant properties for rodent conditions. He noted that the Health Department had taken one property owner to court to remediate sanitary conditions on its property.

Mr. Ramdin stated that the task force would meet again in January. He would like the task force to create a comprehensive rodent control plan. The task force comprises the Health Department, DPW, Department of Buildings and Grounds, and the City Manager's office. He had looked at rodent traps utilized by the City of Somerville that use electricity to kill rodents and to alert the City of deceased rodents in the trap. He stated that such traps cost \$1,600 each and may be too expensive to use in Watertown. He stated his opinion that the Health Department could use more staff to monitor rodent concerns citywide. One such role the Health Department will take on is to monitor rodent control plans across the city.

Councilor Gannon commended the Health Department for utilizing legal efforts to address problem property owners and urged the department to continue doing so, as it is important to alert property owners that enforcing health regulations will be a priority. Councilor Gardner suggested using social media to inform residents about rodent control measures.

Councilor Palomba asked DPW Director of Administration and Finance Tom Watkins about the role of DPW in setting rodent traps. Mr. Watkins stated that both the DPW and National Grid set rodent traps on Mt. Auburn Street as a proactive measure, anticipating that street construction will displace numerous rodents. They used a standard brand of poison to bait the traps, which he stated was a common product. Councilor Gannon asked Mr. Watkins about the poison contents. He replied that contractors use the poisons, as well. He will speak to the task force about utilizing different types of rodent traps. Councilor Gannon suggested that the City Council could deny National Grid and other utilities requested permit locations if they utilize unsafe rodent control measures.

In response to a question about rodenticides used in traps, Mr. Ramdin stated that the federal Environmental Protection Agency regulates the pesticides that can be used. He stated that rodents eat rodenticides in the traps, then go back to their nests to share the poison with their nest mates. Residents questioned whether other types of traps could be used, such as those that contain rodent birth control chemicals. Mr. Ramdin stated that her had never seen such a trap, but that the task

force will review options. Councilor Palomba suggested that the task force look ahead to use of safe practices in rodent baiting. He would like to hear updates on the progress of the task force. He would like to see the task force present a policy brief in January addressing rodent control measures. Councilors Gannon, Gardner and Palomba reiterated that they would like to assure that safe rodent control traps be utilized for both public and private properties.

Councilor Bays had to leave the meeting prior to the close of the meeting. Councilor Gannon stated that there were no additional emails.

Councilor Gannon moved to adjourn the meeting and continue the Committee's discussion on rodent control measures to January. The motion was seconded by Councilor Palomba. The motion was approved 2-0.

The meeting adjourned at 7:45pm.

The meeting minutes were prepared by Councilor John Gannon.

**Watertown City Council
Committee on Human Services
Tuesday, January 31, 2023**

Members Present: Councilor Tony Palomba, Chair; Councilor Caroline Bays, Vice Chair; and Councilor John Gannon, Secretary

The Committee on Human Services held a public meeting on January 31, 2023, at 5:30pm to continue a discussion on rodent control measures in Watertown and to recommend changes.

1. Call to Order

Committee Chair Palomba called the meeting to order at 5:35pm and introduced the other committee members present: Caroline Bays, Vice Chair; and John Gannon, Secretary. Also present during the course of the meeting were City Councilors Lisa Feltner and Nicole Gardner. City staff present were Department of Public Works Superintendent Greg St. Louis, DPW Director of Administration and Finance Tom Watkins and Stephen Addonizio from the City Clerk's office, and many members of the community, either in person or via Zoom.

This meeting was called to address a referral from the City Council relative to rodent control measures in Watertown and whether improvements may be made.

Councilor Palomba opened the meeting by noting that Health Department Director Larry Ramdin was not present, and he had not sent to the Committee a policy paper that was discussed at the Committee's prior meeting of December 15, 2022. At the prior meeting, Councilor Palomba noted that many residents provided testimony expressing their concerns about poisons that are contained in rodent traps killing other animals. The Committee had also discussed that rodent control measures should be considered a city problem, and not an individual landowner problem, due to the upheaval of the rodent population resulting from construction and other disruptive activities.

DPW Superintendent Greg St. Louis addressed some of the rodent control issues. The city will be looking at removing hazardous poisons from bait stations and looking at so-called smart control measures. The city will also be looking at diversifying rodent control plans. He stated that the extent of rodent control measures is a new process, and we are about to be moving into a larger phase, as construction projects commence. The Mt. Auburn reconstruction project will be bid out in November, and construction will start during 2024. He stated that construction RFP's will require a less lethal rodent trap and encourage the use of smart boxes. Councilor Palomba noted that the DPW webpage has a page on rodent control FAQ's.

Resident Karen Russo of Birch Road noted the influx of rodents in her neighborhood. The building construction of 85 Walnut Street abuts her property. She has complained to the Health Department. She noted that there are no rodent traps on Birch Road, even though the construction plan calls for a rodent control plan. Councilor Palomba informed Ms. Russo that she should continue calling the Health Department, as he informed the Committee at the last meeting that the Health Department would serve as the focal point for rodent complaints.

Janet Erlick of Williams Street stated that her street has a larger population of rodents than she's ever seen. She noted that an adjacent parking lot has a dumpster and a clothing donation box where rodents congregate. She was likewise instructed to reach out to the Health Department. A resident of Capital Street also informed the Committee of an increase in rodents in her neighborhood. When she called the Health Department, she was informed that she needed to hire an exterminator. When she contacted the exterminator, she was informed that if she contracted with that company there was no guarantee that the rodents wouldn't come back. She said she never had problems with rodents before.

Councilor Feltner stated that she would like to know the locations of the rodent control plans. She noted that there are extensive construction activities on Galen Street and Arsenal Street. She has observed many rodents. Councilor Palomba stated that the questions should be addressed to Larry Ramdin, but he was not present. Several residents expressed fears of the growing rodent populations in their neighborhoods. One stated that rodents ate through her hard plastic city-issued trash and recycling barrels. Some thought that in situation like that the City should pay for a new trash totter and recycling totter.

Larry Ramdin subsequently arrived at the meeting. When asked about the status of the promised white paper on rodent control since the Committee last met on December 15, 2022, Mr. Ramdin responded that he had waited for the new Deputy City Manager to be appointed prior to working on the report. Councilor Palomba noted that the Committee at the December meeting had asked a lot of questions regarding the rodent traps, who's responsible for developer rodent control measures, the types of rodent traps used by the various city departments using such traps. He noted that Mr. Ramdin had stated that he would be the lead city official on rodent issues and had promised to deliver the policy brief. He wants to know how the task force will work. Mr. Ramdin stated that the Health Department policy regarding complaints is to review rodents in a larger area beyond the location of the property cited. The Health Department has a complaint tracking system, sometimes health officials place traps in these areas. Councilor Palomba asked what data the Health Department collects, and how many cases are addressed in each month. Mr. Ramdin stated that there were 536 rodent complaints in the last two years, but he could not provide further details.

Councilor Palomba asked how the task force will develop the rodent control plan. He stated that he would like to see the plan issued by the task force by the end of the fiscal year, so that additional funding for remediation programs could be included in the FY2024 budget. Mr. Ramdin stated that he could get the task force plan completed by the end of the calendar year. Councilor Palomba stated that he would like to see the complaint data be used to demonstrate where rodent complaints across the city are highest. Councilor Palomba reiterated his request that the rodent control policy brief be shared with the Committee by the time of the Committee's February meeting.

Councilor Gannon moved to adjourn the meeting and continue the Committee's discussion on rodent control measures to February. The motion was seconded by Councilor Bays. The motion was approved 3-0. The meeting adjourned at 7:15pm.

The meeting minutes were prepared by Councilor John Gannon.

Watertown City Council
Committee on Human Services
Councilor Palomba-Chair, Councilor Bays-Vice Chair, Councilor Gannon-Secretary
Committee Report – Meeting on March 23, 2023

The Committee on Human Services held a public meeting on March 23, 2023 at 6:30 PM in the City Council Chambers to continue the discussion of the establishment of a City-wide Rodent Control Plan. This was a hybrid meeting so residents could join on Zoom. Also, questions and comments could be sent to Councilor Gannon at jgannon@watertown-ma.gov. Finally, the meeting was recorded by WCATV and will be broadcasted at a future date.

Present at the meeting were Councilor Tony Palomba, Chair; Councilor Caroline Bays, Vice Chair; and Councilor John Gannon, Secretary. Also attending from the Administration was Larry Ramdin, Director of the Health Department and on Zoom, Tom Watkins, Director of Administration and Finance for the Department of Public Health. Residents in attendance were Adrine Beurjlian, Eileen Zubrowski, Karen Russo, Janet Erlick, Susan Percoc-Barbato, Mary Marcus, and Jacky van Leeuwen (on Zoom).

The meeting began with testimony from residents regarding rat sightings in their neighbors, particularly in the Walnut Street area and in the Galen Street area where major life-science developments are being built. This led to a discussion of who is responsible for monitoring the rodent control programs at construction sites. Mr. Ramdin explained it was the Health Department's task though he has encounter resistance from the developers on Galen Street and that it has been difficult for his staff to keep up the review of the rodent plans at the many developments in the city. Residents expressed their dissatisfaction with the situation particularly since this is not the first time they have voiced their concern.

Mr. Watkins shared new information that the Department of Public Works (DPW) has taken to address the rodent problem.

1) They have contracted with Anticimex to install 80 SMART Technology traps which electrocute the rat. Forty of have been placed on Arsenal Street and 30 on Mt. Auburn Street, and 10 at various locations in the city. The traps allow for the collection of data noting the day and time the rat was killed. The data will be collected and shared with the DPW. The vendor is responsible for removing the dead rodent. The traps were installed approximately two weeks ago (during the week of March 6) and there will be real numbers on the effectiveness of the traps within one or two months. The Committee requested that the information be shared with the City Council. Mr. Watkins will also provide the cost of the new traps.

2) The 200 existing traps on Mt. Auburn Street and the 50 – 100 traps set on streets off of Mt. Auburn have been baited with a new product, Terad3 which is said to be less damaging to animals who consume rodents that have been poisoned.

It was noted that one of the problems is that there are different vendors using different traps throughout the city. In addition to each developer hiring a company, there are companies hired by different city departments and that having multiply vendors in town makes data collection and the comparison of data to measure effectiveness difficult. Again this would fall to the Health Department and Mr. Ramdin said the new Rodent Control Working Group, composed of representatives from the Health Department, the Department of Community Development and Planning, the Department of Public Buildings, the Department of Public Works and the City Manager's Office are working to address this issue.

The Committee turns its attention to two questions, and the corresponding legal recommendation and rules, submitted by Councilor Gannon at a November meeting of the City Council under the agenda item “Request for Information”. The two questions were:

- 1) Can the City of Watertown legally vote to ban the use of rodenticides, or similar measures, citywide?
- 2) Can the City of Watertown legally vote to ban the use of rodenticides or similar measures, on city property, include public ways and parks?

Councilor Gannon reviewed the opinion of the City’s attorney, KP Law as well as rulings from the Attorney General’s office regarding the towns of Arlington and Belchertown and their efforts to control the use of rodenticides. (See attachments.) In sum and pertaining to Watertown, the City can regulate the use of rodenticides on city-owned property including streets, sidewalks and buildings by ordinance, but cannot regulate the use of rodenticides on private property.

The Committee then heard a presentation by Mr. Ramdin entitled, “Rats in Watertown” which was the second draft of his city-wide rodent control policy brief. (Attached are the first draft presented at an earlier meeting and the second draft presented at this meeting.)

The draft Plan included sections on:

- rat facts including that rodents can’t be eliminated but only controlled
- present city rodent control activities
- description of the roles of various city departments as well as the roles of the Zoning Board of Appeals and the Zoning Officer
- -the specific response procedures to complaints by the Department of Health and data on the number of complaints between 2019 and 2022
- activities of the Rodent Control Working Group
- Future Actions

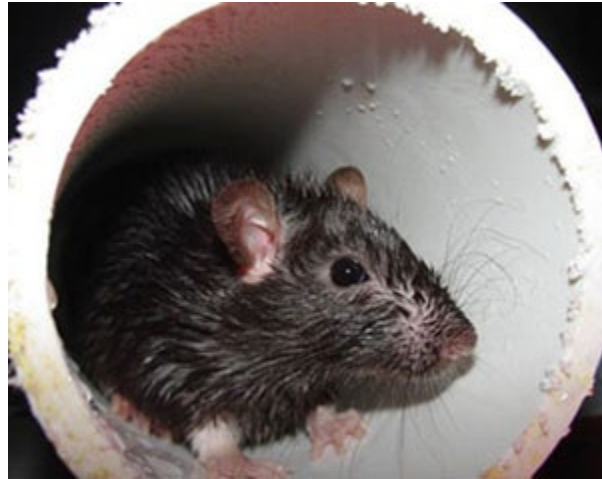
Unfortunately the Plan could not be shown on the Chamber screens which made it impossible for those on line to see it. Copies of the Plan were distributed to members of the audience and to the Committee. Comments from the Committee included:

- concern that the Plan was too board
- the need for more details in the Future Actions sections
- request that it included goals, strategies, action steps, timelines, evaluation criteria and costs

The meeting concluded with a request by the Committee that while the city-wide plan is being developed that the Health Department more vigorously review the rodent control plans of developers and if the developer is out of compliance with their plan that there be action taken to enforce accountability.

Councilor Bays made a motion to adjourn, Councilor Gannon seconded the motion and it was passed 3 – 0.

Minutes were prepared by Councilor Palomba



Rats in Watertown

Presented by

Larry Ramdin

Director of Public Health

Introduction

Rats are said to have arrived in the United States(US) in the 18th century on ships from Europe. These rats have spread across the US. The main rat of concern to us in Watertown is the Norway Rat (*Rattus norvegicus*) or Brown Rat. It has been suggested by some researchers and others in the pest control industry that the recent COVID-19 outbreak where many businesses, restaurants, schools and other commercial entities were closed. This led to rats leaving their normal habitats to seek food in nontraditional areas and migrated to two neighborhoods it's search of shelter and food. Additionally, with more people being home it was easier to see what was happening in the neighborhoods.

The milder winters we have been experiencing over the past few years is another cause for the increasing rodent population.

Also, construction and other noisy activity that includes digging and vibrations will displace the rodent population.

Rats require food, harborage, and water to survive in the environment.

Rodent Control Activities are focused on population reduction and impact on human population. Elimination of rats in the community is not feasible.

Rat Facts

According to the Indiana Department of Public Health (**Norway Rats: Illinois Department of Public Health, Prevention and Control** retrieved from <http://www.idph.state.il.us/envhealth/pcnorwayrat.htm>)

- Rats will eat nearly any type of food, but they prefer high-quality foods such as meat and fresh grain. Rats require 1/2 to 1 fluid ounce of water daily when feeding on dry food.
- Rats have keen taste, hearing and sense of smell.
- They will climb to find food or shelter, and they can gain entrance to a building through any opening larger than 1/2 inch across.
- The Range of the Norway rat is 25-100 feet from its nest. However they will travel for greater distances in urban tracts: Sewers, Storm drains, rail beds etc.(Corrigan, 2001)

City of Watertown Rodent Control Activities

Rodent Control response activities in the city are done by pest control contractors hired by multiple departments. The use of pesticides is governed by the MA Department of Agriculture and the EPA.

All City Departments are currently requiring the use of low toxicity baits and other control methods that are not harmful to non-target, secondary predators, examples are Terad 3(Cholecalciferol), use of Carbon Monoxide and Integrated Pest Management methods.

- The Health Department has primary responsibility for responding to resident complaints and taking action to mitigate rodent infestations on public property and serve orders to private property owners to take action to reduce harborage conditions and infestations. They enforce the Food Establishment, Housing and nuisance regulations to ensure rodent infestations are reduced. Additionally, they host a webpage that provides information on actions residents can take to reduce the rodent impact in their neighborhood. [Rodent Control | Watertown, MA - Official Website \(watertown-ma.gov\)](http://www.watertown-ma.gov/rodent-control)
- The Department of Public works is responsible for addressing current infestations in public parks, outside public buildings, and community public works projects. They also issue street opening permits for third party street projects. There are permitting requirements that include rodent mitigation efforts.
- The Public Buildings Department is responsible for internal pest control treatments in public buildings including schools. Pest control in schools is governed by the *Act to Protect Children and Families from Harmful Pesticides*. The Act requires an integrated pest management plan that must be filed with the Department of Agriculture. Those plans are site specific and require notification to all families on the use of pest control chemicals in the schools.
- The Department of Community Development and Planning Department (DCDP) includes Planning, Zoning and Building Officer. Each subunit has its own processes that help to address pest mitigation.

When a Planning or Zoning Board of Appeals (ZBA) decision is rendered by the Board that decision typically includes a requirement for the applicant to engage in rodent mitigation efforts prior to start and over the life of the construction project.

The Zoning Officer oversees the Zoning regulations and helps to address conditions that may contribute to rodent harborage on properties in the community. They work in close collaboration with other offices in the DPCP, the Health Department and DPW.

The Building Department issues permits for construction and demolition. As part of the demolition permit application process, they require a pest control plan to be included in

their application and concurrence with the plan by the Health Department. If there is any construction work that includes extensive excavation and vibration, a rodent mitigation plan is also required.

Health Department Rodent Control Response Procedures

The Health Department is the primary city agency responsible for rodent mitigation activities.

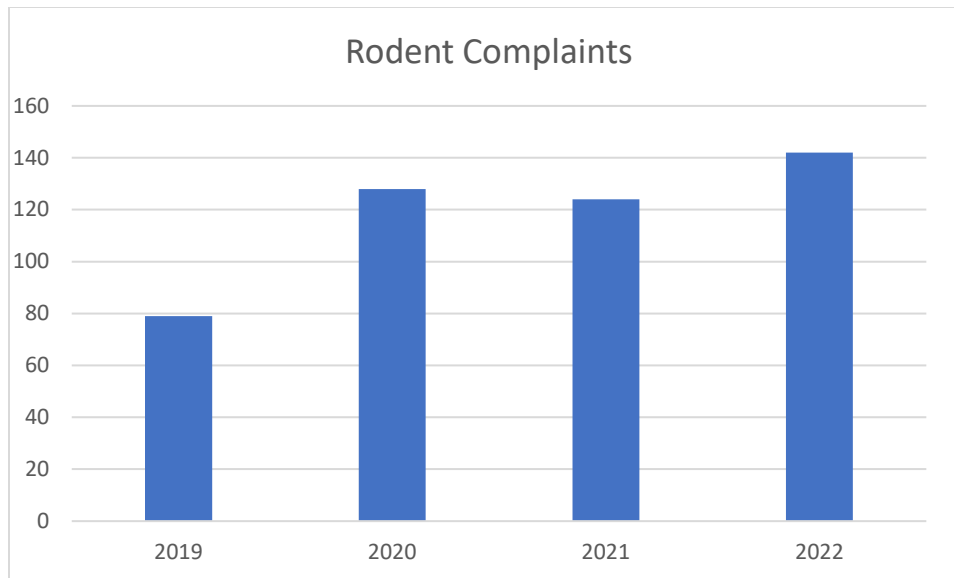
The Department also oversees dumpster /trash management in restaurants, Rental properties and other areas under the:

- Food Code
- Housing code
- General Nuisance law (MGL Chap 111, s122)

How the Health Department addresses complaints:

- Complaints are received through our electronic portals see click fix, by phone, e-mail and walk-ins.
- When these complaints are received. They are recorded in our electronic complaint register and a staff person is assigned to investigate the complaint.
- If the complaint is not anonymous, we will contact the complainant and get additional information and schedule a time to meet with them to get a better understanding of the complaint.
- We will assess the infestation and identify root causes for the complaint. This can mean walking the entire neighborhood to identify possible causes of the infestation.
- Once these have been identified they will act and serve notice on the party responsible for contributing to the infestation to remedy the situation and remove all possible causes of the infestation.
- If compliance is not met and the situation causing the infestation is not remedied, tickets or court action may be instituted against the party contributing to the infestation. The city's legal department provides support advice and assistance in resolving the legal issues.
- The Health Department also treats rodent infestations on public ways and sewers in response to resident complaints. Additionally, they ensure that developers are meeting the requirements of their planning approval. In 2022, 25 neighborhoods were treated for rodent problems

The Health Department has seen an increase in rodent complaints over the last few years.



Department of Public Works

The DPW has proactively started baiting on the Mt. Auburn Street corridor in anticipation of extensive roadwork. They have deployed bait stations above ground and are actively baiting the sewers to reduce the rodent population so that the abutting neighborhoods are not significantly impacted. They are utilizing low toxicity baits and have deployed 80 electrocutor “Smart boxes” to reduce the impact on non-target species.

Rodent Control Working Group

A Rodent Control workgroup was established to address resident concerns on rats in the neighborhoods and ensure a collaborative approach is used in addressing the rodent concerns.

The Work Group consists of the:

- Health Department
- Department of Community Planning and Development
- Department of Public Buildings
- Department of Public Works

The workgroup will continue to meet monthly to discuss and develop collaborative strategies to reduce the rodent population in Watertown.

Future Action:

- Continue DPW efforts to do multiple baiting around public property/projects.
 - Evaluate the approach currently being piloted on Mt. Auburn Street, which includes blanketing the surrounding area with multiple different rodent-control techniques, including SmartBoxes. If the pilot proves to be effective, expand the approach to other areas with rodent infestations.
 - Consolidate third-party rodent-control services & ensure best practices in contracts, including monitoring and reporting.
 - Continue experimenting with new rodent-control techniques (e.g., electrocution, drowning, fertility control, etc.) measure and report results.
 - Commit to continue using bait that does not have secondary toxicity; consider having Board of Health and/or council limit use of these pesticides on private sites.
- Take positive action to reduce reinfestation, such as closing burrows, removing food sources, entry points and other pest harborage conditions.
- Increase resident outreach, education, and engagement through public announcements, social media (e.g., Rat Tip of the Day), and more.
- Continue strict enforcement of the sanitary and food code and nuisance law to reduce opportunities for rodents to live and feed in Watertown.

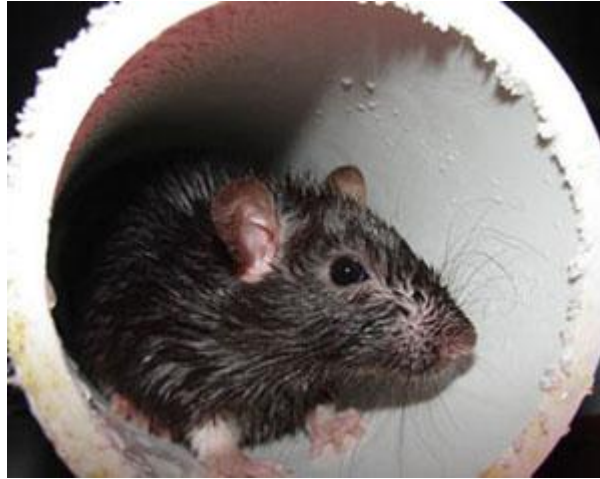
References

Centers for Diseases Control: How to Control Wild Rodent Infestations January 2023, retrieved from <https://www.cdc.gov/healthypets/pets/wildlife/rodent-control.html>

[Corrigan , Robert: Rodent Control a practical guide for Pest management Professionals.GIE Media , Cleveland. 2001](#)

Norway Rats: Illinois Department of Public Health, Prevention and Control retrieved from <http://www.idph.state.il.us/envhealth/pcnorwayrat.htm>

[Rodent Control | Watertown, MA - Official Website \(watertown-ma.gov\)](#)



Rodents in Watertown

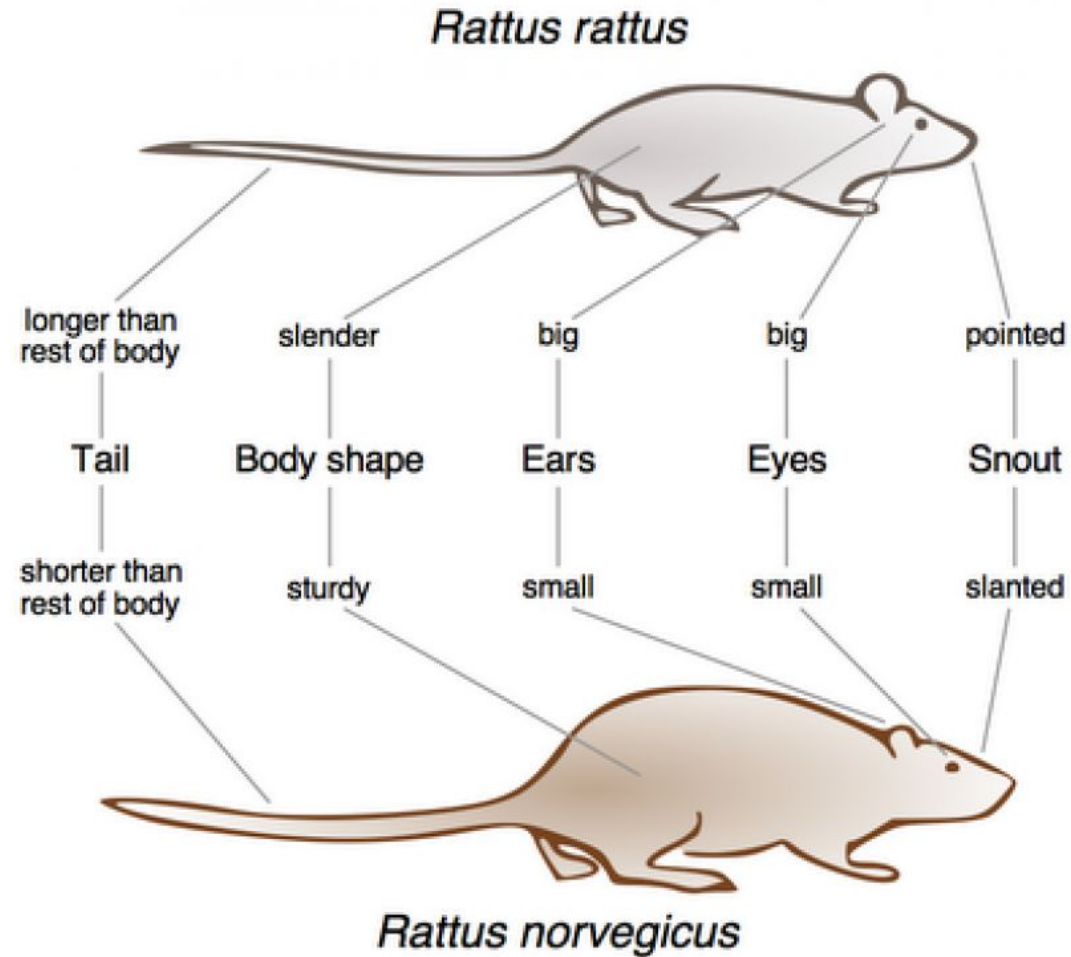
Larry Ramdin

Director of Public Health

History

- Rats originated in Asia and made their way to Europe there are two Rats of Public concern
 - *Rattus norvegicus* : The Brown Rat/Norway Rat
 - *Rattus rattus* : Black Rat
 - *Rattus rattus* is not a concern in eastern MA
 - It has been suggested that the Brown rats arrived in the US in the late 1700's

Comparison



Brown Rat Facts

- Black or brown with lighter underside
- 15-20 inches head to tail
- Average weight 12oz male, 9oz females 35 oz
- Nocturnal in nature, but will be seen feeding in daylight when there is a high population
- Keen sense of smell
- Gestation period 21-22 days
- Females come in heat every 4-5 days and will breed 2-5 days after delivering litter
- Litter 6-12 pups- independent in 3-4 weeks sexual maturity at 8-12 weeks

Brown Rat Facts

- Poor eyesight and color blind
- Keen sense of smell
- Good Swimmers and climbers
- Good hearing

Brown Rat Facts

- Rats live in burrows with multiple entrances
- Omnivorous
- Range 25 – 100 feet from nest normal range
- Will travel several hundred feet to feed
- Some rats have been noted to travel up to 4 miles to follow sewer and pipe trails

Needs

- Rodents need:
 - Food(anything that will provide sustenance
 - Water
 - Harborage: places for them to live
 - They will pass through openings that allows their head to pass approx. $\frac{1}{4}$ inch)

Distribution

- Rats are distributed almost evenly across Watertown
- Concentrations found in the East Watertown Area between Arsenal and Belmont Streets
- Pleasant Street Corridor

Control

- Eliminate sources of Food, Water and harborage
- Identify Activity areas
- Bait/ Trap

Food

- Open Dumpsters/ garbage cans
- Bird Feeders and spilled seeds
- Bread intended for birds
- Unharvested garden produce
- Grass
- Improperly disposed Animal fecal waste
- Litter and food scraps/spills

Water

- Animal bowls
- Depressions that hold water
- Blocked drainage
- Improperly discarded waste especially containers that can hold water

Harborage

- Holes in ground
- Sewers
- Basements
- Low lying Bushes plants
- Dead spaces under porches and sheds
- Crawlspace
- Spaces in stone walls

Control

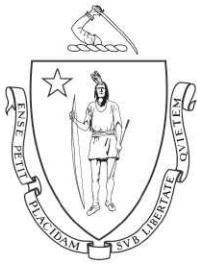
- Follow guidance and information on how to control for rodents on your property
 - <https://www.watertown-ma.gov/627/Rodent-Control>
 - <https://content.civicplus.com/api/assets/982e5a6a-63e8-4bcd-9a35-dba9e1e1ec41?cache=1800>
- Eliminate Dead spaces around your property including low lying shrubs newr to building
- Pre-treatment of all construction work and rodent surveys for demolition work

Actions

- Complaint received by Health Department
 - Staff assigned to do a local survey of complaint and identify areas of harborage, food and water
 - Actions recommended to property owner or City send request to Pest Control provider
 - Decision on method of treatment is left to the Pest Control Provider based on extent of th problem
 - The Health Department is currently requiring(as far as possible) low toxicity means of rodent control including: low toxicity baits, baits in bait boxes,
 - Carbon Dioxide

Recommendations

- Develop A community wide Rodent Control plan
 - Health Department manages the monitoring of development and vacant property Rodent control plans
 - Create more visibility of rodent control actions by the City
 - Require active rodent management by developers
 -



THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION

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December 19, 2022

Juliana Brazile, Town Clerk
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

**Re: Arlington Annual Town Meeting of April 25, 2022 -- Case # 10690
Warrant Articles # 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 41, 42, 43,
and 44 (Zoning)
Warrant Articles # 6, 7, 8, 10, 11, 12, 15, 16, and 18 (General) ¹**

Dear Ms. Brazile:

Article 18 - Because the Town has not yet obtained the special legislation that is necessary for a town to adopt a by-law regulating rodenticides, we place Article 18 on "hold" pending receipt of the requested special legislation. ²

I. Summary of Article 18

Under Article 18 the Town voted to adopt a new general by-law, "Use of Second-Generation Anti-Coagulant Rodenticides," that requires certified and commercial pesticide applicators to register with the Town (and pay registration fee) and notify the Town prior to applying second generation anti-coagulant rodenticides. The Town's Department of Health and Human Services is authorized to adopt regulations to administer the by-law. The by-law imposes fines for failure to comply.

The Town also voted to authorize the Select Board to petition the Legislature for a special act to authorize the Town's adoption of the Rodenticides by-law. ³

¹ In a decision issued on September 29, 2022, we approved Articles 6, 7, 8, 10, 12, 15, 16, 28, 29, 31, 32, 33, 34, 35, 36, 37, 39, 41, 42, 43, and 44. By agreement with Town Counsel as authorized by G.L. c. 40, § 32 we extended our deadline for a decision on Articles 11, 18, and 30 by 90 days through December 28, 2022.

² During our review of Article 18 we received communications in opposition from the New England Pest Management Assoc. and Terminix (now Rentokil/Terminix). We appreciate these communications and they have aided us in our review of Article 18.

³ We take no action on that part of Article 18's vote that authorized the filing of a petition for special legislation.

II. Absent a Special Act, Article 18 is Preempted by the Massachusetts Pesticide Control Act

The Massachusetts Pesticide Control Act (“Act”) both expressly (by the Act’s text) and impliedly (because “the purpose of the [Act] would be frustrated [by the by-law] so as to warrant an inference that the Legislature intended to preempt the field.”) preempts the use of herbicides, rodenticides and other pesticides in a Town. See St. George Greek Orthodox Cathedral of Western Massachusetts, Inc. v. Fire Department of Springfield, 462 Mass. 120, 125-126 (2012) (quoting Wendell v. Attorney General, 394 Mass. 518 (1985)).

General Laws Chapter 132B establishes the Massachusetts Department of Agricultural Resources’ (MDAR) “exclusive authority in regulating the labeling, distribution, sale, storage, transportation, use and application, and disposal of pesticides in the commonwealth . . .” G.L. c. 132B, § 1. General Laws Chapter 132B, Section 2 defines “Pesticide” as “a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. . .” The Act establishes a Pesticide Board within MDAR (Section 3), and authorizes the Pesticide Board to register pesticides for use in the Commonwealth if the Board determines that “a pesticide, when used in accordance with its directions for use, warnings and cautions and for the uses for which it is registered. . . will not generally cause unreasonable adverse effects on the environment. . .” (Section 7).⁴ The Act prohibits application of a registered pesticide in a way that is inconsistent with its labeling or other restrictions imposed by the MDAR (Section 6A).

The Act includes an express statement of intention to preempt local regulation of the application of pesticides: “The exclusive authority in regulating the labeling, distribution, sale, storage, transportation, use and application, and disposal of in the commonwealth shall be determined by this chapter.” G.L. c. 132B, § 1, as amended by Chapter 264 of the Acts of 1994. Further, MDAR has repeatedly confirmed the preemptive effect of the Act and regulations over pesticide application.⁵

Even if the Act did not include a statement of express preemption, the Act impliedly preempts local regulation of pesticide application. The purpose of the Act and Regulations is to have centralized and uniform regulations for the use of pesticides in the state. Town of Wendell, 394 Mass. at 518

Votes to authorize the filing of special act petitions are not by-law amendments and are not subject to review by this Office. See G.L. c. 40, § 32.

⁴ MDAR defines “Use of a pesticide” in 333 CMR § 10.02 to include the following: any act of handling a pesticide, releasing of a pesticide, or exposing of man or the environment to a pesticide, including, but not limited to: (a) Application of a pesticide including mixing or loading of equipment and any supervisory action in or near the area of application. (b) Storage actions relative to pesticides and pesticide containers carried out or supervised by an applicator. (c) Disposal actions relative to pesticides and pesticide containers carried out or supervised by an applicator. (d) Transportation actions relative to pesticides and pesticide containers except those by carriers and dealers.

⁵ We disapproved similar prohibitions on the use of pesticides in decisions issued to the Towns of Belchertown on November 14, 2022 (Case # 10613), Hopkinton on April 19, 2022 (Case # 10454), and Wellfleet on September 7, 2016 (Case # 7919).

(town by-law regulating the use of pesticides in town frustrates the statutory purpose of centralized regulation of pesticide use). By prohibiting pesticide application, the by-law imposes an additional layer of regulation at the local level. This additional local regulation prevents the achievement of a statewide determination of the reasonableness of the use of a specific pesticide in particular circumstances that frustrates the purpose of the Act. Id. at 529.

III. Conclusion

Because of the preemptive effect of the Act, the by-law has no lawful effect without the requested special legislation. We thus place this by-law on “hold” pursuant to G.L. c. 40, § 32 pending receipt of the requested special legislation.

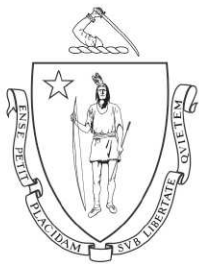
Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,
MAURA HEALEY
ATTORNEY GENERAL

Kelli E. Gunagan

By: Kelli E. Gunagan
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cc: Town Counsel Douglas W. Heim



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November 14, 2022

Theresa A. Camerlin, Town Clerk
Town of Belchertown
P.O. Box 629
Belchertown, MA 01007

RE: Belchertown Annual Town Meeting of May 9, 2022 - Case # 10613
Warrant Articles # 18, 19, 20, and 22 (Zoning)
Warrant Article # 28 (General)

Dear Ms. Camerlin:

Article 22 - Under Article 22 the Town voted to amend the zoning by-laws to delete Section 145-28, the Town's existing solar by-law and insert a new Section 145-28, "Commercial Solar Photovoltaic Installations" (CSPIs). CSPIs are allowed as of right over parking lots and on existing structures and all other CSPIs are allowed by special permit in all of the Town's zoning districts. We approve the by-law amendments except for Section 145-28 (F) (2) that prohibits the application of herbicides, rodenticides, and other pesticides, that we disapprove because it is preempted by state law.¹

In this decision, we summarize the by-law amendments adopted under Article 22 and the Attorney General's standard of review of zoning by-laws, and then explain why, based on our standard of review, we approve Article 22, in part.

I. Summary of Article 22

Under Article 22 the Town added a new Section 145-28, "Commercial Solar Photovoltaic Installations," that regulates the development, placement, design, and construction of CSPIs. Section 145-28 (A) (1). CSPIs are large-scale (minimum 250 kW rated nameplate capacity) solar photovoltaic installations. Section 145-28 (B). The new Section 145-28 allows CSPIs as of right over parking lots and on existing structures. Section 145-28 (B) (1). All other CSPIs are allowed by special permit in all zoning districts. Section 145-28 (B) (2). The new Section 145-28 prohibits

¹ By agreement with Town Counsel as authorized by G.L. c. 40, § 32 we extended our deadline for a decision on Article 22 by 90 days through November 29, 2022.

the following installations: CSPIs that are larger than 15 acres in area; require clear cutting of more than five acres; are located on slopes greater than eight percent, have inadequate frontage, or are located within the 500-year FEMA Flood Plain. Section 145-28 (B) (3). Section 145-28 also imposes design standards and safety and environmental standards, including lighting, signage, land clearing, fire protection, and control of vegetation and animals. Sections 145-28 (E) and (F). As to controlling vegetation and animals, Section 145-28 (F) (2) states as follows:

Control of Vegetation and Animals, Including Insects. Herbicides, rodenticides, or any other pesticides may not be used to control vegetation or animals at a CSPI. In a dual-use CSPI, the agricultural operator, but not the CSPI operator, is exempt from this restriction.

II. Protections for Solar Uses Under G.L. c. 40A, § 3

Solar uses are protected under G.L. c. 40A, § 3. In adopting G.L. c. 40A, § 3, (“Section 3”), the Legislature determined that certain land uses are so important to the public good that the Legislature has found it necessary “to take away” some measure of municipalities’ “power to limit the use of land” within their borders. Attorney General v. Dover, 327 Mass. 601, 604 (1950) (discussing predecessor to G.L. c. 40A, § 3); see Cnty. Comm’rs of Bristol v. Conservation Comm’n of Dartmouth, 380 Mass. 706, 713 (1980) (noting that Zoning Act as a whole, and G.L. c. 40A, § 3 specifically, aim to ensure that zoning “facilitate[s] the provision of public requirements”). To that end, the provisions of Section 3 “strike a balance between preventing local discrimination against” a set of enumerated land uses while “honoring legitimate municipal concerns that typically find expression in local zoning laws.” Trustees of Tufts Coll. v. City of Medford, 415 Mass. 753, 757 (1993). Over the years, the Legislature has added to the list of protected uses, employing different language—and in some cases different methods—to limit municipal discretion to restrict those uses.

Solar energy facilities and related structures have been protected under Section 3 since 1985, when the Legislature passed a statute codifying “the policy of the commonwealth to encourage the use of solar energy.” St. 1985, c. 637, §§ 7, 8. Id. § 2. Specifically, Section 3’s solar provision grants zoning protections to solar energy systems and the building of structures that facilitate the collection of solar energy as follows:

No zoning . . . bylaw shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.

In codifying solar energy as a protected use under Section 3, the Legislature determined that “neighborhood hostility” or contrary local “preferences” should not dictate whether solar energy systems are constructed in sufficient quantity to meet the public need. See Newbury Junior Coll. v. Brookline, 19 Mass. App. Ct. 197, 205, 207-08 (1985) (discussing educational-use provision of Section 3); see also Petrucci v. Bd. of Appeals, 45 Mass. App. Ct. 818, 822 (1998) (explaining, in context of childcare provision, that Legislature’s “manifest intent” when establishing Section 3 protected use is “to broaden . . . opportunities for establishing” that use). Indeed, the fundamental purpose of Section 3 is to “facilitate the provision of public requirements” that may be locally disfavored. Cnty. Comm’rs of Bristol, 380 Mass. at 713.

The Supreme Judicial Court has recently reaffirmed this principle in Tracer Lane II v. City of Waltham, 489 Mass. 775 (2022). In ruling that Section 3’s protections required Waltham to allow an access road to be built in a residential district for linkage to a solar project in Lexington, the Court explicitly noted that “large-scale systems, not ancillary to any residential or commercial use, are key to promoting solar energy in the Commonwealth.” Id. at 782 (citing Executive Office of Energy and Environmental Affairs, Massachusetts 2050 Decarbonization Roadmap, at 4, 59 n.43 (Dec. 2020) (“the amount of solar power needed by 2050 exceeds the full technical potential in the Commonwealth for rooftop solar, indicating that substantial deployment of ground-mounted solar is needed under any circumstance in order to achieve [n]et [z]ero [greenhouse gas emissions by 2050]”). The Court explained that whether a by-law facially violates Section 3’s prohibition against unreasonable regulation of solar systems will turn in part on whether the by-law promotes rather than restricts this legislative goal. Id. at 781. While municipalities do have some “flexibility” to reasonably limit where certain forms of solar energy may be sited, the validity of any restriction ultimately entails “balanc[ing] the interest that the . . . bylaw advances” against “the impact on the protected [solar] use.” Id. at 781-82.

Applying that framework to the facts of the case before it, the Court explained that Waltham had unreasonably restricted solar energy systems by excluding large-scale solar arrays from most zoning districts and “in all but one to two percent” of the City’s land area. Id. at 782. The Court acknowledged that Waltham’s regulation was designed to advance the generally legitimate municipal purpose of preserving each zone’s unique characteristics. Id. But the Court explained that Waltham’s categorical and extensive limitation on large-scale solar arrays—a critical form of solar energy system—undermined the state policy favoring solar energy and lacked any public health, safety, or welfare justification sufficient to justify the extent of the restriction. Id. at 781-82. The regulation was therefore unreasonable and unlawful. Id. at 782.

III. Analysis of Article 22

The by-law amendments adopted under Article 22 appear to be reasonable solar regulations that are designed to enhance, rather than limit, the development of commercial solar installations in the Town. The new Article 22 allows CSPIs as of right over parking lots and existing structures. And except for certain prohibited types of CSPIs, all other CSPIs are allowed by special permit in all of the Town’s zoning districts. However, if Article 22 is applied in ways that make it impracticable or uneconomical to build solar energy systems, such application would run a serious risk of violating G.L. c. 40A, § 3. The Town should consult closely with Town Counsel in applying Article 22 to ensure that the by-law amendments do not result in an unreasonable regulation of solar energy systems.

IV. Section 148-28 (F) (2)’s Prohibition on Herbicides, Rodenticides and Other Pesticides is Preempted by G.L. c. 132B

Section 145-28 (F) (2) prohibits the use of herbicides, rodenticides and other pesticides at CSPIs. We disapprove and delete Section 148-28 (F) (2) because it is preempted by the Massachusetts Pesticide Control Act (“Act”), either expressly (by the 1994 amendment) or impliedly (because “the purpose of the [Act] would be frustrated [by the by-law] so as to warrant an inference that the Legislature intended to preempt the field.”) See St. George Greek Orthodox

Cathedral of Western Massachusetts, Inc. v. Fire Department of Springfield, 462 Mass. 120, 125-126 (2012) (quoting Wendell v. Attorney General, 394 Mass. 518 (1985)).

A. Section 148 (F) (2) is Preempted by the Pesticide Control Act

General Laws Chapter 132B establishes the Massachusetts Department of Agricultural Resources' (MDAR) "exclusive authority in regulating the labeling, distribution, sale, storage, transportation, use and application, and disposal of pesticides in the commonwealth" G.L. c. 132B, § 1. General Laws Chapter 132B, Section 2 defines "Pesticide" as "a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. . . ." The Act establishes a Pesticide Board within MDAR (Section 3), and authorizes the Pesticide Board to register pesticides for use in the Commonwealth if the Board determines that "a pesticide, when used in accordance with its directions for use, warnings and cautions and for the uses for which it is registered. . . will not generally cause unreasonable adverse effects on the environment. . . ." (Section 7).² The Act prohibits application of a registered pesticide in a way that is inconsistent with its labeling or other restrictions imposed by the MDAR (Section 6A).

1. *Express Preemption*

The Pesticide Control Act includes an express statement of intention to preempt local regulation of the application of pesticides: "The exclusive authority in regulating the labeling, distribution, sale, storage, transportation, use and application, and disposal of in the commonwealth shall be determined by this chapter." G.L. c. 132B, § 1, as amended by Chapter 264 of the Acts of 1994. Further, MDAR has confirmed the preemptive effect of the Act and regulations in the area of pesticide application.³

Based upon the clear language of the Act, we determine that the by-law is expressly preempted. Even if the by-law was not expressly preempted, this section of the Town's by-law is impliedly preempted by the Act and Regulations, as explained below.

² MDAR defines "Use of a pesticide" in 333 CMR § 10.02 to include the following: any act of handling a pesticide, releasing of a pesticide, or exposing of man or the environment to a pesticide, including, but not limited to: (a) Application of a pesticide including mixing or loading of equipment and any supervisory action in or near the area of application. (b) Storage actions relative to pesticides and pesticide containers carried out or supervised by an applicator. (c) Disposal actions relative to pesticides and pesticide containers carried out or supervised by an applicator. (d) Transportation actions relative to pesticides and pesticide containers except those by carriers and dealers.

³ We disapproved a similar prohibition in a decision issued to the Town of Hopkinton on April 19, 2022 (Case # 10454).

2. *Implied Preemption*

The purpose of the Act and Regulations is to have centralized and uniform regulations for the use of pesticides in the state. Town of Wendell v. Attorney General, 394 Mass. 518 (1985) (town by-law regulating the use of pesticides in town frustrates the statutory purpose of centralized regulation of pesticide use). By prohibiting pesticide application, the by-law imposes an additional layer of regulation at the local level. This additional local regulation prevents the achievement of a statewide determination of the reasonableness of the use of a specific pesticide in particular circumstances that frustrates the purpose of the Act. Id. at 529.

In addition, the use of pesticide application on private property is comprehensively addressed in the Act and Regulations. The comprehensive delegation of authority to MDAR to determine appropriate pesticide regulation in the Commonwealth reflects the legislative intent that there is no room for local regulation on this subject. See Doe v. City of Lynn, 472 Mass. 521 (2015) (ordinance imposing residency and location restrictions on sex offenders preempted by comprehensive statutory scheme governing the oversight of sex offenders); and Boston Edison Co. v. Town of Bedford, 444 Mass. 775 (2005) (town by-law imposing fines for failure to remove utility poles preempted by the comprehensive, uniform state regulation of utilities in G.L. c. 164). Because G.L. c. 132B, § 1, provides that the Act and Regulations establish MDAR's exclusive authority and because the Act and Regulations comprehensively regulate the topic of pesticide applications on private property, the by-law text regarding pesticides in Section 148-25 (F) (2) is preempted by state law.

V. **Conclusion**

We approve Article 22 except for Section 148-25 (F) (2)'s prohibition on the use of herbicides, rodenticides, and other pesticides, which is preempted by state law. However, the Town should consult with Town Counsel to ensure that the application of the by-law is consistent with the solar use protections in G.L. c. 40A, § 3.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Kelli E. Gunagan

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cc: Town Counsels Gregg J. Corbo and Jonathan D. Eichman

Council Committee on Rules and Ordinances

Report to City Council

Meetings of February 7, March 13, and June 5, 2023

RE: Creation of a Watertown Human Rights Commission Ordinance

Councilors John G. Gannon, chair; John M. Airasian, vice chair; Lisa J. Feltner, secretary

The Council Rules and Ordinances Committee met in the Richard E. Mastrangelo Council Chamber, in hybrid-virtual meeting format for three discussions on adopting a Human Rights Commission Ordinance for Watertown in 2023 (see attached Minutes).

At the first meeting, on Feb. 7, 2023, present were all committee members. Also present were Councilors Tony Palomba and Vincent Piccirilli, State Representative Steve Owens, and approx. 15 residents. Participating by Zoom were Council President Mark Sideris, Councilors Caroline Bays and Emily Izzo, and approx. 18 residents.

Chair Gannon called the meeting to order at 6:35 p.m. and announced that the committee would first hear public comments about creating an HRC and what might be included in an ordinance; he wants to hear from community voices as wide as possible. Speakers and comments were received from Rep. Steve Owens, Council President Sideris, Councilors Palomba, Bays, Piccirilli, and residents Nancy Hammett, Susan Falkoff, Louise Enoch, Bevin Croft, Shin Peng, Tiffany York, Chuck Dickinson, Will Twombly, Barbara and Jeremy Ruskin, Nathaniel Harrison, Jennifer Wolfrum, Lisa Capoccia.

All spoke in favor, and no one present was in disfavor of creating or supporting a Human Rights Commission for Watertown. Councilors Airasian and Feltner asked the chair to please disseminate materials soon, as folks are eager to get going with the committee. They would like to receive a copy of the draft Human Rights Commission Ordinance that others have referred to, along with materials for comparison and to give context for how the draft ordinance serves Watertown.

Councilor Feltner made a Motion to Continue the Rules and Ordinances Committee meeting to discuss the framework for the HRC ordinance, and in anticipation of discussing a draft, with a tentative next date of Monday, February 27th at 6:30 p.m. Seconded by Councilor Airasian; 3-0 Approved.

7:33 p.m. Motion to Adjourn by Feltner, Seconded by Airasian; Approved 3-0.

At the second meeting, on Mar. 13, 2023, present were all committee members. Also present were Councilors Caroline Bays, Nicole Gardner, and Vincent Piccirilli; WPD Capt. Dan Unsworth, Capt. John Hanrahan, and Capt. Jamie O'Connor; WPS Superintendent Dede Galdston with Dir. of Diversity, Equity, Inclusion and Belonging Kimberlee Henry; and residents Louise Enoch, Susan Falkoff, Shin Peng, Bevin Croft. Zoom attendees included Councilors Emily Izzo and Tony Palomba; and residents Jacqui Gross, Carol Menton, Rachel Kay, Laurie Garden, Sarah Zoen, Ted Hammett, Jacky van Leeuwen, Lisa Laplante.

Chair Gannon called the meeting to order at 6:36 p.m. The committee received a draft HRC ordinance without supporting materials for deliberation, so there was concern expressed about how they would proceed. There was confusion among residents and the working group about what the public process and government requirements are under Open Meeting Law. The committee moved forward by hearing from members of the working group and supporting efforts in drafting an ordinance with guidance from Councilor Gannon. The committee then decided to take a first pass of the working draft presented and we suggested the following changes in:

.03 Appointment of Commissioners and Term (B) (ii) add “subject to confirmation by the city council”; in (vi) add “gender”; (A) is redundant in section .04 Meetings and Officers of the Commission, so this could be deleted, and (B) would become (A).

.04 Duties (J) add “or any marginalized group,”; in (L) add “and Administration”.

.05 Staffing & Funding. We edited this paragraph to read “The Human Rights Commission will recommend staff support and financial resources as needed in its annual report and/or Action Plan to support the commission’s administrative and programmatic activities.”

There were open-ended questions in other parts of the draft ordinance that the committee left open for further deliberation. We also agreed to charge the chair to pursue staff feedback on the draft, in particular from City Manager Proakis to provide thoughts and recommendations re: appointments, staffing and/or funding support for the new HRC as detailed in the draft ordinance.

Motion to Continue for further discussion by Airasian, with anticipation of a meeting with the city manager; the chair may also invite representatives from the MA Human Rights Coalition or other human rights organizations or commission members to attend, and/or provide background materials for the current draft ordinance; Seconded by Feltner; Approved 3-0.

9:09 p.m. Motion to Adjourn by Airasian, Seconded by Feltner; Approved 3-0.

At the third meeting, on June 5, 2023, present were all committee members. Also present were Massachusetts Human Rights Coalition (MAHRC) members Adam LaFrance (Melrose) and Linda Snow Dockser (Reading) via Zoom, City Manager George Proakis, Councilors Nicole Gardner and Vincent Piccirilli, and Susan Falkoff, Louise Enoch, Jane Imai, Shin Peng, Tiffany York (7:19).

Zoom Attendees included Councilors Caroline Bays (7:00) and Tony Palomba (7:20) and residents Gabriel Camacho, Bevin Croft, Rachel Kay, Elodia Thomas, Jacky van Leeuwen, and Sarah Zoen (7:15).

Due to technical difficulties, Chair Gannon called the meeting to order at 6:45 p.m. He announced that this evening’s speakers and presenters would include City Manager Proakis, as well as Adam LaFrance and Linda Snow Dockser, both of whom are members of the MA Human Rights Coalition (MAHRC), which currently includes over 40 active member groups statewide with approximately 35 municipal HRCs. Adam LaFrance previously served on the Melrose HRC for six years, and in Reading before that. His HRC had term limits of two terms, so he has since been serving with the MAHRC (he is also an attorney in legal ethics). Linda Snow Dockser is a member of MAHRC, engages with the Winchester Network for Social Justice, and is a resident of Reading where she also served on School Committee.

Attendees agreed on the importance of adopting human rights principles. Some HRCs have more investigative roles vs. advisory or educational-only roles. It depends somewhat on available resources, but many HRCs have also evolved over the years, and although there has been much discussion about the ability to conduct subpoenas, HRCs have generally moved away from this area due to a lack in legal expertise. HRCs can effectively triage a situation and connect folks with appropriate groups and resources. Attendees expressed that the current draft for Watertown is desirable, as it establishes a role in assessing situations throughout the community about daily lived experiences for residents, workers, and visitors, and it also grants the HRC to have a strong advisory role. Having an open place for safe listening can also address concerns before they become bigger problems.

Participants in the meeting generally agreed that it is preferable to have residents serve as full commissioners, and it would be open to employees who are Watertown residents. Qualifications listed for commissioners are broad and diverse enough to appeal to and include a wide range of candidates with technical expertise or life experience that would benefit an HRC. A goal would be to work across the community, with a variety of groups and city departments, as well as collaborate with other municipalities and human rights and equity organizations. It's a real coming together of all people.

Questions were asked about typical funding for HRCs and/or staff support. It is not usually the case that HRCs have regular funding from municipalities; in fact, they usually rely on donations and grants. Reading, MA recently decided to sunset their Human Relations Advisory Committee (HRAC) with the new hire of a Director of Equity and Social Justice, which is situated in the Reading Public Library Office of Equity and Social Justice. (The Town of Reading is governed by a Select Board, and the HRAC served as an advisory group to them). They didn't want to rely solely on grant writing, since this limits the kind of fundraising that a 501(c)3 can do.

Both Adam LaFrance and Linda Snow Dockser recommend on-going communications with stakeholders in the municipality by all possible means, including working with the mayor or manager, the chief of police, developing a newsletter, working with facilitators in order to hold community conversations to enable discussion of topics in depth, etc. It's important to remember that HRCs are subject to Open Meeting Law, so it's also important to work with the administration and schools to protect both the accuser and accused. Diverse representation is important in creating a comfort level for the public to feel the HRC is approachable, and all conversations do not need to be held in front of a commission. A civil rights officer in the police department or other resources are also helpful to individuals, and the HRC can advocate for more resources, work on data collection and track stories and help implement training. It's important to remember that each municipality is different so they advise creating aspirations but do what you can. Be open about who is serving on the HRC and be sure to have this information published on the city website.

Councilor Feltner read aloud an email from Bevin Croft, which was answered live. Superintendents generally recruit students and it's helpful to let them serve more than one year. The committee added to the draft in .03 - for a term of "at least" one school year- for student liaisons.

Larger cities generally have more resources and funding, but even a \$3000 budget can go a long way. Councilor Airasian asked about success being found in HRCs that focus more on being a general resource for the community. Attendees responded there are positive outcomes when it comes to providing educational programs and reporting out what commissioners have learned. HRC activities vary, and some are more established than others. Community-building and relationship-building are important but assessment advocacy and advising seem to have a lot more room for growth by HRCs. Cambridge and Somerville have done it, and HRCs have shown they are able to evolve.

The committee received feedback that there is an impressive amount of cooperation and specific duties spelled out in Watertown's draft ordinance, which will serve as a good roadmap for what this new HRC. Many other ordinances don't capture this much detail, so it takes longer for those HRC members to build a framework, feel empowered, and get focused.

Chair Gannon reminded participants that the committee has previously heard from the superintendent of schools and our police command staff in support of a Watertown HRC and the ordinance in general. He then invited City Manager George Proakis to speak.

Manager Proakis thanked everyone who has participated to date and recognized the positive discussions and support for creating an HRC during Charter Review. He also lives in Melrose and echoed the sentiment that

Melrose has accomplished a lot on a \$3000 budget. Somerville shared a staff person with one other department instead of having a designated full-time employee. Proakis conducted some of his own research, and he also appreciates what is spelled out in our draft. He feels there is some work to do with our administrative team to figure out how to support a new HRC here, but there are a few related things in this year's budget which are helpful, including the deputy manager and the new community outreach officer. Watertown is conducting a Human Resource study to improve how this department works. Plus, as part of the ARPA funding review, he is asking for a grant writer who could help identify funding for the new HRC. Should the city council move forward on this draft ordinance, which he also supports, the new Residents' Advisory Committee is in place and that will help build a diverse and thoughtful HRC. Manager Proakis feels that item (D) in Duties of the Commission describes the most sensitive role that the HRC will play, as they will need to figure out how to be accessible and make folks feel comfortable working with them. Councilor Gardner wanted to be sure lived experience would be considered in (C) Qualifications; the committee agreed to add "if possible" for more clarity.

There were questions about how much flexibility the HRC will have in handling complaints. Councilor Feltner spoke to the empowering nature of the draft ordinance, which includes establishing HRC rules. She suggested not mandating the HRC annually review their Action Plan; the manager recommends this edit and the committee agreed to change this to "reviewed and updated as the commission deems necessary".

Elodia Thomas questioned why we would include non-resident Watertown employees as commissioners. It was acknowledged that this was left over from a previous draft, but it would be removed. Manager Proakis stated confidence in the ability to find nine qualifying residents to serve; he is discovering there are many interested in volunteering to make positive contributions. It was also noted that an employee would be able to access the HRC as a resource, but we recognize it does not replace the role of a human resources department.

ACTION ITEM: Motion by Councilor John Airasian for the Rules and Ordinances Committee to approve the draft with changes as discussed, and Recommend City Council request the city attorney review the proposed ordinance, and then schedule a First Reading of this proposed new Human Rights Commission Ordinance for adoption. Seconded by Councilor Lisa Feltner; Approved 3-0.

9:09 p.m. Motion to Adjourn by Feltner, seconded by Airasian; Approved 3-0.

Report prepared and respectfully submitted, Lisa Feltner

Attached: Minutes of Feb. 7, Mar. 13, June 5, 2023 with relevant attachments;
Proposed draft of Watertown Human Rights Commission Ordinance for adoption.

Watertown City Council Committee on Rules and Ordinances
Administration Building, 149 Main Street, Watertown, MA 02472
2nd Floor Richard E. Mastrangelo Chamber, and with virtual participation
6:30 p.m. Tuesday, February 7, 2023 Meeting Minutes

AGENDA: Discuss the Adoption of the Human Rights Commission Ordinance

Present: Councilors John Gannon, chair; John Airasian, vice chair; Lisa Feltner, secretary.

Also present: Councilors Tony Palomba and Vincent Piccirilli, State Representative Steve Owens, and approx. 15 residents including Will Twombly, Louise Enoch, Bevin Croft, Shin Peng, Chuck Dickinson.

Zoom attendees: Council President Mark Sideris, Councilors Caroline Bays and Emily Izzo; Eric Kemp-Benedict, Rita Colafella, Michael Schade, Susan Flint, Archy LaSalle, Louise Enoch, Ted Hammett, Nancy Hammett, Dylan Marshall, Chuck Dickinson, Pat Rathbone, Roma and Ben Jerome, Tiffany York, Tia Tilson (7:00), Lisa Capoccia (7:05), Jacky van Leeuwen (7:06), Qibin Ye (7:07), Jeri Bayer (7:28).

Chair Gannon called the meeting to order at 6:35 p.m. He acknowledged that a new Section 9-7 was adopted with the most recent City Charter changes (adopted November 2021), which stipulates the city council shall adopt an ordinance establishing a Human Rights Commission (HRC). He decided the Rules and Ordinances Committee will first take testimony from the community before drafting an ordinance, and residents will have ample opportunity to provide feedback to draft language before the committee refers an ordinance to the full council, as well as when the city council deliberates this new draft ordinance, before it goes to the city manager for implementation. Rep. Steve Owens recognized that folks in the room seemed to be a little shy to speak, so he wanted to start by thanking the committee in kicking this off, and thanks everyone in attendance, the working group and also members of World in Watertown who have been working on this for quite some time. He feels this is something that is important to the greater community, and he is interested in hearing public comments. Councilor Palomba asked about the anticipated powers of the HRC and what the draft looks like since he hasn't seen it yet, although he is confident that the current council will pass an ordinance. Chair Gannon didn't want this first meeting to be about the ordinance he crafted with the working group or talk about his own research yet. Nancy Hammett applauded the efforts made over twenty years ago, as well as the efforts made by the Watertown Citizens for Black Lives years ago. She understands there are many complicated issues that come up and it can be tough to reach consensus. She wonders if there is a summary on what the difficulties were last time, but she is thrilled we are moving forward and thanks the early advocates and well as current work by the council committee. Councilor Gannon wants to hear from more of the public, to hear from as wide as voices as possible.

Council Feltner read aloud an email from Barbara and Jeremy Ruskin in support of forming an HRC (attached). Councilor Bays asked about what sort of models were being considered because there are so many different HRCs out there, and she would like Council to consider including a path to restorative justice as one of the commission's role. Councilor Gannon explained that he has been in communication for approx. 8 months to a year with a residents' working group on creating an HRC for Watertown. They have looked at every HRC in the state, including Belmont's. Susan Falkoff has been engaged with the working group and they came to a

consensus in writing a draft ordinance with Councilor Gannon. President Sideris expressed positive feelings toward the input from the working group and discussions that were held around the Charter Review for an HRC, and he thinks we need to get to the nuts and bolts of the matter. Councilor Piccirilli said he would like to learn about what has worked well, or not, in other communities. Bevin Croft has been actively engaged in the working group, and she expressed pleasure that we are speaking to the why for an HRC and what they would do: it's not just about responding to complaints, but they found that residents want an ongoing celebration of the diversity in Watertown, and to be able to hold events among different groups in a positive way. It's an exciting opportunity for an HRC to partner with groups such as the schools and public safety officials. A human rights commission needs to work across the city to be sure that all parties are working together, as well as provide resources and be a place to address complaints. We don't think it needs to be an adjudicating body, but it can help people get to the right avenue to address concerns. Shin Peng said he had concerns about moving to Watertown because of an intimidating experience at a local bus stop; but now he is very happy to be involved with this working group because he was looking for a place to go after immigrating here from China many years ago. He and his husband would like to help push this HRC ordinance over the finish line for the API community as soon as possible, because the resident group has already been working on this for two years. Chuck Dickinson expressed enthusiasm for an infusion from a younger generation, that from his observations are getting more involved.

Councilors Airasian and Feltner stated a desire to receive a copy of the draft Human Rights Commission Ordinance that others have referred to, along with materials for comparison and context for how the draft serves Watertown. February 27th is a ten. next meeting date, although that may conflict with upcoming DEI Training.

7:20 p.m. Councilor Feltner made a Motion to Continue the Rules and Ordinances Committee meeting to discuss the framework for the HRC ordinance, and in anticipation of discussing a draft, Seconded by Councilor Airasian; 3-0 Approved.

Councilor Feltner read aloud an email received from Nathaniel Harrison during the meeting (attached).

Louise Enoch said it was extremely gratifying to see that an HRC will be formed and working in Watertown. She also feels it is a very important value to show the younger generation that everyone is valued in our community, and she is thrilled to see that this first meeting is so positive and hopes this continues throughout the process.

Tiffany York would like to move forward quickly is concerned about funding, since she thinks the current budget is way too low to be able to hire staff to handle concerns and complaints and not just hold events.

At 7:30 p.m. Councilor Feltner read aloud from the Zoom Chat comments (attached).

Will Twombly asked if the committee could please post a draft budget along with the draft ordinance. Chair Gannon stated that the draft ordinance will help identify staff needed, but we don't want to put the cart before the horse, as we need to get the ordinance together first.

7:33 p.m. Feltner made a Motion to Adjourn, Seconded by Airasian; Approved 3-0.

Respectfully submitted, Lisa Feltner

Attached: Emails and Chat recognized during meeting:

-----Original Message-----

From: ruskinb00@icloud.com <ruskinb00@icloud.com>

Sent: Tuesday, February 7, 2023 2:47 PM

To: Gannon, John <jgannon@watertown-ma.gov>; John Airasian <jairasian@watertown-ma.gov>; Feltner, Lisa <lfeltner@watertown-ma.gov>

Subject: Human Rights Commission

John, John, and Lisa,

We support you in forming a Human Rights Commission in Watertown. It will be an important addition to building community and leadership here.

Sincerely,

Barbara and Jeremy Ruskin

Spring Street

From: harrysson@aol.com <harrysson@aol.com>

Sent: Tuesday, February 7, 2023 7:15 PM

To: Feltner, Lisa <lfeltner@watertown-ma.gov>

Subject: Reparations

Lisa,

Would the human rights commission be an appropriate vehicle for Watertown to consider the issue of reparations?

Nathaniel Harrison

106 Franklin Street

On February 7, Councilor Feltner read aloud from the Zoom Chat comments at 7:30 p.m.

-from Jennifer Wolfrum: Hi, I'm sorry I'm so late to this hearing and meeting. I'm showing up to support this important move to create a Human Rights Commission for Watertown. Thanks to everyone who supports this effort.

-from Lisa Capocia: I'm sorry I'd stay, but I echo comments encouraging you to rely on the working group to help guide this process. They have worked week after week for months and have been extremely thorough and thoughtful. We are so fortunate they volunteered their time doing this for the community.

Watertown City Council Committee on Rules and Ordinances
Administration Building, 149 Main Street, Watertown, MA 02472
2nd Floor Richard E. Mastrangelo Chamber, and with virtual participation
6:30 p.m. Monday, March 13, 2023 Meeting Minutes

AGENDA: Continue Discussion on Adoption of Human Rights Commission Ordinance

Present: Councilors John Gannon, chair; John Airasian, vice chair; Lisa Feltner, secretary.

Also present: Councilors Caroline Bays, Nicole Gardner, and Vincent Piccirilli; WPD Capt. Dan Unsworth, Capt. Justin Hanrahan, and Lt. Jamie O'Connor; WPS Superintendent Dede Galdston, Dir. of Diversity, Equity, Inclusion and Belonging Kimberlee Henry; residents Susan Falkoff, Louise Enoch, Shin Peng, Bevin Croft, and others.

Zoom attendees: Councilors Emily Izzo and Tony Palomba; residents Jacqui Gross, Carol Menton, Rachel Kay, Laurie Garden, Sarah Zoen, Ted Hammett, Jacky van Leeuwen, Lisa Laplante (7:50).

Chair Gannon called the continued committee meeting to order at 6:36 p.m. Councilor Feltner reminded attendees that we're not deciding whether to create an HRC since this decision was unanimously adopted by the Council, all of whom served on the Charter Review Commission and it was approved by the voters with the recent Charter changes. She did express some concern about the committee process because it is missing context about the recently received draft HRC ordinance, which would also benefit public understanding. Councilor Gannon stated he considers this is an early meeting in the process, and he is not presenting the draft as a take-it or leave-it. He just put a resident working group's ideas together in a draft. Councilor Airasian also expressed some disappointment since it was clear at the first committee meeting that people had seen a draft but we hadn't yet. Gannon wanted to recognize that a working group has been meeting very diligently to discuss what a Watertown Human Rights Commission Ordinance might look like, and he can steer us through the mechanics.

Louise Enoch shared a summary of what a group of residents have been doing. She was involved in a panel at the library, which collaborated with Lexington, Belmont, Melrose and included some residents with the Watertown group for Peace, Justice, and the Environment. The Charter Review process included input from residents who were interested. After the Charter changes were approved, we did research, met with other commissions in other towns, and some of us attended organization meetings by the Massachusetts Human Rights Coalition. And then we tried to think about issues and debate them and come up with recommendations, including questions about whether they handle litigation, if they have liaisons, etc.

Councilor Airasian felt it would be helpful for the committee to also receive guidance from Watertown staff.

Susan Falkoff and others expressed concern about meeting the June 30, 2023 deadline in the city charter to create the HRC ordinance and is worried the committee will negate all the work that has been done so far.

Shin Peng shared that the working group, which he joined in 2021, wants to be open and thought they already held public meetings since they distributed materials at the Faire on the Square, the Farmers' Market and had

neighborhood meetings, so just because city officials weren't there, it doesn't mean we're lacking transparency. We also thought this would be more efficient. Councilor Feltner said she appreciates resident groups' efforts to "hand us the football", but there are specific requirements we need to meet under state law for meetings to be considered open, public and accessible to all. It can be confusing to residents, but government officials do strive to work together. The committee also welcomed hearing from staff who were in attendance.

WPS Superintendent Dede Galdston, along with Dr. Henry will fully support the HRC, and she stated they will be there as an active member. Dr. Galdston advocated for some sort of feedback loop and wonders how it will work to have the superintendent and police department serving as liaisons. She feels Watertown has a really great handle on some of these issues already through efforts by the Council on Aging, the Commission on Disability and others. Councilor Airasian envisions other groups that could be involved as liaisons, such as the Watertown Housing Authority; Councilor Gardner mentioned the Wayside Multi-Service Center. Councilor Piccirilli pointed to the draft ordinance enabling the HRC to hear from department heads or their designee at HRC meetings, and this is generally true for other boards and commissions from time to time; so, he's not sure the superintendent will need to attend every monthly meeting.

Councilor Palomba thought there was a good turnout at the first committee meeting, as well as a lot of engagement by the working group, so he feels the process has been good. He thinks the one missing thing in the draft is how many commissioners would be "of the city" vs. how many would be residents.

Councilor Feltner asked to hear from the police department, and Councilor Airasian wondered if there was some kind of staff report for input.

WPD Capt. Dan Unsworth expressed thanks for letting them take a look at this draft ordinance before this evening, and the police department recognizes this HRC would be very healthy for the community. Speaking to some of Superintendent Galdston's concerns, working across WPS, the health services, the clergy, the business community, the boys and girls club, it is a city-wide challenge. We'd ideally like to see a little more clarity and definition in the document to understand better what is expected of WPD. For example, the police are specifically empowered with the Licensing Board, so more definition of responsibilities would be helpful.

Councilor Bays and others asked about references to materials used by advocates for drafting the HRC ordinance; Councilor Gannon stated that he looked at every single HRC ordinance in the state, so each Councilor can do that on their own.

Bevin Croft shared that she and Louise Enoch attended other human rights groups once a month, generally on Fridays, such as in Dedham, Belmont, Medford, and with Duxbury for All and a couple of organizations in Wayland, and the Hingham Unity Council.

The Committee proceeded to review the draft HRC ordinance for Watertown. Councilor Feltner appreciated the broadness in the statement of purpose, providing flexibility for a new HRC. Council Gannon shared that the subpoena powers granted in Somerville caused some problems and thought some basics, such as including WPS and WPD would help the HRC get started more quickly in addressing concerns.

It was noted we could delete (A) in .03 Appointment of Commissioners and Term, because it is also covered in .04 (A) Meetings.

Discussion ensued about whether employees should be commissioners, such as from WPS, WPD, and staff such as a community engagement officer. Capt. Justin Hanrahan spoke in favor of having police representation on the commission; he anticipates many of the issues before the HRC, such as threats and harassment would directly involve WPD so the connection would be helpful. Councilor Airasian prefers that employees serve on the HRC.

Bevin Croft learned in their conversations with other HRCs, that some of the most successful ones considered excellent partnerships with the police to be a hallmark of their success. Based on the working group's research across communities, engagement occurring in schools and police departments seemed to be the most successful; they also wondered about involvement with the library, but it does vary by municipality. Louise Enoch said they settled on having liaison roles for WPS and WPD, speaking to Councilor Feltner's point about staff duties and job descriptions, and realistic expectations for students. We were also concerned that if you include two or three employees, then it feels like too much of a reduction in the number of residents on the HRC. However, Councilor Airasian recognized that it can be difficult to fill and maintain resident boards -there are currently about 60 openings for appointments on paper and you want to be able to reach quorum each month.

Lisa Laplante shared that this was the first time she'd seen the draft, but she wondered about including "character" under (C) Qualifications for commissioners. She thinks this could be helpful in looking for the type of person we'd be looking to recruit, including for youth, instead of just looking at the type of someone's background. The committee decided this would probably be too subjective to include as a qualification on paper and the current list is broad and doesn't limit it to someone's employment or technical expertise.

Councilor Feltner expressed concern about mandating the HRC update their Action Plan every year as specified in .04 Duties (B). It seems unrealistic, and they could probably decide as necessary. Councilor Gardner feels strongly this should be mandated and resident Sarah Zoen stated that the Action Plan speaks to transparency; their work plan should be published in the public domain, with a purpose to embed those human rights principles and should happen every year.

Feltner also noted that Duties (D) reads as very important, its text speaks to Purpose, but it also seems sensitive and she wonders what it means in practical terms. Lisa Laplante stated that this is a paragraph she really wanted to weigh in on, as a human rights lawyer. The ability to investigate complaints and support enforcement is the real reason why I think a municipality should have a human rights commission. The committee agreed.

Proceeding to review .04 Duties, the committee added "or any marginalized group," to (J); and added "and Administration" to (L).

It was agreed that section .05 Staffing and Funding would serve as a baseline for the new HRC, and the commission could scale up as needed with support from Administration and City Council. The committee changed the wording for this section to read: The Human Rights Commission will recommend staff support and financial resources as needed in its annual report and/or Action Plan in order to support the commission's administrative and programmatic activities.

We also agreed to charge the chair to pursue staff feedback on the draft. Preferably, we'd like City Manager Proakis to provide thoughts and recommendations re: appointments, staffing and/or funding support for the new HRC as detailed in the draft ordinance.

Motion to Continue for further discussion by Airasian, with anticipation of a meeting with the manager; the chair may also invite representatives from the MA Human Rights Coalition or other human rights organizations or commission members to attend, and/or provide background materials for the current draft ordinance; Seconded by Feltner; Approved 3-0.

9:09 p.m. Motion to Adjourn by Airasian, Seconded by Feltner; Approved 3-0.

Respectfully submitted, Lisa Feltner

Attached: Initial Draft Watertown Human Rights Commission Ordinance

Watertown City Council Committee on Rules and Ordinances

Administration Building, 149 Main Street, Watertown, MA 02472

2nd Floor Richard E. Mastrangelo Chamber, and with virtual participation

6:30 p.m. Monday, June 5, 2023 Meeting Minutes

AGENDA: Continue Discussion on Adoption of Human Rights Commission Ordinance

Present: Councilors John Gannon, chair; John Airasian, vice chair; Lisa Feltner, secretary.

Also present: Massachusetts Human Rights Coalition (MAHRC) members Adam LaFrance (Melrose) and Linda Snow Dockser (Reading) via Zoom, City Manager George Proakis, Councilors Nicole Gardner and Vincent Piccirilli, and Susan Falkoff, Louise Enoch, Jane Imai, Shin Peng, Tiffany York (7:19).

Zoom Attendees: Gabriel Camacho, Bevin Croft, Rachel Kay, Elodia Thomas, Jacky van Leeuwen, Councilors Caroline Bays (7:00) and Tony Palomba (7:20), and Sarah Zoen (7:15).

Due to technical difficulties, Chair Gannon called the continued meeting to order at 6:45 p.m. He announced that this evening speakers and presenters would include City Manager Proakis, and Adam LaFrance and Linda Snow Dockser, both of whom are members of the MA Human Rights Coalition, which currently includes over 40 active member groups statewide and approximately 35 municipal HRCs. Adam LaFrance previously served in the Melrose HRC for six years, and in Reading before that. His HRC had term limits of two terms, so he has since been serving with the MAHRC (he is also an attorney in legal ethics). Linda Snow Dockser is a member of MAHRC, engages with the Winchester Network for Social Justice, and is a resident of Reading where she also served on School Committee.

Attendees agreed on the importance of adopting human rights principles. Some HRCs have more investigative roles vs. advisory or educational-only roles. It depends somewhat on available resources, but many HRCs have also evolved over the years, and although there has been much discussion about the ability to conduct subpoenas, HRCs have generally moved away from this area due to a lack in legal expertise. HRCs can effectively triage a situation and connect folks with appropriate groups and resources. Attendees expressed that the current draft for Watertown is desirable, as it establishes a role in assessing situations throughout the community about daily lived experiences for residents, workers, and visitors. It also grants the HRC to have a strong advisory role. An investigative role takes more time and funding, and it also requires trust-building in the community, but referrals to departments or other agencies and resources can be quite helpful. Having an open place for safe listening can also address concerns before they become bigger problems.

Participants in the meeting generally agreed that it is preferable to have residents serve as full commissioners, and to also welcome employees who are Watertown residents. Qualifications for commissioners are broad and diverse enough to appeal to and include a wide range of candidates with technical expertise or life experience that would benefit an HRC. One goal would be to work across the community, with a variety of groups and city departments -such as churches, the arts, museums, libraries, businesses, Rotary, schools, educational organizations, sports, boys and girls clubs, public safety, health- as well as collaborate with other municipalities and human rights and equity organizations. It's a real coming together of all people.

Louise Enoch expressed thanks to Adam and Linda for their involvement and stated that the MAHRC has helped to educate and support the Watertown resident working group, and it has also been a help to Watertown individuals. Questions were asked about typical funding for HRCs and/or staff support. It is not usually the case

that HRCs have regular funding from municipalities; in fact, they usually rely on donations and grants. Reading recently decided to sunset their Human Relations Advisory Committee (HRAC) with the new hire of a Director of Equity and Social Justice, which is situated in the Reading Public Library Office of Equity and Social Justice. (The Town of Reading is governed by a Select Board, and the HRAC served as an advisory group to them). They didn't want to rely solely on grant writing, since this limits the kind of fundraising that a 501(c)3 can do.

Both Adam LaFrance and Linda Snow Dockser recommend on-going communications with stakeholders in the municipality by all possible means, including working with the mayor or manager, the chief of police, developing a newsletter, working with facilitators in order to hold community conversations to enable discussion of topics in depth, etc. It's important to remember that HRCs are subject to Open Meeting Law, so it's also important to work with the administration and schools to protect both the accuser and accused. Diverse representation is important in creating a comfort level for the public to feel the HRC is approachable, and all conversations do not need to be held in front of a commission. A civil rights officer in the police department or other resources are also helpful to individuals, and the HRC can advocate for more resources, work on data collection and track stories, help implement training. It's important to get the whole community involved and remember that each municipality is different so you have your aspirations, but you do what you can. Be open about who is serving on the HRC and be sure to have this information published on the city website.

Councilor Feltner read aloud email questions from Bevin Croft. Superintendents generally recruit students and it's helpful to let them serve more than one year; Committee added "at least one school year" to the draft.

Larger cities generally have more resources and funding, so it depends on scale, but even a \$3000 budget can go a long way. Councilor Airasian asked about success being found in HRCs that focus more on being a general resource for the community. Attendees responded there are positive outcomes when it comes to providing educational program and reporting out what they've learned. HRC activities vary, and some are more established than others. Community-building and relationship-building are important but assessment advocacy and advising seem to have a lot more room for growth by HRCs. Cambridge and Somerville have done it, and HRCs have shown they are able to evolve.

Tiffany York spoke as a member of Watertown Community for Black Lives, where she attended a Belmont Human Rights Commission session that included their chief of police and schools' superintendent, to address a case of hate mail, and she found the experience to be really amazing.

The committee received feedback that there is an impressive amount of cooperation and specific duties spelled out in Watertown's draft ordinance, which will serve as a good roadmap for what this new HRC. Many other ordinances don't capture this much detail, so it takes longer for those HRC members to build a framework, feel empowered, and get focused.

The discussion also emphasized the importance of networking and working with other communities, which can serve as inspiration and as role models. Human rights groups' efforts are becoming a more localized effort across the U.S. including internationally.

Chair Gannon reminded participants that the committee has previously heard from the superintendent of schools and our police command staff. He then invited City Manager George Proakis to speak.

Manager Proakis thanked everyone who has participated to date and recognized the positive discussions and support for creating an HRC during Charter Review. He also lives in Melrose and echoed the sentiment that Melrose has accomplished a lot on a \$3000 budget. Somerville shared a staff person with one other department instead of having a designated full-time employee. Proakis conducted some of his own research, and he also

appreciates what is spelled out in our draft. He feels there is some work to do with our administrative team to figure out how to support a new HRC here, but there are a few related things in this year's budget which are helpful, including the deputy manager and the new community outreach officer. Watertown is conducting a Human Resource study to improve how this department works. Plus, as part of the ARPA funding review, he is asking for a grant writer who could help identify funding for the new HRC. Should the city council move forward on this draft ordinance, which he also supports, the new Residents' Advisory Committee is in place and that will help build a diverse and thoughtful HRC. Manager Proakis feels that item (D) in Duties of the Commission describes the most sensitive role that the HRC will play, as they will need to figure out how to be accessible and make folks feel comfortable working with them. Councilor Gardner wanted to be sure lived experience would be considered in (C) Qualifications; the committee agreed to add "if possible" for more clarity.

There were questions about how much flexibility the HRC will have in handling complaints. Councilor Feltner spoke to the empowering nature of the draft ordinance, which includes establishing HRC rules. She suggested not mandating the HRC annually review their Action Plan; the manager recommends this edit and the committee agreed to change this to "reviewed and updated as the commission deems necessary".

Councilor Piccirilli welcomed the very helpful information shared by guests at this meeting, which supports previous public discussions and conversations he has had with individuals from the resident working group.

Elodia Thomas questioned why we would include non-resident Watertown employees as commissioners. It was acknowledged that this was left over from a previous draft, but it would be removed. Manager Proakis stated confidence in the ability to find nine qualifying residents to serve; he is discovering there are many interested in volunteering to make positive contributions. It was also noted that an employee would be able to access the HRC as a resource, but we recognize it does not replace the role of a human resources department.

MOTION by Councilor John Airasian for the Rules and Ordinances Committee to approve the draft with changes as discussed, and Recommend City Council request the city attorney review the proposed ordinance, and then schedule a First Reading of this proposed new Human Rights Commission Ordinance for adoption. Seconded by Councilor Lisa Feltner. Approved 3-0.

9:09 p.m. Motion to Adjourn by Feltner, seconded by Airasian; Approved 3-0.

Respectfully submitted, Lisa Feltner

Attached: Updated draft Watertown Human Rights Committee Ordinance; Email recognized during meeting.

From: Bevin Croft <bevincroft@gmail.com>
Sent: Monday, June 5, 2023 7:12 PM
To: Feltner, Lisa <lfeltner@watertown-ma.gov>
Subject: questions for meeting

Hello Lisa! I put these questions in chat but not sure if that's the appropriate place. Including them here instead:

Given the experiences of cities the size of Watertown, and given the activities described in the draft ordinance, what might be the level of resources (staffing and funding) for the HRC to function well?

Have any communities successfully recruited and supported student members or liaisons, and if so what strategies did they use?

Bevin Croft
11 Wilmot Street

CHAPTER __. WATERTOWN HUMAN RIGHTS COMMISSION

§ __.01 Establishment.

In accordance with SECTION 2-11 of the Watertown Home Rule Charter, there shall be in the city a commission known as Watertown Human Rights Commission (“commission”).

§ __.02 Purpose.

The purpose of creating the commission is to affirm that the city of Watertown is an inclusive community that has as one of its core values, freedom from discrimination, disrespect, bigotry, hatred and oppression; and to reaffirm the city’s commitment to uphold and defend the rights of all individuals to enjoy the free and equal exercise of their human and civil rights and privileges.

To that end, the commission shall strive to ensure that all persons enjoy equal opportunity to participate in local affairs, including but not limited to housing, employment, education, public accommodation, access to city services, insurance, credit, banking and health care, regardless of race, color, ancestry, national origin, sex, sexual orientation, gender identity or expression, citizenship, age, religion, disability, health status, marital or familial status, military or veteran status, socioeconomic status, ex-offender status, genetic and/or “protected class” status. Human rights are universal and inalienable; indivisible; interdependent and interrelated. Whether civil, political, economic, social or cultural in nature, all such rights are inherent to the dignity of every person. Consequently, these rights all have equal status.

§ __.03 Appointment of Commissioners and Term.

(A) Appointment and Tenure of Members, Vacancies. There shall be nine commissioners appointed by the city manager, subject to confirmation by the city council.

- (i) The commissioners shall be residents of Watertown.
- (ii) The city manager shall appoint commissioners to serve three-year terms, subject to confirmation by the city council.
- (iii) The commissioners first appointed shall have staggered terms, with three (3) of the appointed commissioners initially serving a one-year term; three (3) of the appointed commissioners initially serving a two-year term; and the remaining three (3) commissioners serving a three-year

- term. Thereafter, all appointments and reappointments, shall be for a period of three (3) years. Commissioners may be reappointed for additional terms.
- (iv) Any vacancy in membership shall be filled for the remainder of the unexpired term in the same manner as the original appointment.
 - (v) There shall be liaisons from the Watertown Police Department, the Watertown School Department and the student body. While not commissioners, such liaisons shall participate in the work of the commission by attending monthly sessions to bring issues of concern and ideas to the commission and to help formulate constructive resolutions. Ideally, the chief of police and the superintendent of schools shall be the liaisons, but when not possible they could designate a department member to attend in their place. Student liaisons shall be chosen by the superintendent with recommendations of student services and shall serve for a term of at least one school year.
 - (vi) The commission shall always strive to reflect the socioeconomic, age, gender, racial and cultural diversity of the city, and efforts should be directed to recruiting commissioners of historically underrepresented and marginalized groups, including people of color, youth and young adults, immigrants, people with disabilities, and LGBTQ+ individuals.

(C) Qualifications. Commissioners appointed by the city manager shall, when possible, have relevant experience in one or more of the following areas: human rights, social justice, law, education, diversity, equity and inclusion, community engagement, municipal government, or advocacy for individuals who are targets of mistreatment or discrimination.

(D) Any commissioner who ceases to be a city resident shall promptly provide written notification of their change in residence to the commission chair and to the city clerk. The commissioner may serve until a successor is appointed.

§__-.04 Meetings and Officers of the Commission.

(A) Meetings. The commission shall meet monthly at a time and place as the chair shall determine. Notice of all meetings shall comply with the provisions of the Open Meeting Law, G.L. c. 30A, §§ 18-25. A quorum at any meeting shall be a majority of the total number of commissioners then serving. The commission shall keep a written record of its proceedings.

(B) Officers. At the first meeting of the commission, and annually thereafter, the commissioners shall elect three members to serve respectively as chair, vice-chair

and clerk, and may elect such other officers, adopt procedural rules and regulations, and establish such subcommittees as they deem appropriate. In the chair's absence, the vice-chair shall preside over meetings.

§__-.05 Duties of the Commission.

The commission shall promote human rights in Watertown through outreach, dialogue, and educational forums. The commission shall also have the following charges and responsibilities:

- (A) Promote positive, respectful, and collaborative relationships among all groups and individuals in Watertown.
- (B) Create an Action Plan, to be reviewed and updated as the commission deems necessary, detailing goals and associated activities aligned with the purpose of the commission.
- (C) Advocate for, support, facilitate, and disseminate information about independent equity assessments, and identify calls to action in response to equity audits throughout the city.
- (D) Serve as a resource for residents, employees, those doing business with or in the city, or visitors to make a report about concerns, complaints, or questions of discrimination or unequal treatment of individuals within the city of Watertown, to provide support and information to victims and witnesses, and to city officials who may investigate such reports, concerns, complaints or questions. The commission shall develop procedures for accepting and managing complaints, and for protecting the reputation of all parties involved as appropriate and legally required. The commission may provide resources, referrals and support to any person with a complaint of discrimination. Where all parties agree, the commission may arrange for mediation of the incidents.
- (E) Recommend resolutions, policies, or guidelines for adoption by the city manager, city council, or other departments, boards, and committees within the city.
- (F) Recommend programs, initiatives, and training to promote diversity, inclusion, awareness, and anti-discrimination in the city.
- (G) Promote understanding of the diverse cultures within the city and surrounding areas through education, organization of community events,

conferences, public speaking programs, educational panels, celebrations and other community actions.

(H) Serve as a resource to the city manager and city council with respect to issues that challenge any individual's or group's enjoyment of their basic human rights in the city.

(I) Collaborate with representatives from historically disadvantaged groups to better understand barriers to inclusion, diversity, and equity in the community; develop strategies for ending inequities and eliminating these barriers; and promote mutual understanding and respect for differences.

(J) Annually, and more often if requested or needed, provide a written report to the city manager and city council on the commission's activities and hold a public forum to review and discuss the annual report. The commission may also prepare written or oral reports on racial, religious, ethnic, gender, disability, age, or any marginalized group, and civic initiatives or relationships to cultivate and encourage an atmosphere of mutual understanding and harmonious intergroup relationships in the city, at its own initiative or upon request by city entities, businesses, or residents.

(K) Collaborate with human rights entities in other municipalities to share resources, conduct joint meetings, share best practices, and make joint statements and recommendations as appropriate on issues concerning the communities in the region.

(L) Work with the city's community engagement officer and Administration to encourage attendance at panels, meetings, conferences, celebrations or other educational or community events held by municipal or regional human rights committees, private or public corporations, organizations, schools and universities.

§__-.06 Staffing and Funding.

The Human Rights Commission will recommend staff support and financial resources as needed in its annual report and/or Action Plan in order to support the commission's administrative and programmatic activities.

DRAFT
City Manager Goals for FY 2023 (8/15/22-6/30/23)

The City Manager's contract indicates that the Manager and the Council should annually review a written performance valuation tool to be used for evaluating the Manager's progress will consider the Manager's suggestions for appropriate and additional criteria upon which the evaluation might be based. The contract indicates that the evaluation tool should be completed by September 15 of each year and the evaluation should occur during the month of July each year. The contract anticipated that the first year's evaluation tool would need to be developed later than September of this year, but set a timeline of November. Although we are behind the timeline, we are seeking to ensure that the evaluation criteria are set now, so that we can effectively evaluate the Manager's performance in July of 2023.

The proposed evaluation tool is a blend of general and specific goals. The general evaluation criteria include many items that we have used in the past for evaluation of our manager. The more specific criteria are those that are relevant to the current year.

The evaluation will be scored based on each of the 12 items below. For each item, each councilor will provide a score from 1 (poor) to 5 (excellent) and any narrative information that each councilor would like to provide about the individual item.

General Evaluation Criteria:

1. Relationships with the City Council
2. Community Engagement
3. Staff and Personnel Relationships
4. Leadership and Professional Capability
5. Business and Finance
6. Personal Qualities

Specific Evaluation Criteria:

1. Annual Budget
2. Government Operations and Management
3. Long Range Planning and Implementation
4. Community Health and Safety
5. Economic Vitality
6. Major Capital Investments

Detailed Guidance:

The information below is advisory to the council in scoring each of the categories above. The detailed descriptions for the general evaluation criteria would generally remain consistent from year to year while the detailed descriptions under the specific criteria may change from year to year based on the council's ongoing priorities.

General Evaluation Criteria:

1. Relationships with the City Council
 - a. Keep council informed on issues, needs and operations of the City
 - b. Offer professional advice to the council on items requiring council action
 - c. Execute the intent of council directives
 - d. Accept constructive criticism from the council
2. Community Engagement
 - a. Facilitate the flow of information to and between various constituencies
 - b. Encourage methods for expanding community awareness of City government matters
 - c. Be attentive to community feedback and input
3. Staff and Personnel Relationships
 - a. Develop and execute sound personnel procedures and practices
 - b. Recruit and assign the best available personnel
 - c. Support staff while encouraging their best efforts
4. Leadership and Professional Capability
 - a. Maintain a vision of overall departmental missions and provides supervision of departments with a focus on operational efficiency and long-range priorities
 - b. Analyze operational challenges and provide effective solutions.
 - c. Make effective presentations which demonstrate thoughtful information pertinent to the issue at hand
 - d. Understand and keeps informed regarding all aspects of municipal government operation, including participation in relevant professional development opportunities
 - e. Maintain professional relationships with peers and with relevant federal and state leaders
5. Business and Finance
 - a. Effectively supervise financial operations of the City
 - b. Evaluate financial needs and make recommendation for adequate financing for department priorities and progress
 - c. Manage and maintain City property effectively
 - d. Present a budget and capital improvement plan to the Council in a manner which promotes transparency and a establishes consistency with operational goals
6. Personal Qualities
 - a. Defend principles and convictions in the face of pressure
 - b. Maintain high ethical standards including honesty and integrity
 - c. Exercise good judgement in arriving at decisions.

Specific Evaluation Criteria:

1. Annual Budget
 - a. Implements the FY 23 and FY 24 budget priority guidelines
2. Government Operations and Management
 - a. Ensure stability in department management, by working to fill vacant Deputy Manager, Senior Services Director, Police Chief and Fire Chief positions, while moving efficiently to fill any additional staff vacancies if they occur
 - b. Implement the Resident Advisory Committee to broaden the efforts to recruit members for boards and commissions
 - c. Undertake the Personnel Department Assessment Review and the Salary Compensation study.
3. Long Range Planning & Implementation
 - a. Climate Action Plan: Prioritize and implement achievable action items that meet the goals of the Climate Action Plan
 - b. Comprehensive Plan: Complete the comprehensive plan, and then prioritize and begin implementation of regulatory, fiscal and other actions to meet the goals of the plan
 - c. Housing Affordability: Launch the new Housing Trust and bring a linkage fee proposal to the City Council to fund Trust activities
4. Community Health and Safety:
 - a. Ensure the health and safety of the residents of Watertown through the effective management of public safety and public health departments
 - b. Ensure that a robust and comprehensive study of Health and Human Services functions in the City is underway
5. Economic Vitality
 - a. Facilitate economic development opportunities consistent with the City's revenue goals and community values
 - b. Establish efforts to support local small businesses
6. Major Capital Investments:
 - a. Continue efforts to complete the three elementary schools
 - b. Implement the finance plan for Watertown High School, allowing for the start of construction in the summer of 2023
 - c. Facilitate and complete the purchase of the Walker Pond and Parker School properties, and upgrades to the Parker School to begin moving staff into the school in late 2023

FY 2023 Watertown City Manager Scoresheet
General Evaluation Criteria: page 1

Councilor Name: _____

1: Relationship with City Council				
Score				
1	2	3	4	5
Comments:				

2. Community Engagement				
Score				
1	2	3	4	5
Comments:				

3. Staff and Personnel Relationships				
Score				
1	2	3	4	5
Comments:				

Scores:

- 1=Poor (rarely meets the performance standard)
- 2=Below Average (usually does not meet the performance standard)
- 3=Average (generally meets the performance standard)
- 4=Above average (generally exceeds the performance standard)
- 5=Excellent (almost always exceeds the performance standard)

FY 2023 Watertown City Manager Scoresheet
General Evaluation Criteria: page 2

Councilor Name: _____

4. Leadership and Professional Capability				
Score				
1	2	3	4	5
Comments:				

5. Business and Finance				
Score				
1	2	3	4	5
Comments:				

6. Personal Qualities				
Score				
1	2	3	4	5
Comments:				

Scores:

1=Poor (rarely meets the performance standard)

2=Below Average (usually does not meet the performance standard)

3=Average (generally meets the performance standard)

4=Above average (generally exceeds the performance standard)

5=Excellent (almost always exceeds the performance standard)

FY 2023 Watertown City Manager Scoresheet
Specific Evaluation Criteria: page 1

Councilor Name: _____

1. Annual Budget				
Score				
1	2	3	4	5
Comments:				

2. Government Operations and Management				
Score				
1	2	3	4	5
Comments:				

3. Long Range Planning and Implementation				
Score				
1	2	3	4	5
Comments:				

Scores:

1=Poor (rarely meets the performance standard)

2=Below Average (usually does not meet the performance standard)

3=Average (generally meets the performance standard)

4=Above average (generally exceeds the performance standard)

5=Excellent (almost always exceeds the performance standard)

FY 2023 Watertown City Manager Scoresheet
Specific Evaluation Criteria: page 2

Councilor Name: _____

4. Community Health and Safety				
Score				
1	2	3	4	5
Comments:				

5. Economic Vitality				
Score				
1	2	3	4	5
Comments:				

6. Major Capital Investments				
Score				
1	2	3	4	5
Comments:				

Scores:

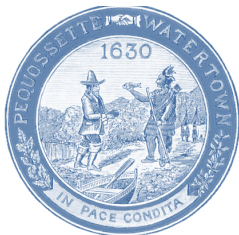
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CITY OF WATERTOWN
Department of
Community Development and Planning
Planning Board

Administration Building
149 Main Street
Watertown, Massachusetts 02472
Phone: 617-972-6417
www.watertown-ma.gov

Board Members:
Janet Buck, Chair
Payson R. Whitney, III
Jason Cohen
Abigail Hammett

Planning Board Report

This Report provides the Planning Board's recommendation to the Honorable Council for the Council's public hearing on Zoning Amendments relating to the Central Business District.

ZONING AMENDMENT:	Article V, §5.04 and notes, and other language as necessary, to reduce the maximum Floor Area Ratio in the Central Business District.
DATE OF CITY COUNCIL REFERRAL:	April 25, 2023
STAFF RECOMMENDATION:	Deny Zoning Amendment
DATE OF PLANNING BOARD HEARING:	June 14, 2023
PLANNING BOARD RECOMMENDATION:	Deny Zoning Amendment
DATE OF CITY COUNCIL FIRST READING:	June 27, 2023
DATE OF CITY COUNCIL HEARING:	Scheduled July 11, 2023

I. PUBLIC NOTICE (M.G.L. c. 40A, §11)

A. Procedural Summary

As required by the Watertown Zoning Ordinance § 9.22, notice was given as follows:

- Published in the newspaper of record (Boston Globe) on May 31 and June 7, 2023;
- Posted at the Administration Building on May 26, 2023; and,
- Mailed to parties of interest on May 30, 2023.

B. Legal Notice

*"To consider Watertown Zoning Ordinance amendments for reducing the maximum **Floor Area Ratio in the Central Business District**. Amendments to be considered amend language as necessary, including to Section 5.04 and notes relating to the Table of Dimensional Regulations."*

II. DESCRIPTION**A. Nature of the Request**

This is a Citizen Petition to amend the Watertown Zoning Ordinance by reducing the maximum Floor Area Ratio (FAR) in the Central Business (CB) District from 4.0 to 2.2 as shown in Table 5.04. The Petition is attached as Exhibit 1.

III. PUBLIC COMMENTS

Twenty-one residents testified at the June 14, 2023 hearing and one resident emailed a comment earlier in the day.¹ Nine of the residents provided comments supporting the petition and thirteen opposed it.

Below is a summary of major points made by proponents of the amendments:

- Significant concern over large-scale development in Watertown Square, with at least three referring specifically to the proposed 104 Main Street project. Concerns about development in Watertown Square centered on height and traffic impacts.
- Frustration that the city's staff and the Planning Board have ignored resident concerns over large development. These speakers felt that the fact that over 200 people signed the petition indicated strong community support for reducing density. They expressed frustration that the petition was being criticized and felt that community wishes for less density should be respected.
- One proponent said that the city should not comply with the MBTA Communities law; while another said the city could readily comply with the law without dense development in Watertown Square because only 15/units an acre zoning is required.
- Several supported consideration of form-based code.
- One proponent, trying to articulate what he would like to see in Watertown Square, said he wanted new buildings to be smaller and to have more amenities, like cafes, plazas, and green space.
- Two proponents urged the Planning Board, if they were inclined against the petition as written, to take other actions to keep it alive. Both suggested different ways that the Board could keep working on it without voting on a recommendation to the City Council.

Below is a summary of major points made by opponents of the amendments:

- Watertown Square needs to be revitalized. To make it more lively and attract more retail, it needs more density and specifically more housing. Several of these residents were dissatisfied with Watertown Square's lack of activity and suggested reducing density is tantamount to accepting the status quo.

¹ In addition, City Council President Sideris and City Councilor Palomba spoke without taking a position on the proposed zoning amendment.

- Many of the opponents specifically said they welcome, or have no issue with the present, or even higher, density in Watertown Square. Several noted that this is the city's center and density in a transit-rich area would promote the city's climate goals.
- The region and city need more housing to stabilize rents and/or create new affordable housing through inclusionary units.
- The city must comply with the MBTA Communities law and reducing density in Watertown Square will jeopardize the city's ability to do that.
- There is a planning process about to start that will include consideration of Watertown Square zoning. This process will allow for a formal public engagement process on whether and how to zone the Square. One proponent noted that the division of opinion at the public hearing argued for that kind of process rather than going right to a vote on reducing FAR.
- Reducing FAR to 2.2 was arbitrary and might not change the size of proposed developments, as recent ones were below or closer to 2.2 than the 4.0 maximum.
- One resident said the petition would infringe on property rights and hurt small businesses.

IV. RECOMMENDATION

A. Background

The citizen petition was submitted in the context of the following:

- The City Manager, in his FY 2023 Budget Message on October 11, 2022 said that a "strategic priority" for FY 2024 would be conducting a Watertown Square planning initiative. The message listed four specific areas to be studied, including "Development/Zoning." (pg. 69)
- On November 22, 2022, the City Council adopted FY24 Budget Guidelines that included "provide funding for a study of Watertown Square that will incorporate the goals of the updated Comprehensive Plan and include ...Development and Zoning changes...." (pg. 2)
- The draft Comprehensive Plan released February 17, 2023 included as proposed Strategy 2A "Develop a neighborhood plan for Watertown Square that comprehensively addresses small business support, placemaking/public spaces, housing opportunities, street design, traffic and parking, historic preservation, and public art." (Pg. 33)
- On May 22, 2023, the City issued a "Request for Qualifications "for a Watertown Square Plan. The RFQ deadline is June 12, 2023. The timeline in the RFQ includes a "kickoff" in July 2023 and completion of the work, including proposed zoning amendments, by April 1, 2024. ²

² At the Planning Board meeting, staff informed the Board that the city received RFQ submissions on June 12 and that the City Council approved funding for the Watertown Square Plan on June 13.

Once a proposed zoning amendment is advertised for public hearing, both pending projects and projects filed after that date are subject to any changes adopted by the City Council as a result of the amendment process.

B. Analysis

The proposed petition presents two distinct questions: 1) is amending one dimensional requirement in the CB District appropriate when the City is launching an area planning effort that includes zoning? and 2) has a case been made for reducing FAR to 2.2 for the CB district?

1. The proposed rezoning is inconsistent with good planning process

Since the City Manager's October 2022 budget message, the City (in parallel with the Comprehensive Plan draft recommendations) has taken the necessary steps to begin a Watertown Square planning effort. This public process will begin in July 2023 and will specifically include potential zoning changes in the CB district. Prior to completing the plan for the Square, amending a single requirement affecting the overall mass of new buildings in the CB district is inconsistent with good planning process.

The scope of the Watertown Square study includes all the elements that should inform good land use planning and zoning. The impending study will be led by a consultant or consultant team with expertise in at least the following areas: urban planning and design, transportation, economic development, housing, zoning, open space, and community engagement. The consultant will be informed by prior studies and public engagement and will gather new data. The consultant will review existing zoning in light of all the relevant issues and recommend changes.

Notwithstanding its specific request to reduce FAR, the Petition argues that continuing to use FAR as a key dimensional requirement is bad and should be replaced by a form-based approach:

We further request that the Planning Board be instructed to consider the requested amendment in the context of the Commonwealth's Smart Growth/Smart Energy Form-Based codes...Conventional zoning uses numerical parameters such as floor area ratios, height limits, and parking ratios while ignoring community intentions. The result is often development based on land use and not on the form, scale, and character of Watertown's distinct neighborhoods.

While the Watertown Square Plan may or may not recommend use of form-based code in Watertown Square, the planning process will thoughtfully look at the form, scale, and character of the study area. In contrast-- without any explanation-- the Petition proposes 2.2 as the right number across the entire district.

2. Has a case been made for reducing FAR to 2.2 in Watertown Square?

The Petition does not present a case for reducing FAR in Watertown Square. It ignores all the reasons why Watertown Square has had such a FAR for over fifty years and it focuses on FAR without addressing the other dimensional requirements that are part of CB zoning.

In 1971, the CB District had a maximum FAR of 6.0 for non-residential uses (allowed to increase up to 8.0 with open space bonus) and 4.0 for residential uses. By June 1989, the maximum FAR was 4.0, whether for mixed-use, residential, or commercial development. While opinions may vary as to whether the maximum FAR should be reduced or replaced by another approach, the Petition ignores all the reasons why Watertown Square is zoned as a central business zone and is an appropriate location for density.

Watertown Square is the City's commercial and civic center, including important civic open space. It is the City's transportation hub, with nine major street corridors and seven bus lines (including a private shuttle) converging there. The Square has large-scale residential, commercial, and mixed-use buildings. For over 50 years, the Zoning Ordinance recognized that Watertown Square was and should be the City's densest area.

Even for those who think that the zoning ordinance allows buildings that are "too big" for Watertown Square, there is no compelling reason to focus on FAR. CB dimensional requirements include height, minimum open space, and setbacks and stepbacks when there is proximity to a residential district. Each of these affect project scale and an applicant's ability to achieve the maximum FAR. This is illustrated by the last two applications for large developments in the CB District: 166 Main Street was submitted at a proposed 1.98 FAR and 104 Main Street at a proposed 2.52 (now reduced to 2.5).

C. Staff Recommendation

Staff recommended the Planning Board report to the City Council that the proposed amendment to the Central Business District should not be adopted.

V. PLANNING BOARD DELIBERATION AND RECOMMENDATION

The hearing opened with a discussion by the Planning Board, with each member commenting on the proposed petition. Several members identified issues they hoped members of the public would address during the public testimony portion of the hearing. Member Whitney noted the petition language consists of two pieces: a request that FAR be reduced from one number to another, and an inconsistent request that the zoning ordinance move away from metrics like FAR and toward a form-based code. Whitney asked those who wrote the petition to explain where the proposed FAR of 2.2 comes from and to clarify the logic of this request. Chair Buck agreed and noted, in response to statements in the petition, that Central Business District FAR and geography have changed over the years, based on studies. Member Cohen said he was against the petition as written and asked that the petitioners respond to three questions during their public comments: 1) what is your opinion about Watertown Square—is it an appealing place? 2) do you agree with the MBTA Communities law and should the city comply? and 3) should Watertown Square have a higher density than the rest of the city? Cohen also noted concerns about form-based zoning. Member Hammett said she largely agreed and added that she thinks the city's Watertown Square plan process is a better approach to addressing the issues than changing one metric (FAR) that is one of several that affects density.

Once the public hearing was closed, members discussed the public comments and their recommendation to the City Council. Chair Buck said she will vote against the petition, noting that a Watertown Square planning process is about to start and that changing FAR now is

inconsistent with the planning process. Member Whitney said he will vote no on the petition but that he would like the recommendation to include consideration of form-based code. Member Cohen said he was also against the petition on process grounds and he is also against reducing density in Watertown Square. Member Hammett agreed that these issues should be discussed in the planning process and added two points: 1) she is in favor of more housing and compliance with the MBTA Communities law, and 2) she agrees the Watertown Square process should study the potential of using form-based code or a hybrid approach.

The Planning Board voted (4-0) to recommend against the proposed zoning amendment, with the additional recommendation that the City Council ask the Department of Community Development & Planning to consider form-based code as an option to consider as part of the Watertown Square Plan process.

Exhibit 1 – Petition to Reduce Floor Area Ratio in Central Business District

City of Watertown. MA Petition for Zoning Change
Chapter 155 Zoning Code — Article IX — Sections 9.20 and 9.21

We the undersigned registered voters of Watertown respectfully request that the City Council initiate an amendment to the Zoning Ordinance to change the floor area ratio in the CB District from FAR 4 to FAR 2.2, as shown in Section 5.04 Table of Dimensional Regulations.

We make this request out of concern that the current allowable floor area ratio is a relic of 1960's "spine" planning and design theory and is incompatible with the goals set forth in the Watertown Comprehensive Plan for Watertown Square cited on Page 33 of the plan. Zoning focuses on numbers and ratios, is difficult for residents to understand, and frequently does not address residents' concerns about the community's authenticity, historical heritage, and neighborhood scale.

We respectfully request that the City Council forward this request for the aforementioned zoning amendment to the Planning Board. We further request that the Planning Board be instructed to consider the requested amendment in the context of the Commonwealth's Smart Growth/Smart Energy Form-Based codes (FBCs). FBCs prescribe a "different vision of how development should occur. Focused more on the form of development rather than the use. FBCs use a larger neighborhood perspective to determine the mass of buildings, their design elements, connections between sites, and their relationship to the public realm."

Conventional zoning uses numerical parameters such as floor area ratios, height limits, and parking ratios while ignoring community intentions. The result is often development based on land use and not on the form, scale, and character of Watertown's distinct neighborhoods as envisioned in the Comprehensive Plan.



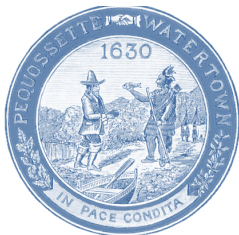
CITY OF WATERTOWN
CITY COUNCIL
Administration Building
149 Main Street
WATERTOWN, MASSACHUSETTS 02472

LEGAL NOTICE

Watertown City Council Public Hearing: **Tuesday, July 11, 2023, 7:00 pm**, Council Chamber, Administration Building, 149 Main St, Watertown, MA, with remote access link on the Agenda posted 48 hours prior to the meeting.

To consider Watertown Zoning Ordinance amendments for reducing the maximum Floor Area Ratio in the Central Business District from 4.0 to 2.2. Amendments to be considered amend language as necessary, including to Section 5.04 and notes relating to the Table of Dimensional Regulations.

Published: 6/20/23 & 6/27/23 Boston Globe
Posted: 6/20//23 Watertown Administration Building



CITY OF WATERTOWN
Department of
Community Development and Planning
Planning Board

Administration Building
149 Main Street
Watertown, Massachusetts 02472
Phone: 617-972-6417
www.watertown-ma.gov

Board Members:
Janet Buck, Chair
Payson R. Whitney, III
Jason Cohen
Abigail Hammett

Planning Board Report

This Report provides the Planning Board's recommendation to the Honorable Council for the Council's public hearing on Zoning Amendments relating to transition between commercial and residential zoning districts.

ZONING AMENDMENT:	Amend §§ 2.78, 3.00, 4.13 and 9.09 for further consideration of neighborhood impacts in the transition between commercial/industrial districts and residential zoning districts
DATE OF CITY COUNCIL REFERRAL:	April 25, 2023
STAFF RECOMMENDATION:	Deny Zoning Amendment
DATE OF PLANNING BOARD HEARING:	June 14, 2023
PLANNING BOARD RECOMMENDATION:	Deny Zoning Amendment
DATE OF CITY COUNCIL FIRST READING:	June 27, 2023
DATE OF CITY COUNCIL HEARING:	Scheduled July 11, 2023

I. PUBLIC NOTICE (M.G.L. c. 40A, §11)

A. Procedural Summary

As required by the Watertown Zoning Ordinance § 9.22, notice was given as follows:

- Published in the newspaper of record (Boston Globe) on May 31 and June 7, 2023;
- Posted at the Administration Building on May 26, 2023; and,
- Mailed to parties of interest on May 30, 2023.

B. Legal Notice

"To consider Watertown Zoning Ordinance amendments:

1. *§2.78 'Special permit' be amended by adding the phrase "or designated Special Permit Granting Authority (SPGA)" after "at the discretion of the Board of Appeals"*

2. *§3.00 'Division of the City into Districts' be amended with a new section, (d), containing the following text: Parcels adjacent to the boundary of a district may be subject to increased regulations, restrictions, requirements, and conditions as may be necessary to ensure an appropriate transition between the abutting districts.*
3. *§4.13 'Transition requirements' be amended with a new section, (c), containing the following text: Where the boundary of a Business, Industrial, or Special Zoning District abuts, overlaps, runs parallel to, or effectively borders that of a Residence District (as listed in §3.01), approvals for development, including but not limited to site plans, special permits, and Master Plan special permits, on lots located adjacent to that boundary and within that non-Residence District shall be subject to increased restrictions or conditions as might be necessary to limit the impact of said development on, and protect the integrity, character, and quality of life within, the neighborhoods of the bordered or overlapped Residence district. These restrictions and conditions shall be imposed by the approving body (Planning Board, Zoning Board of Appeals, or designated Special Permit Granting Authority (SPGA)) and may include but are not limited to height, dimensions, orientation, setbacks, buffers, open space, facade, screening, and usage.*
4. *§9.09 'Limited approval of special permit' be amended such that the existing first paragraph will read as follows: In approving a special permit, the Board of Appeals or designated Special Permit Granting Authority (SPGA) shall consider and attach such conditions and safeguards as are deemed necessary to protect the district, neighborhoods in adjacent districts, and the City.*
5. *§9.09(b) be amended by adding the phrase "or designated Special Permit Granting Authority (SPGA)" after "as specified by the Board of Appeals"*
6. *Or to take any other action relative thereto."*

II. DESCRIPTION

A. Nature of the Request

This is a Citizen Petition to amend the Watertown Zoning Ordinance through changes in §§ 2.78, 3.00, 4.13 and 9.09. The Petition's first sentence states: "The goal of this petition is to **protect existing residential neighborhoods from the intrusive impacts of outsized and incompatible development on the borders of adjacent districts.**" (emphasis in original) The proposed amendments would add two new sections and amend a third section relating to the use of increased regulations and conditions on new commercial/industrial development where needed for bordering residential neighborhoods. Two technical amendments would insert the term "designated Special Permit Authority." The Petition is attached as Exhibit 1.

III. PUBLIC COMMENTS

Seven residents testified at the June 14, 2023 hearing and one resident emailed a comment earlier in the day.¹ Of the eight comments, five were in favor of the amendments and three opposed.

Petition supporters argued that recent developments have been too big and that community opposition has been ignored. One resident, who said she was a leader of the petition effort, said it was triggered by the projects proposing to reuse the former Sterritt Lumber (148 Waltham St) and Cannistraro (313 Pleasant St) sites. Another resident said that it is often more important to create a buffer than to maintain a lively street edge, saying it would have been

¹ In addition, one resident spoke in favor of the petition during the hearing on the proposed Central Business zoning amendment and left before the second petition was heard.

better to have a parking lot on Waltham Street than a building. The resident also said that neighbors would often prefer having an existing parking lot remain than see a large building because they are used to having that separation.

Petition opponents focused on the subjective language proposed. They said the proposed language would inject more uncertainty and argued that the process should be more predictable for property owners, developers, and the public. Another resident said there are many opportunities for the public to provide input that leads to changes in project design.

IV. RECOMMENDATION

A. Background

Watertown's development history led to the close proximity of single- and two-family homes and industrial properties, primarily along the former rail corridor. Many of the older industrial uses included heavy industry with significant impacts to the land and surrounding area. When zoning began to limit new development to light industrial and mixed-uses, a gradual change to these areas began. Over the last 30 years, the increasing pace in transformation and reuse of these industrial parcels has provided an opportunity for private investment to further the City's vision of prosperous business and a mix of residential to support it. The tangible benefits of this new investment include decontaminating sites, increasing open space (including publicly-available space), improving stormwater treatment, making the buildings and sites more sustainable, and creating new amenities like pedestrian/bike connections.

This transformation also provides the City with the opportunity to regulate and consider the impact of new development on nearby residential districts. The City took advantage of that opportunity in the 1980s, and then again in 2008, and with a set of 2015-2016 zoning amendments to enhance the benefits of new development and reduce impacts to existing residential neighborhoods. The 2015/16 amendments included design guidelines/standards with updated transition requirements, refining bulk and height requirements in the Pleasant Street Corridor District (PSCD), and the new Regional Mixed-Use District (RMUD). In addition to specific zoning regulations directed at commercial/residential transitions, the Zoning Ordinance provides the permit-granting authorities with 1) criteria that include neighborhood impact, and 2) power to impose conditions to reduce and/or mitigate neighborhood impact.

Finally, as discussed below, the City already intends to complete a zoning review following the Comprehensive Plan Update that will include transitions between commercial and residential neighborhoods.

1. Increased regulations adopted in 2015/2016

As part of the 2015 Comprehensive Plan's recommendations, the City adopted a series of zoning amendments to protect residential neighborhoods, including the following:

Design guidelines/standards

- The Design Guidelines (adopted 6/30/2015) identified strategies for the transition between commercial and residential zones, to guide the zoning and permitting process.

The Guidelines emphasized the need to consider the specific context around proposed development. The Guidelines include: how to use massing when new development is near established neighborhoods (pgs. 33, 35-37); heights and how to use setbacks, stepbacks and transitions to reduce impact (pgs. 41, 43-45); how setbacks can be used to provide neighborhood amenities (pgs. 49, 51-53); and how to reduce the impact of parking areas by hiding or shielding them in various ways (pgs. 17, 20-21).

- A number of these design strategies were incorporated in the Zoning Ordinance (Design Standards adopted 6/30/15). These included changes to previous transition requirements and a new building length provision. The previous transition requirement for the Industrial districts (I-1, I-2, I-3) was amended to limit height after the 25-foot setback based on a 45-degree perpendicular line moving away from the property line. The Central Business and Limited Business Districts were added to this requirement. See § 5.05(k). For new construction in all five of these districts (and the Neighborhood Business District), a special permit was required for building length in excess of 300 feet and contiguous building length between 150 and 250 feet and the applicant was required to show the additional length was consistent with the Design Guidelines. See § 5.05(f).

Pleasant Street Corridor District (PSCD) amendments

The PSCD amendments adopted 8/18/15 included significant changes, including eliminating residential uses in some areas, refining bulk and height requirements, and increasing transition requirements. These were stricter than in other districts and particularly focused on transitions between existing neighborhoods and the PSCD.

- Refinements to bulk and height included: reducing Floor Area Ratio (FAR) allowed by right from 2 to 1, with an increase up to 2 for mixed use and up to 1.5 for all other development only by special permit “for achieving development incentive credits;” reducing maximum height (54 to 33 ft by site plan review only); and reducing maximum height by special permit (79 to 66 ft). See Dimensional Table & §5.16 (d)(6).
- New or increased transition requirements included: within 40 feet of the T and S-6 zones, the height of a flat roof development can be no more than 35 feet; flat roof developments above 3 stories/33 ft were required to step back a minimum of 10 ft from the required build-to line; and for buildings with height at 66 feet, the stepback was increased from 10 to 15 ft. See §5.16 (d)(10)(F), §5.16 (d)(6)(C & F). In addition, the 2015 amendments balanced the important goal of creating an active ground floor and the potential for “canyonization” by allowing an increase of the required build-to line from 10 ft up to 30 ft. See §5.16 (d)(10)(A) and §5.05 (note s).

RMUD zoning

From the start, the new RMUD zoning (adopted 3/2/16) included provisions focused on the potential neighborhood impact of new mixed-use and commercial development. Provisions focused on massing and on transition between the new district and adjacent residential neighborhoods including: use of special permit approval for building height over 55 feet and/or FAR over 1.0; and as with the PSCD, the Special Permit Granting Authority was allowed to

increase the required build-to line to 30 ft. See § 5.05 (note s). In addition, any structure “which fronts on a public way” was required to “incorporate appropriate setbacks, stepbacks, and/or other techniques, in keeping with the Design Guidelines, to mitigate potential adverse impacts on...public ways.” (§5.18 (c)(8)(D).

2. Existing permit criteria and power to condition

Long before the specific measures adopted in 2015-16, the Watertown Zoning Ordinance contained special permit and site plan review criteria centering on neighborhood impact and authorized the permitting board to establish conditions on new projects.

- Special Permit criteria: the criteria require the board to determine that “(1) [t]he specific site is an appropriate location for such a use, structure or condition” and (2) [t]he use as developed will not adversely affect the neighborhood.” See § 9.05 b. The word “neighborhood” is not limited to the specific district where the proposed project is located.
- Site Plan criteria: five of the ten criteria require the board to make determinations relating to neighborhood impact. Criteria 2 (Relation of Buildings to Environment) suggest that proposed development be integrated into “the use, scale and architecture of existing buildings in the vicinity” and the board “may require a modification in massing so as to reduce the effect of shadows on abutting property in all districts or on public open space.” Criteria 4 (Circulation) requires “[s]pecial attention shall be given to traffic circulation, parking areas and access points.” Two other criteria (1—Landscape and 8—Screening) focus on reducing visibility of buildings, parking, machinery, loading and service areas. Finally, one criteria (10) generally seeks to “protect abutting properties from detrimental site characteristics.” See § 9.03 (c).
- In approving a Special Permit, the board “may attach such conditions and safeguards as are deemed necessary to protect the district and the City.” See § 9.09. The word “City” includes any part of the community that may be affected, including zoning districts adjacent to the proposed project.

3. Proposed zoning review includes commercial/residential transitions

The citizen petition was submitted in the context of the following:

- The draft Comprehensive Plan released February 17, 2023 included as proposed Strategy 2H recommended a “a zoning assessment that looks at building heights, buffers, setbacks, and parking. Review setback and building height transition requirements in areas between industrial/commercial, mixed-use, and residential neighborhoods.”
- The City Manager, in his proposed FY24 budget included \$50,000 for the zoning review recommended by the Comprehensive Plan draft. The City Council approved this funding on June 13.

Once a proposed zoning amendment is advertised for public hearing, both pending projects and projects filed after that date are subject to any changes adopted by the City Council as a result of the amendment process.

B. Analysis

The proposed petition presents two distinct questions: 1) are the amendments consistent with good process when the City is planning a zoning review that would consider these issues? and 2) in light of existing regulations and board discretion, are the amendments a necessary and appropriate solution?

1. The proposed rezoning is inconsistent with good planning process

The City is moving toward a zoning review that will cover the subjects at issue in the petition, including “building heights, buffers, setbacks, and parking....in areas between industrial/commercial, mixed-use, and residential neighborhoods.” The Comprehensive Plan draft recommended such a review and \$50,000 in funding is in the FY24 budget.

Good planning practice is to look at significant zoning issues in a systematic way, use professional analysis to bring expertise to the issue and to include public engagement in examining options and solutions. While the petition process can be a useful tool for identifying needed amendments, they are far less useful when a zoning review process is already planned. Citizen input is important to what the City needs to address, and the preference is always to have any identified issues addressed through amendments that are created through a public planning process, as opposed to an isolated petition.

2. The proposed amendments are not necessary and are not an appropriate solution

The proposed amendments are not necessary and are not an appropriate solution to the problem raised. Taking the three substantive amendments² in turn:

Proposed § 3.00 (d)

“Parcels adjacent to the boundary of a district may be subject to increased regulations, restrictions, requirements, and conditions as may be necessary to ensure an appropriate transition between the abutting districts.”

As described earlier, parcels adjacent to district boundaries are already subject to increased regulation, restrictions, and requirements. Further, the board has discretion to deny a special permit where the SP/SR criteria—including the ones specifically related to neighborhood impact—are not met. The board can also craft conditions as needed to “ensure appropriate transition between the abutting districts.”

²Staff and the Planning Board have no objection to two technical amendments--adding “designated PGA” to §2.78 and §9.09(b)—but staff indicated confidence that they will be included in any amendments proposed by the zoning review already planned. In the interim, as in the recent past, the existing text will not prevent either board from acting as SPGA.

Proposed § 4.13 (c)

“Where the boundary of a Business, Industrial, or Special Zoning District abuts, overlaps, runs parallel to, or effectively borders that of a Residence District (as listed in §3.01), approvals for development, including but not limited to site plans, special permits, and Master Plan special permits, on lots located adjacent to that boundary and within that non-Residence District shall be subject to increased restrictions or conditions as might be necessary to limit the impact of said development on, and protect the integrity, character, and quality of life within, the neighborhoods of the bordered or overlapped Residence district. These restrictions and conditions shall be imposed by the approving body (Planning Board, Zoning Board of Appeals, or designated Special Permit Granting Authority (SPGA)) and may include but are not limited to height, dimensions, orientation, setbacks, buffers, open space, facade, screening, and usage.

Parcels adjacent to district boundaries are already subject to increased regulation, restrictions, and requirements. Further, the board’s discretion and authority to impose conditions already allows action “as might be necessary to limit the impact of said development.” None of the particular restrictions and conditions identified in the proposed text— “height, dimensions, orientation, setbacks, buffers, open space, facade, screening, and usage” are new or add to the board’s power.

Proposed § 9.09 amended 1st paragraph

The first proposed amendment to § 9.09 would substitute the words “shall consider and” for the word “may” in the phrase “may attach such conditions and safeguards as are deemed necessary.” The new wording, however, does not materially change the board’s duty in evaluating proposed projects. The “may” refers to attaching conditions and not to consideration of conditions and safeguards. As long as the sentence includes the words “as are deemed necessary,” the board is required to consider conditions and safeguards whenever it identifies the need to do so. At that point, whether conditions should be imposed—and what conditions—are properly a matter of discretion.

The second proposed amendment adds the words “neighborhoods in adjacent districts” to the phrase “to protect the district and the Town.” The Town/City already includes neighborhoods in adjacent districts. The special permit and site plan criteria do not limit consideration to the zoning district where the proposed project is located.

Finally, these amendments, separately and collectively, are not an appropriate solution to the problem: how to regulate and consider the impact of new development on nearby residential districts. These amendments do not propose specific measures to reduce impact—as the 2015/2016 zoning amendments did, and the upcoming zoning review might. Nor do they propose changes in the criteria to be considered by the boards or their power to impose conditions. Rather, they suggest that discretionary outcomes should be different.

Where permitting bodies are given discretion, they need criteria and authority that they can understand and apply. The Zoning Ordinance does that by its specific requirements, by including neighborhood impact in the SP/SR criteria and by providing the boards with authority to impose conditions to address impacts they identify. The proposed amendments, however, do the opposite. They suggest an intent to change outcomes without proposing changes the boards can implement.

C. Staff Recommendation

Staff recommended that the Planning Board report to the City Council that the proposed amendments should not be adopted.

V. PLANNING BOARD DELIBERATION AND RECOMMENDATION

The Planning Board started with each member commenting briefly on the proposed petition. Chair Buck noted that the zoning ordinance currently has transition requirements, such as setbacks, that use objective measures. Buck expressed concern that the proposed language is vaguer and more subjective than the existing text. Member Hammett said that the proposed language would not change what the boards do. Member Cohen agreed, saying that boards need criteria, particularly quantitative criteria, that they can understand and implement. Cohen asked staff to show his illustration of the existing zoning language, depicting the way that specific setback and stepback requirements provide a transition that can be applied in a uniform way to proposed projects. Member Whitney said he understood the concern of citizens who live near commercial development, noting that he lives between Arsenal Yards and Arsenal-on-the Charles and across from the Watertown Mall. Whitney noted that Watertown's industry and residential neighborhoods were built near each other. Whitney agreed with the other members that boards need specific requirements and criteria, not subjective language. Buck concluded the opening remarks by noting that residential neighborhoods grew up around industry, not the reverse, and that balancing the two is important but, in her view, not helped by the proposed zoning amendments.

After the public hearing was closed, members discussed their recommendation to the City Council. Buck said that the zoning review will allow concerns about the impact of commercial development to be discussed and that the existing zoning language is better than what is proposed. She noted that residents disagree with each other about phrases like "quality of life," citing the varying opinions as to whether having a parking lot in front of a building is better than having it in the rear. Whitney said that he would like to see guidelines on the public process for permitting projects and said he would like to see consideration of specific and quantitative requirements rather than additional subjective language. Hammett agreed and said she hoped that boosting public engagement would be included in the zoning review. Cohen said using more visuals might help people understand zoning and permitting better.

The Planning Board voted (4-0) to recommend against the proposed zoning amendment, with the additional recommendation that the City Council ask the Department of Community Development & Planning to ensure that the zoning review include consideration of quantitative transition requirements and public engagement around proposed projects.

Exhibit 1 – Citizens Petition for Zoning Amendments

The goal of this petition is to **protect existing residential neighborhoods from the intrusive impacts of outsized and incompatible development on the borders of adjacent districts.** We thus respectfully request that the City Council initiate a zoning amendment requiring the Planning Board, Zoning Board of Appeals (ZBA), and other approving bodies to impose additional restrictions when approving development on lots along the edge of a nonresidential district that abuts a residential district. We also aim to ensure that when the Special Permit Granting Authority (SPGA) for a project is not the ZBA that this SPGA is empowered with the same discretion as the ZBA. As registered voters in the City of Watertown, we the undersigned respectfully request the City Council to forward the following amendment(s) of the Watertown Zoning Ordinance to the Planning Board:

1. §2.78 'Special permit' be amended by adding the phrase "or designated Special Permit Granting Authority (SPGA)" after "at the discretion of the Board of Appeals"
2. §3.00 'Division of the City into Districts' be amended with a new section, (d), containing the following text: Parcels adjacent to the boundary of a district may be subject to increased regulations, restrictions, requirements, and conditions as may be necessary to ensure an appropriate transition between the abutting districts.
3. §4.13 'Transition requirements' be amended with a new section, (c), containing the following text:
Where the boundary of a Business, Industrial, or Special Zoning District abuts, overlaps, runs parallel to, or effectively borders that of a Residence District (as listed in §3.01), approvals for development, including but not limited to site plans, special permits, and Master Plan special permits, on lots located adjacent to that boundary and within that non-Residence District shall be subject to increased restrictions or conditions as might be necessary to limit the impact of said development on, and protect the integrity, character, and quality of life within, the neighborhoods of the bordered or overlapped Residence district. These restrictions and conditions shall be imposed by the approving body (Planning Board, Zoning Board of Appeals, or designated Special Permit Granting Authority (SPGA)) and may include but are not limited to height, dimensions, orientation, setbacks, buffers, open space, facade, screening, and usage.
4. §9.09 'Limited approval of special permit' be amended such that the existing first paragraph will read as follows: In approving a special permit, the Board of Appeals or designated Special Permit Granting Authority (SPGA) shall consider and attach such conditions and safeguards as are deemed necessary to protect the district, neighborhoods in adjacent districts, and the City.
5. §9.09(b) be amended by adding the phrase "or designated Special Permit Granting Authority (SPGA)" after "as specified by the Board of Appeals"
6. Or to take any other action relative thereto



CITY OF WATERTOWN
CITY COUNCIL
Administration Building
149 Main Street
WATERTOWN, MASSACHUSETTS 02472

LEGAL NOTICE

Watertown City Council Public Hearing: **Tuesday, July 11, 2023, 7:00 pm**, Council Chamber, Administration Building, 149 Main St, Watertown, MA, with remote access link on the Agenda posted 48 hours prior to the meeting.

T To consider Watertown Zoning Ordinance amendments:

1. §2.78 'Special permit' be amended by adding the phrase "or designated Special Permit Granting Authority (SPGA)" after "at the discretion of the Board of Appeals"
2. §3.00 'Division of the City into Districts' be amended with a new section, (d), containing the following text: Parcels adjacent to the boundary of a district may be subject to increased regulations, restrictions, requirements, and conditions as may be necessary to ensure an appropriate transition between the abutting districts.
3. §4.13 'Transition requirements' be amended with a new section, (c), containing the following text: Where the boundary of a Business, Industrial, or Special Zoning District abuts, overlaps, runs parallel to, or effectively borders that of a Residence District (as listed in §3.01), approvals for development, including but not limited to site plans, special permits, and Master Plan special permits, on lots located adjacent to that boundary and within that non-Residence District shall be subject to increased restrictions or conditions as might be necessary to limit the impact of said development on, and protect the integrity, character, and quality of life within, the neighborhoods of the bordered or overlapped Residence district. These restrictions and conditions shall be imposed by the approving body (Planning Board, Zoning Board of Appeals, or designated Special Permit Granting Authority (SPGA)) and may include but are not limited to height, dimensions, orientation, setbacks, buffers, open space, facade, screening, and usage.
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5. §9.09(b) be amended by adding the phrase "or designated Special Permit Granting Authority (SPGA)" after "as specified by the Board of Appeals"
6. Or to take any other action relative thereto

Published: 6/20/23 & 6/27/23 Boston Globe
Posted: 6/20/23 Watertown Administration Building



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472

To: Honorable City Council

From: Emily Monea, Acting City Manager

Date: June 21, 2023

RE: Agenda Item – Proposed Loan Order

Attached please find correspondence from Gregory M. St. Louis, Superintendent of Public Works regarding a request for funding to be applied for under the Massachusetts Water Resources Authority (MWRA) Lead Service Line Replacement Loan Program (LLP). The FY24 Capital Improvement Program Water/Sewer Enterprise Funds identifies \$300,000 in funding for replacement of lead goosenecks projects.

As indicated in Superintendent St. Louis' correspondence, replacement of lead goosenecks is an eligible item under MWRA LLP, which consists of a zero-interest loans payable over 10 years.

I recommend pursuing the \$300,000 from the MWRA LLP, as all the work to the water, sewer and drain systems directly impacts the Water and Sewer Rates. Interest free loans and outright grants will enable the city to perform necessary work with little or minimal impact on the rate payers.

I respectfully request the attached proposed Loan Order for \$300,000 be placed on the June 27, 2023, City Council Agenda as a First Reading.

Thank you for your favorable consideration in this matter.

cc: Gregory M. St. Louis, Superintendent of Public Works
Tyler R Glode, Project Engineer
Megan E. Langan, City Auditor
Melissa A. Morrissey, City Treasurer/Collector



CITY OF WATERTOWN
DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET
WATERTOWN MA 02472

Gregory M. St. Louis, PE
Superintendent of Public Works

(P) 617-972-6420
(F) 617-972-6402

TO: George Proakis – Watertown City Manager
FROM: Gregory St. Louis, PE – Superintendent of Public Works
SUBJECT: MWRA Lead Service Line Replacement Loan Program
DATES: June 15, 2023

The City's Capital Improvement Program for the water and sewer enterprise funds identifies \$300,000 in funding for FY24 for replacement of lead goosenecks projects. This funding is to be applied for under the Massachusetts Water Resources Authority (MWRA) Local Water System Assistance Program for Lead Service Line Replacement: www.mwra.com/comsupport/lip/lipprogram.html.

There are approximately 9,250 water services on record in the City. Review of City records indicate that there are no water services comprised completely of lead pipe. However, prior to standardizing on copper pipe, water services were often laid using iron pipe. To create a connection to the water main, short, angled pieces of lead pipe, typically about 2-feet in length, were used. We refer to these as "goosenecks."

Of the 9,250 water services, approximately 500 services are presumed to have lead goosenecks based on age and pipe material. Each year, the City removes lead goosenecks as part of the annual road reconstruction projects, water system improvements, and incidental repairs due to service leaks. Additionally, projects are required to remove lead services associated with new and significant redevelopment.



Photo of lead gooseneck connected to iron pipe
(Source: Wikipedia)

Replacement of lead goosenecks is an eligible item under the Lead Service Line Replacement Program. Taking advantage of the MWRA program, which consists of a zero-interest loan payable over 10 years, would allow the City to accelerate lead gooseneck removals.

Therefore, the Department of Public Works requests that a \$300,000 loan order be prepared to complete lead gooseneck replacements, in accordance with the FY24 Capital Improvement Plans approved by the Honorable City Council. The MWRA grant application deadline does not directly align with either the Fiscal or Calendar year, but the MWRA request would be processed at the next funding deadline.

The proposed project will include the replacement of approximately 90 lead goosenecks, including the replacement of the gooseneck, replacement of the service from the water main/connection to the service box and surface restoration. The exact number of replacements will depend on the bid prices received.

The work will be performed in various locations throughout the City. If approved for funding, we intend to go through the procurement process and construct this project this fiscal year.

Thank you in advance for your consideration.

FY 2024 - FY 2028 CIP WATER/SEWER FUNDS

A	B	C	D	E	F	G	H	I	J	K	L	M
		TOTALS	FY 24		FY 25		FY 26		FY 27		FY 28	
1	WATER/SEWER ENTERPRISE FUNDS											
2	SEWER											
3	Sewer/Drain System Maintenance	4,500.0	800.0	SR	850.0	SR	900.0	SR	950.0	SR	1,000.0	SR
4	Stormwater & Drainage On-going Improve	1,500.0	300.0	SR	300.0	SR	300.0	SR	300.0	SR	300.0	SR
5	5 MWRA I & I LOAN (25%)	1,650.0	330.0	MWRAB	330.0	MWRAB	330.0	MWRAB	330.0	MWRAB	330.0	MWRAB
6	MWRA I & I GRANT (75%)	4,950.0	990.0	MWRAC	990.0	MWRAC	990.0	MWRAC	990.0	MWRAC	990.0	MWRAC
7	10 MWRA I & I ONE TIME LOAN (100%)	1,290.0			1,290.0	MWRAB						
8	10 Sewer System Improvements	3,750.0	750.0	SEB	750.0	SEB	750.0	SEB	750.0	SEB	750.0	SEB
9	10 Sewer/Drain System Projects	6,250.0	1,250.0	TBD	1,250.0	TBD	1,250.0	TBD	1,250.0	TBD	1,250.0	TBD
10	10 35 GYW Service Truck	170.0			170.0	SEB						
11	10 Street Sweeper	350.0			350.0	SEB						
12	10 Sewer Vac	430.0	430.0	SEB								
13	10 Swap Dump Truck	190.0	190.0	SEB								
14	10 Wheeled Mini - Excavator	180.0					180.0	SEB				
15	10 Crew Truck	180.0									180.0	SEB
16	SEWER SUBTOTAL	25,390.0	5,040.0		6,280.0		4,700.0		4,570.0		4,800.0	
17												
18	WATER											
19	Water System Maintenance	1,500.0	200.0	WR	250.0	WR	300.0	WR	350.0	WR	400.0	WR
20	10 MWRA LWSAP (100% loan)	2,500.0	500.0	MWRAB	500.0	MWRAB	500.0	MWRAB	500.0	MWRAB	500.0	MWRAB
21	10 MWRA LLP (100% loan)	1,500.0	300.0	MWRAL	300.0	MWRAL	300.0	MWRAL	300.0	MWRAL	300.0	MWRAL
22	Water System Projects	6,250.0	1,250.0	TBD	1,250.0	TBD	1,250.0	TBD	1,250.0	TBD	1,250.0	TBD
23	10 Trench Safety Box Truck	180.0					180.0	WEB				
24	5 Utility Truck	80.0			80.0	WEB						
25	10 Gate Valve/Mini Vac Truck	215.0							215.0	WEB		
26	10 Backhoe	140.0							140.0	WEB		
27	10 Service Response Truck	190.0					190.0	WEB				
28	10 Water Vacator	450.0			450.0	WEB						
29	WATER SUBTOTAL	13,005.0	2,250.0		2,830.0		2,720.0		2,755.0		2,450.0	
30												
31	TOTAL WATER & SEWER	38,395.0	7,290.0		9,110.0		7,420.0		7,325.0		7,250.0	
32												
33	STORMWATER											
34	Phase 2 MS4 Permit Management Plan	250.0	50.0	TBD	50.0	TBD	50.0	TBD	50.0	TBD	50.0	TBD
35	Phase 2 MS4 Construction/Improvements	35,400.0	100.0	TBD	100.0	TBD	100.0	TBD	100.0	TBD	100.0	TBD
36	Phase 2 MS4 Phosphorous Control Plan	500.0	100.0	TBD	100.0	TBD	100.0	TBD	100.0	TBD	100.0	TBD
37	STORMWATER SUBTOTAL	36,150.0	250.0		250.0		250.0		250.0		35,150.0	
38												
39	TOT. WATER, SEWER & STORMWATER	74,545.0	7,540.0		9,360.0		7,670.0		7,575.0		42,400.0	
40												
41												
42	COSTS BY SOURCE OF FUNDS											
43	SEWER REVENUE	6,000.0	1,100.0		1,150.0		1,200.0		1,250.0		1,300.0	
44	SEWER EQUIPMENT BONDS	5,250.0	1,370.0		1,270.0		930.0		750.0		930.0	
45	TBD TO BE DETERMINED	48,650.0	2,750.0		2,750.0		2,750.0		2,750.0		37,650.0	
46	MWRA B - Interest Free	5,440.0	830.0		2,120.0		830.0		830.0		830.0	
47	MWRA B - Interest Free	4,950.0	990.0		990.0		990.0		990.0		990.0	
48	MWRA LLP	1,500.0	300.0		300.0		300.0		300.0		300.0	
49	WR	1,500.0	200.0		250.0		300.0		350.0		400.0	
50	WEB	1,255.0	0.0		530.0		370.0		355.0		0.0	
51	GRAND TOTAL - ENTERPRISE FUNDS	74,545.0	7,540.0		9,360.0		7,670.0		7,575.0		42,400.0	



28 State Street
Boston, MA 02109-1775
p: 617-345-9000 f: 617-345-9020
hinckleyallen.com

Jay Gonzalez
(617) 378-4256
jgonzalez@hinckleyallen.com

June 23, 2023

Emily Monea
Acting City Manager
Administration Building
149 Main Street
Watertown, Massachusetts 02472

RE: Draft Loan Order – MWRA Lead Line Replacement Bonds

Dear Emily:

As requested, I suggest the following form of loan order to approve the borrowing of funds from the Massachusetts Water Resources Authority to pay costs of replacing lead pipes that connect service lines to water mains:

ORDERED: That the sum of \$300,000 is appropriated to pay costs of replacing lead pipes that connect service lines to water mains, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the City Manager, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Treasurer, with the approval of the City Manager, is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (the “Authority”) pursuant to the Authority’s lead service line replacement program and in connection therewith to enter into a loan agreement and/or financial assistance agreement with the Authority and otherwise to contract with the Authority with respect to such loan and for any grants or aid available for the project or for the financing thereof; and that the City Manager is authorized to accept and expend any grants or aid available for the project or for the financing thereof, provided that the amount of the authorized borrowing for the project shall be reduced by the amount of any such grants or aid received.

The order must be published in a local newspaper and on the City’s website at least five days prior to the holding of a public hearing with respect to the order and its final passage and requires the affirmative vote of at least two-thirds of all members of the City Council, as in the case of any other loan order for bonds.

Please call me if there are any questions about the suggested proceedings.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Jay Gonzalez', with a stylized, cursive script.

Jay Gonzalez



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: July 5, 2023

RE: Agenda Item - Transfer of Funds Request
Watertown Police Supervisors Association, MCOP, Local 373

I am pleased to inform you that an Agreement has been reached with the Watertown Police Supervisors Association for a three-year contract covering the period July 1, 2022, through June 30, 2025. A copy of the Memorandum of Agreement will be provided prior to Tuesday night's City Council Meeting. I urge and appreciate your support of the Agreement as it is fair to the taxpayers of Watertown, the City, the Union and its members.

Attached please find the related Transfer of Funds request in the amount of \$171,500 to the Fiscal Year 2024 various Police Personnel Accounts transfer from Fiscal Year 2024 City Council Reserve.

Please note that Fiscal Year 2023 retroactive amounts are covered through the remaining Fiscal Year 2023 Police Personnel Full Time Salaries.

I respectfully request the attached transfer be placed on the July 11, 2023, City Council Agenda.

Thank you for your favorable consideration in this matter.

TRANSFER AMOUNT \$ 171,500

FROM:	FY 2024 CITY COUNCIL RESERVE 0111152-570780	\$	171,500
TO:	FY 2024 POLICE FULL TIME SALARIES 0121051-510111	\$	90,000
	FY 2024 POLICE SPECIALIST PAY 0121051-510122	\$	1,500
	FY 2024 POLICE OVERTIME 0121051-510130	\$	25,000
	FY 2024 POLICE SHIFT DIFFERENTIAL 0121051-510141	\$	14,500
	FY 2024 POLICE HOLIDAY 0121051-510142	\$	11,000
	FY 2024 POLICE DEFIB COMPENSATION 0121051-510144	\$	2,000
	FY 2024 POLICE CAREER INCENTIVE 0121051-510191	\$	27,500

I hereby certify to the availability, authority of funding source, mathematical accuracy and appropriate fiscal year.

7/6/2023
DATE

Megan Zayn
CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable Town Council

From: George J. Proakis, City Manager *OLP*

Date: June 29, 2023

RE: Agenda Item – Transfer of Funds Request

Attached please find a Transfer of Funds request for the Acquisition Land Open Space Stabilization Fund for \$500,000 for Fiscal Year 2023. The Transfer of Funds request will assist the implementation of the Honorable City Council's Budget Policy Guideline II.L. "Continue working to identify additional acquisition of land for open space and recreation, using the Acquisition of Land/Open Space Stabilization Fund, and including proposals submitted to the Community Preservation Committee." This action will also begin the process of replenishing this account to cover costs and continue discussions on acquisition of land for open space and/or recreational use.

I respectfully request the attached transfer be placed on the July 11, 2023, City Council Agenda.

Thank you for your consideration in this matter.

cc: Megan E. Langan, City Auditor
Steven Magoon, Assistant City Manager

TRANSFER AMOUNT: \$ 500,000

FROM: FY 2023 PLANNED DEBT
0171000-590927

\$ 500,000

TO: FY 2023 TRANSFER TO ACQ. LAND.OPEN SPACE STABILIZATION
0194000-596808

\$ 500,000

I hereby certify to the availability, authority of funding source, mathematical accuracy
and appropriate fiscal year.

6/29/2023
DATE

Megan Zanger
CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: July 5, 2023

RE: Agenda Item - Transfer of Funds

Attached please find a Transfer of Funds request in the amount of \$1,500,000 to the Fiscal Year 2023 Collective Bargaining Stabilization Fund from various departmental accounts. The proposed transfer is to account for monies related to prior-year contracts in which Agreements have not been reached with six City unions (Watertown Firefighters Association Local 1347, Library AFSCME Council 93, DPW Teamsters Local 25, Watertown Municipal Employees Association Teamsters Local 25, Watertown Patrol Association, and Watertown Police Supervisors Association) to cover the Fiscal Year 2023 - 2025 period.

I respectfully request the attached transfer be placed on the July 11, 2023, City Council Agenda.

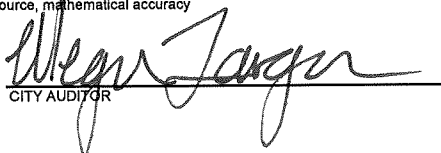
Thank you for your consideration in this matter.

TRANSFER AMOUNT: \$ 1,500,000

FROM: FY 23 CITY COUNCIL FULL TIME SALARIES 0111151-510111	\$ 10,000
FY 23 CITY MANAGER FULL TIME SALARIES 0112351-510111	\$ 45,000
FY 23 CITY AUDITOR FULL TIME SALARIES 0113551-510111	\$ 93,000
FY 23 CITY ASSESSORS FULL TIME 0114151-510111	\$ 17,000
FY 23 TREASURER/COLLECTOR FULL TIME 0114551-510111	\$ 10,000
FY 23 TREASURER/COLLECTOR PART TIME 0114551-510112	\$ 23,000
FY 23 HUMAN RESOURCES FULL TIME 0115251-510111	\$ 47,000
FY 23 CITY CLERKS FULL TIME 0116151-510111	\$ 26,000
FY 23 ELECTIONS TEMP PART TIME SALARIES 0116251-510121	\$ 13,000
FY 23 CDP FULL TIME SALAREIES 0118151-510111	\$ 102,000
FY 23 COMM. DEV. & PLANNING OVERTIME SALARIES 0118151-510130	\$ 10,000
FY 23 PARKING LOTS & METERS FULL TIME SALARIES 0119351-510111	\$ 5,000
FY 23 POLICE FULL TIME SALARIES 0121051-510111	\$ 115,000
FY 23 POLICE PART TIME SALARIES 0121051-510112	\$ 15,000
FY 23 POLICE CAREER INCENTIVE 0121051-510191	\$ 30,000
FY 23 FIRE FULL TIME SALARIES 0122051-510111	\$ 170,000
FY 23 FIRE OVER TIME SALARIES 0122051-510130	\$ 200,000
FY 23 FIRE HOLIDAY PAY 0122051-510142	\$ 25,000
FY 23 DPW ADMINISTRATION FULL TIME SALARIES 0140151-510111	\$ 88,000
FY 23 DPW HIGHWAY FULL TIME SALARIES 0142251-510111	\$ 10,000
FY 23 DPW SNOW & ICE OVERTIME SALARIES 0142351-510130	\$ 155,000
FY 23 DPW PROPERTY & BUILDINGS FULL TIME SALARIES 0149251-510111	\$ 64,000
FY 23 DPW FORESTRY FULL TIME SALARIES 0149451-510111	\$ 34,000
FY 23 HEALTH FULL TIME SALARIES 0151051-510111	\$ 60,000
FY 23 HEALTH PART TIME SALARIES 0151051-510112	\$ 3,000
FY 23 SENIOR SERVICES FULL TIME SALARIES 0154151-510111	\$ 67,000
FY 23 LIBRARY FULL TIME SALARIES 0161051-510111	\$ 18,000
FY 23 RECREATION FULL TIME SALARIES 0163051-510111	\$ 20,000
FY 23 SKATING RINK PART TIME SALARIES 0163151-510112	\$ 25,000
TO: FY 2023 TRANSFER TO COLLECTIVE BARGAINING STABILIZATION FUND 0194000-596806	\$ 1,500,000

I hereby certify to the availability, authority of funding source, mathematical accuracy
and appropriate fiscal year.

7/5/2023
DATE


CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
Citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: June 29, 2023

RE: Agenda Item – Transfer of Funds Request

Attached please find a Transfer of Funds request in the amount of \$55,000 to the Fiscal Year 2023 City Attorney – Litigation/Legal Services Fund. This proposed Transfer of Funds request to the City Attorney Litigation/Legal Services Fund is necessary to sufficiently fund services for the remainder of Fiscal Year 2023.

I respectfully request the attached transfer be placed on the July 11, 2023, City Council Agenda.

Thank you for your consideration in this matter.

cc: Megan E. Langan, City Auditor
Mark R. Reich, Esquire, KP Law

TRANSFER AMOUNT: \$ 55,000

FROM: FY 23 CITY MANAGER FULL TIME SALARIES
0112351-510111

\$ 55,000

TO: FY 23 CITY ATTORNEY - LITIGATION/LEGAL SERVICES
0115152-530309

\$ 55,000

I hereby certify to the availability, authority of funding source, mathematical accuracy
and appropriate fiscal year.

6/29/2023
DATE

Megan Sawyer
CITY AUDITOR



George J. Proakis
City Manager

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citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager *21P*

Date: July 5, 2023

RE: Agenda Item – Transfer of Funds Request

Attached please find a Transfer of Funds request in the amount of \$354,000 to the Fiscal Year 2023 ESCO Capital Project Stabilization Fund from various departmental Electricity and Gas accounts. The ESCO Capital Project Stabilization Fund was established to place rebates, grants, and funds from departmental energy savings. This energy stabilization fund will be used to pay the debt service on the energy efficiency projects incurred under the ESCO agreement.

I respectfully request the attached transfer be placed on the July 11, 2023 City Council Agenda.

Thank you for your consideration in this matter.

TRANSFER AMOUNT: \$ 354,000

FROM: FY 23 PUBLIC BUILDINGS ELECTRICITY 0119552-520211	\$ 19,000
FY 23 PUBLIC BUILDINGS GAS 0119552-520213	\$ 13,000
FY 23 POLICE ELECTRICITY 0121052-520211	\$ 15,000
FY 23 POLICE GAS 0121052-520213	\$ 17,000
FY 23 FIRE ELECTRICITY 0122052-520211	\$ 11,000
FY 23 FIRE GAS 0122052-520213	\$ 19,000
FY 23 DPW PROP. & BLDGS ELECTRICITY 0149252-520211	\$ 50,000
FY 23 DPW PROP. & BLDGS GAS 0149252-520213	\$ 70,000
FY 23 LIBRARY ELECTRICITY 0161052-520211	\$ 33,000
FY 23 LIBRARY GAS 0161052-520213	\$ 8,500
FY 23 SKATING RINK ELECTRICITY 0163152-520211	\$ 60,000
FY 23 SKATING RINK GAS 0163152-520213	\$ 3,500
FY 23 SCHOOL VICTORY FIELD LIGHTS 0194000-590977	\$ 35,000
 TO: FY 23 TRANSFER TO ESCO CAP. PROJECT STAB FUND 0194000-596805	 \$ 354,000

I hereby certify to the availability, authority of funding source, mathematical accuracy and appropriate fiscal year.

7/5/2023
DATE

Megan Fargen
CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
Citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: July 5, 2023

RE: Agenda Item – Transfer of Funds Request

Attached please find a Transfer of Funds request in the amount of \$1,122,262 to the Capital Projects/City Fund from Fiscal Year 2023 Planned Debt account. This proposed Transfer of Funds to the Capital Projects/City Fund will support ongoing capital projects.

I respectfully request the attached transfer be placed on the July 11, 2023, City Council Agenda.

Thank you for your consideration in this matter.

TRANSFER AMOUNT: \$ 1,122,262

FROM: FY 2023 PLANNED DEBT
0171000-590927

\$ 1,122,262

TO: FY 2023 TRANSFER TO CAPITAL PROJECTS/CITY
0193059-596502

\$ 1,122,262

I hereby certify to the availability, authority of funding source, mathematical accuracy and appropriate fiscal year.

7/5/2023
DATE

Meyn Zargen
CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager *GJP*

Date: July 6, 2023

RE: Agenda Item – Acceptance of Gift of Funds and Expenditure

I am pleased to inform you that the Watertown Community Foundation has committed to a grant of \$3,200 to the Watertown Cultural Council to fund the installation of the mural titled, “I See a Dream” along Merchants Row in Watertown Square.

Pursuant to Massachusetts General Laws Chapter 44, Section 53A, any expenditure of gifts of funds by a city department or board needs the approval of the City Manager and City Council.

I have approved this item and respectfully request the attached Resolution accepting these gift expenditures be placed on the July 11, 2023 City Council Agenda for your consideration.

Thank you for your favorable consideration and action in this matter.

Resolution #

R – 2023 -

Resolution approving the Acceptance and Expenditure of Gifts of Funds

WHEREAS: From time to time, this community is the beneficiary of a gift donated towards improving the quality and spirit of its inhabitant's lives; and,

WHEREAS: The Watertown Community Foundation has committed to a grant of \$3,200 to the Watertown Cultural Council to fund the installation of the mural titled, "I See a Dream" along Merchants Row in Watertown Square; and,

NOW THEREFORE BE IT RESOLVED: that the City Council of the City known as the City of Watertown, hereby accepts and appropriates, pursuant to Massachusetts General Laws Chapter 44, Section 53A, a gift of \$3,200 toward partially funding a mural titled, "I See a Dream" to be installed along Merchants Row in Watertown Square.

Council Member

I hereby certify that at a meeting of the City Council for which a quorum was present, the above resolution was adopted by a vote of ____ for, ____ against and ____ present on July 11, 2023.

Council Clerk

Mark Sideris, Council President



Watertown City 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

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

Report of the Committee on State, Federal and Regional Government Meeting Date: June 28, 2023

The Committee convened on Tuesday June 28, 2023 at 5:30pm in the City Council Office. Present were Nicole Gardner, Chair; Anthony Palomba, Vice Chair; and Emily Izzo, Secretary. The purpose of the meeting was to conduct an interview for the Board of Election Commissioners.

Margie Apfelbaum

This would be Ms. Apfelbaum's first time serving on the Board of Election Commissioners. Ms. Apfelbaum stated her interest in elections started from a young age when she would go with her father to vote and the moment she turned 18 years old she registered. She has been active in elections ever since. Ms. Apfelbaum has recently brought this passion to her workplace at the New England Conservatory where she is looked to as a leader. The Dean of Students asked her to assist in getting out the vote (GOTV) and encouraging students and faculty to participate in elections. She discussed her efforts in GOTV and talked passionately about registering not only students who are Massachusetts residents but also urging students registered in other states and countries to participate in their elections as well. She has been very interested in this position for many years now, and this is her third time applying for this role.

To prepare for this role she has looked at online meeting minutes from past Election Commission Meetings. Ms. Apfelbaum discussed how she has always had positive election experiences in Watertown, she mostly votes in person but has voted by mail and participated in early voting. She acknowledged the concerns around inactive voters and emphasized the importance of communicating with residents when it comes to completing their census. She also believes communication is the best way to get more participation in elections. Ms. Apfelbaum also explained how she is not afraid to disagree and feels comfortable doing so in a civil manner when her and her colleagues have not been on the same page about an issue. Finally, when it was asked of Ms. Apfelbaum what other committees she would be serving on if not the Board of Election Commissioners she stated the Public Arts and Culture Committee.

⇒ **Action Item** Councilor Izzo made a motion, seconded by Councilor Palomba, to recommend that the City Council confirm Margie Apfelbaum for appointment to the Board of Election Commissioners for a Term to Expire on April 1, 2027. Voted 3-0.

PROFESSIONAL SUMMARY

- Seasoned Arts Administrator with extensive experience managing domestic and international projects for professional and educational institutions.
- Proven record of successful collaboration with seasoned high-profile professionals and emerging young artists.
- Highly skilled in managing diverse personalities, production details, and project resources.

PROFESSIONAL EXPERIENCE

New England Conservatory Boston, MA

Director of Large Ensemble Administration

2012 – present

Administrative Director of Orchestras

2002 – 2012

- Oversee all operations of College Division Orchestra, Chorus, and Wind Ensemble Departments.
- Create yearly concert calendar and serve as lead staff member in facilitating the creation of concert schedule for the entire Conservatory including Orchestra, Wind Ensemble, Choir, Opera, Jazz, Contemporary Improvisation Departments, and Preparatory School.
- Manage daily operations of four college division orchestras comprised of 340 students.
- Lead and organize monthly production meetings which include stage crew, orchestra librarian, and audio/visual department personnel.
- Supervise production of rehearsals and concerts for 35+ programs per year.
- Collaborate with Jazz, Opera, and Contemporary Improvisation Departments on interdepartmental productions.
- Provide and proofread all content for program booklets.
- Collaborate with conductors on creating diverse programming.
- Contract guest conductors including initiation of contact with managers.
- Serve as liaison for all guest conductors arranging logistics of schedules and travel.
- Engage, negotiate, and facilitate fee payments for faculty coaches from a pool of BSO and local freelance musicians.
- Supervise 2 full-time staff members – Performance Librarian and Administrator of Choirs.
- Hire and delegate tasks to student assistants who serve as orchestra managers, stage crew, and administrative assistants.
- Strategize methods for building audiences with marketing and public relations staff.
- Creatively formulate and maintain annual departmental budgets.
- Design and maintain Large Ensemble Department website for the dissemination of bulletin board materials to orchestra students, faculty, and staff.
- Annually create and produce multi-departmental Commencement Concert.
- Serve as lead administrator of ArtsVision database which is used by several departments.
- Collaborate with NEC's Entrepreneurial Musicianship Department on programming for orchestra students.
- Created and taught full menu of online courses to 150 international and domestic distance learning students during COVID-19 pandemic including: *Audition Intensive, Orchestra Management, and Music Cataloging of Works by Underrepresented Composers.*

Tanglewood Music Center/ Boston Symphony Orchestra

Lenox/ Boston, MA

Manager of Student Services

2000 – 2002

- Arranged and participated in cross-country audition and recruitment tour with members of Boston Symphony Orchestra.
- Served as liaison to Jacobs Pillow Dance Festival for annual collaboration between the two institutions.
- Acted as international student advisor and Primary Designated School Official in issuing M-1 student visas to foreign nationals.
- Developed and presented annual orientation session for fellows, faculty, and staff.
- Created program booklet with team of colleagues communicating all assignments and schedules to the Tanglewood Community.
- Assigned fellows to various community outreach events.

New World Symphony

Miami Beach, FL

Orchestra Manager

1997 – 2000

- Worked closely with Founding Artistic Director, Michael Tilson Thomas, in the assignment of orchestra personnel and creation of concert rosters to ensure equitable distribution of assignments.
- Developed and executed weekly orchestra schedules.
- Assisted in all personnel-related aspects for national and international tours.
- Coordinated backstage flow during concerts including stage and personnel changes.
- Selected musicians for participation in development and media events.
- Established and maintained harmonious relationship between musicians and all administrative staff.
- Served as liaison between Musicians' Orchestra Committee and senior staff.
- Designed and maintained intranet website to expedite and enhance communication with musicians.
- Engaged 250 substitute musicians each season from the local area and the entire USA.
- Arranged all airline and hotel reservations for 200 substitute musicians each year.
- Created, proposed, and tracked budget which included musician payments, hotel, and airline expenses.
- Maintained database of over 500 substitute musicians and facilitated stipend payments for all musicians.
- Processed appropriate applications for all foreign nationals to obtain F-1, H-1B, and O-1 visas.

SELECTED SEASONAL AND FREELANCE EXPERIENCE

Boston Landmarks Orchestra

Boston, MA

Director of Concert Operations

Summer 2014

- Responsible for executing all logistics of concert production at Boston's outdoor Hatch Shell on Boston's Esplanade for 8 concerts plus 1 concert in Symphony Hall, Boston.
- Coordinated with partners such as Department of Conservation and Recreation (DCR), WCRB radio talent, WCVB TV talent, Free for All Concert Fund staff, American Sign Language (ASL) interpreters, dance troupes, choirs, jazz combos, and outside vendors including the security team, Massachusetts State Police, and sound and lighting crews.
- Created production books and minute-by-minute "show flows" for all concerts.
- Booked all rehearsal venues.
- Worked with personnel manager and business manager to process musician and union payments each week.
- Collaborated closely with stage manager and technical director.
- Briefed musicians on security procedures and distributed security credentials.
- Filed paperwork for performance and broadcast rights.

Emmanuel Music

Boston, MA

Tour Manager – John Harbison's Great Gatsby at Tanglewood

Summer 2013

- Managed all logistics for eighty chorus and orchestra members for 3-day residency at Tanglewood.
- Arranged hotel and housing for all personnel.
- Coordinated meal service for all Emmanuel Music participants.

SELECTED PROFESSIONAL PROJECTS

- **Chair of NEC's Leonard Bernstein at 100 Festival** (Fall 2018) programming included a semi-staged production of *Candide*, orchestral, and chamber performances of Bernstein's works and works which influenced him. Directed all logistics for Boston showing of Grammy Museum's traveling interactive Bernstein at 100 Exhibit as part of NEC's celebration.
- **CBS Sports AFC Championship teaser with John Malkovich** (January 2018) Negotiated and oversaw project on behalf of NEC. Counseled CBS to use Jordan Hall for filming. Facilitated a site visit for the CBS crew. The spot was shown ahead of the CBS telecast of the AFL Championship game and earned four Sports Emmy Awards. Video and story: <https://www.necmusic.edu/philharmonia-nfl>
- **Co-Chair NEC's 150th Birthday Concert** (2017) Charged with creating and overseeing the production of this celebration. Conceived of idea to invite **Lake Street Dive** as featured artists and implemented my vision to have them collaborate with current NEC student ensembles (orchestra, jazz orchestra, gospel choir) for an outstanding night of music. Concert was sold out within five days of tickets going on sale. Concert review: <http://downbeat.com/news/detail/nec-celebrates-150-years-with-spirited-gala>

- **International Tour Operations** – Directed operations and personnel on orchestra concert tours to Israel, Italy, Monaco, China, Chile, and Costa Rica on behalf of NEC, Orchestra of the Americas, and New World Symphony.

AWARD

President's Service Award – New England Conservatory

September 2014

The terms of this peer nominated annual award: superior service in support of NEC's daily operation, a willingness to go "above and beyond" in the performance of one's responsibilities, a collegial spirit, and respect for members of the NEC Community, and at least five years of demonstrated dedication to NEC in a staff position.

EDUCATION

Boston University Center for Digital Imaging Arts

Professional Photography Certificate

Boston University, School for the Arts

Bachelor of Music Program in French Horn Performance

University of Hartford, Hartt School of Music

Bachelor of Music Program in French Horn Performance



Watertown City 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

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

Report of the Committee on Economic Development & Planning Meeting Date: July 5, 2023

The Committee convened on Wednesday July 5, 2023 at 5:30 pm by Zoom, pursuant to Chapter 2 of the Acts of 2023. Present were Lisa Feltner, chair; and Vincent Piccirilli, secretary. John Gannon, vice chair, was absent. The purpose of the meeting was to conduct Planning Board and Zoning Board of Appeals interviews. It was called to order at 5:36 pm.

Alexander Dale has a PhD in Civil and Environmental Engineering, and is a candidate for appointment to the ZBA. He is the Director of the SOLVE initiative at the Massachusetts Institute of Technology, exploring innovative options for decarbonizing housing globally. As a parent with two small children, he is very excited about Watertown's Climate and Energy Plan, and he has been following the Comprehensive Plan update and the vision for Watertown's future. As a facilitator working to develop public policy, he feels he is well equipped to consider the varied public input during ZBA meetings, to reach a reasoned judgement on petitions, and to be able to explain his decision to the public.

➔ **Action Item:** Councilor Piccirilli made a motion, seconded by Councilor Feltner, to recommend that the City Council confirm Alexander Dale for appointment as a full member of Zoning Board of Appeals for a term expiring February 15, 2027. Voted 2-0 on a roll call.

Rachel Sack has a Masters in Energy and Environmental Analysis, and is a candidate for appointment to the Planning Board. She is Chief of the US DOT Volpe Center's Innovative Research Division, and Director of the US DOT Small Business Innovation Research Program. As a resident in the Arsenal corridor, she has seen many changes, and wants to become more involved in the future growth of Watertown, particularly with transportation and climate issues. As a transportation professional, and a facilitator in her public policy role, she feels well suited to handle complex issues where there is a wide range of public input, and balance all the facts when making a decision. She feels it is important to acknowledge public input and how it was considered when explaining how a decision was made.

➔ **Action Item:** Councilor Piccirilli made a motion, seconded by Councilor Feltner, to recommend that the City Council confirm Rachel Sack for appointment to the Planning Board for a term expiring February 15, 2027. Voted 2-0 on a roll call.

The meeting adjourned at 6:25 pm on a roll call.

Report prepared by Vincent Piccirilli