

SEPTEMBER 12, 2023



Watertown City Council

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

CITY COUNCIL MEETING TUESDAY, SEPTEMBER 12, 2023, 6:30 P.M. RICHARD E. MASTRANGELO COUNCIL CHAMBER ADMINISTRATION BUILDING, 149 MAIN STREET

MINUTES

ACCESS INFORMATION:

- A. This meeting will be held on September 12, 2023 at 6:30 PM in the 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 9133 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>

1. ROLL CALL

Council President Sideris called to order a regular meeting of the City Council at 6:30 p.m. in the Richard E. Mastrangelo Chamber, Administration Building. Those present were Councilors John M. Airasian, Caroline Bays, John G. Gannon, Nicole Gardner (Via Zoom), 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. EXECUTIVE SESSION – 6:30 P.M.

- A. Pursuant to G.L. c. 30A, §21(a)(2) to discuss strategy sessions in preparation for

negotiations with non-union personnel as an open meeting may have a detrimental effect on the City's negotiating position and the Chair so Declares – Municipal Policy Analyst.

Councilor Piccirilli moved to go into Executive Session and Councilor Feltner seconded.

The motion to go into Executive Session passed unanimously in a Roll Call Vote.

3. RETURN FROM EXECUTIVE SESSION 7:00 P.M.

4. PLEDGE OF ALLEGIANCE

5. PUBLIC FORUM

Sam Gilardi – 17 Derby Rd – Announced the launch of “Housing For All – Watertown” a new grass roots independent group whose mission is to build a broad coalition of residents who will advocate for local policies and projects that will expand housing for all. Over 150 residents attended its launch celebration, and it looks forward to participating in the Water Square planning process and the zoning process. He welcomed individuals to reach out to the group via their website, or at their booth at the Faire on the Square Celebration.

Linda Scott – 55 Olcott St - Expressed her appreciation for increased efforts in safe school crossings as well as finishing the work to make specific areas safe for pedestrians again.

6. PRESIDENT'S REPORT

- A. Vote to authorize moving the City Council meeting from November 28, 2023 to November 27, 2023

President Sideris remarked that the Watertown Square Consultant will be holding a series of meetings in late November, one of which was on a council meeting day. He brought forward the vote so that the Council can be present at as many meetings as possible.

Councilor Piccirilli moved to change the City Council meeting from November 28, 2023 to November 27 2023 and Councilor Feltner seconded.

The motion passed unanimously in a Roll Call Vote.

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

A. Watertown Cooperative Nursery School Proclamation

President Sideris presented the Proclamation.

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

The Proclamation was accepted unanimously in a Roll Call Vote.

B. Burnham- Manning VFW Post 1105 Proclamation

President Sideris presented the Proclamation.

Director of Veterans' Services Patrick George thanked the Council for the Proclamation. He made note of some of the charitable work that the VFW does, in particular, placing cemetery grave markers for the veterans who have passed in town, as well as their efforts in this year's Memorial Day Parade. He recognized present members of the VFW: Derek Mayerhofer, Ed Aucoin, Leo Diaz, and Jack Gately.

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

Councilor Gannon personally thanked post 1105 as his father was a devoted member of the VFW.

President Sideris thanked the VFW as well as all Veterans for the service and contributions to the community.

The Proclamation was accepted unanimously in a Roll Call Vote.

8. PUBLIC HEARINGS

A. Public Hearing and Vote on a Petition from Cambridge Network Solutions for a Grant of Location in Winter Street to install and maintain:

- Underground Grant of Location – Winter Street – Strand and install approximately 35 linear feet of underground conduit.
- Aerial Grant of Location – Winter Street and Summer Street – Install and maintain overhead wire from utility pole #5 along Winter Street to utility pole #8A at the intersection of Winter Street and Summer Street

This work is necessary to provide telecommunications service to 149 Main Street. The recommendations and conditions set out by the Department of Public Works shall be required upon approval of this application.

Jeffrey Harrington – Cambridge Network Solutions – Presented the Grant of Location.

Marie Denzager – 118 Summer Street – Raised concern on why a private street would have to be disturbed to allow telecommunication access to City Hall. She remarked that the street is small and without sidewalks, and she was curious if there were any other

options in terms of location.

Chief Information Officer McClure stated that this standard practice for fiber optics, and that once the cable is underground, no one would notice it being there. He went on to mention that it is part of a long term strategy, that other businesses may potentially have access to it, and that it is costing the city nothing.

Jeffrey Harrington – Cambridge Network Solutions - Mentioned that during installation they will take measures to ensure safety. He also mentioned that work on Summer Street will just be in the adjoining parking lot and not the street itself.

Mary Denzager – 118 Summer Street – Expressed concern with the number of cables that are on poles up and down the street.

Jeffery Harrington – Concluded with saying that they followed correct procedure in checking all the poles with local utility and municipal representatives.

Councilor Piccirilli moved to approve the petition for the Grant of Location and Councilor Gannon seconded.

Councilor Feltner asked if there were wires on the pole that they discovered were not in use.

Jeffery Harrington – Cambridge Network Solutions – Stated that the walk through with the local utility companies provided them with information pertinent to their project but did not provide any further information of any other cables.

The Grant of Location was approved unanimously in a Roll Call Vote.

- B. Public Hearing and Vote on a proposed loan order that the sum of \$261,568 is appropriated to pay costs of funding year one of a centralized managed services plan in fiscal year 2024 as part of the IT Cybersecurity Capital Plan and all other costs incidental and related thereto; and 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 §7(9), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefore.

City Manager Proakis presented the proposed loan order and noted that he supports the efforts Chris McClure has been undertaking in Cybersecurity.

Chief Information Officer Chris McClure expressed he was excited as this will help the City move into using technology as opposed to just having it. It will help in terms of training, innovation, and digital equity. Cybersecurity will be used for 24/7 surveillance and auditing, protection and early remediation. He continued to say that it will prove to be cost beneficial. It removes the a la cart type of experience to an all you can eat buffet for the same money.

Councilor Piccirilli moved to approve the Loan Order and Councilor Feltner seconded.

Councilor Feltner thanked Chris McClure for his efforts and mentioned that it has been a topic with her constituents.

The Loan Order was approved unanimously in a Roll Call Vote.

9. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

- A. First Reading on a proposed Ordinance creating a Human Rights Commission
- B. First Reading on a proposed Ordinance establishing a salary for the Municipal Policy Analyst
- C. Vote to Authorize In-person Early Voting for the November 7, 2023 Municipal Election, in accordance with "The VOTES Act".

City Manager Proakis presented the opt-in process for early voting before the Council. He also mentioned that vote by mail does not require an opt-in.

City Clerk Murphy reiterated that vote by mail is mandated by all municipalities, and that they would like to offer in person early voting for several days that proved to be the most trafficked times.

Councilor Piccirilli moved to authorize early voting and Councilor Feltner seconded.

Councilor Palomba asked why there would not be early voting days on Monday and Friday.

City Clerk Murphy answered that her office ran the number from the previous election which dictated which days and times to offer the service. She continued to say that her small staff has had to cut back on other services they perform day to day during early voting, and in deciding to take advantage of the busiest times as early voting platforms, they can plan accordingly.

Councilor Feltner asked to confirm that the early voting will be at City Hall only.

City Clerk Murphy confirmed that early voting would be available only at City Hall.

The motion to authorize early voting passed unanimously in a Roll Call Vote.

- D. An Order Relative to a Grant of Easements Relative to Property at 85 Walnut Street from BP3-BOS4 250 Arsenal Place LLC to the City of Watertown and Authorizing the City Manager to Execute the Grant of Easements on Behalf of the City.

City Manager Proakis presented the Order.

Assistant City Manager Magoon explained that the easements were to create a pedestrian and bike walkway from Walnut to Arsenal and the other was to relocate a sewer line.

Councilor Piccirilli moved to accept the easements and authorize the City Manager and Councilor Feltner seconded.

Councilor Feltner expressed disappointment with the "learn as we go" type process. She asked if the City would oversee the construction and maintain of the pedestrian/bike way. She also asked if there would be a separate bike and walk lane.

Assistant City Manager Magoon said that the public access easement is through the property, but doesn't actually go to Arsenal, and that the City would oversee maintenance.

Councilor Feltner asked if there will be any contingencies if upkeep wasn't maintained, and was curious about accountability of the developers. She asked if there will be a permanent pedestrian/bike way opening along a current fence of the Gables property.

Assistant City Manager Magoon confirmed that there would be an opening there. He went on to say that it is more of a pedestrian facility, but it would be open to bicycles.

Councilor Gannon asked if the lanes will be clearly marked for pedestrians, bicyclists, and roadway traffic – proper signage.

Assistant City Manager Magoon confirmed that they would.

Councilor Palomba asked what the "adjacent property" was.

Assistant City Manager Magoon stated it was VHB, and that the parties had reached a mutual arrangement.

Councilor Feltner asked if the path was going to be lit.

Assistant City Manager Magoon stated that he didn't believe so, but that he would check.

The easements were accepted unanimously in a Roll Call Vote.

- E. A Resolution authorizing a Transfer of Funds in the amount of \$29,000 from the Fiscal Year 2024 Human Resources Full Time Salaries Account to the Fiscal Year 2024 Human Resources Contracted Services Account.

City Manager Proakis presented the request for the Transfer of Funds. He stated that a vote from the Council is necessary when dealing with a transfer between a salary account and a non-salary account. The City had been using a temp agency with regard to HR, and now they have hired an HR Director.

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

The Transfer of Funds was approved unanimously in a Roll Call Vote.

- F. Request to repurpose funds from the remaining balance of work done on the John A. Ryan Skating Arena handicap ramp to interior ADA compliant improvements at the John A. Ryan Skating Arena.

City Manager Proakis presented the request to repurpose funds. He explained that the cost of the ramp project was much lower than what was originally allotted, and so the City would like to repurpose those funds to finish the ADA stands project as well as put in an ADA lift.

Councilor Piccirilli moved to repurpose the funds and Councilor Feltner seconded.

Councilor Feltner asked for a picture or description of the new bleachers and lift.

Skating Rink Director Brothers answered that a 3rd party design and installation team was used to design the bleachers and lift layout. He continued to say that addressing the lift now will prove to save the City funds. He confirmed that the steps, railings, and the lift will be safe and accessible, and that renovation will include an entire ADA row.

Councilor Feltner asked what the capacity of the arena is.

Skating Rink Director Brothers replied that it is 1,200 but that they will lose a small

number of seats (15) as part of the upgrade.

Councilor Gannon commended the efforts of the rink and the DPW. He asked if Bond Council must be consulted to repurpose the funds.

City Attorney Reich clarified that Bond Council was consulted for the original borrowing, but that any remaining funds are available without their consultation.

The motion to repurpose funds passed unanimously in a Roll Call Vote.

10. REPORTS OF COMMITTEES

- A. Committee of the Budget and Fiscal Oversight regarding a report from its meeting on August 24, 2023 - Piccirilli, Chair

Councilor Piccirilli presented the report.

Councilor Piccirilli moved to accept the report and Councilor Feltner seconded.

The report was accepted unanimously in a Roll Call Vote.

- B. Committee on Personnel and City Organization regarding a report from its meeting on August 14, 2023 - Bays, Chair

Councilor Bays presented the report.

Councilor Piccirilli moved to accept the report and Councilor Feltner seconded.

The report was accepted unanimously in a Roll Call Vote.

- C. Committee on Human Services regarding a report from its meeting on August 7, 2023 - Palomba, Chair

ACTION ITEM:

Confirmation of Jill Hyde for re-appointment to the Affordable Housing Trust for a term to expire on June 30, 2025.

ACTION ITEM:

Confirmation of Leo Patterson for re-appointment to the Affordable Housing Trust for a term to expire on June 30, 2025.

Councilor Palomba presented the report.

Councilor Piccirilli moved to accept the report and Councilor Gannon seconded.

The report was accepted unanimously in a Roll Call Vote.

Councilor Piccirilli moved to confirm Jill Hyde and Leo Patterson to the Affordable Housing Trust to terms expiring on June 30, 2025 and Councilor Gannon seconded.

The confirmations passed unanimously in a Roll Call Vote.

11. NEW BUSINESS

- A. Referral to the Committee on Economic Development & Planning in regard to revising the requirements for community meetings for large projects.

President Sideris made the referral in response to a recent project being somewhat neglected, and he called for a tightening up of the process.

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

The referral was approved unanimously in a Roll Call Vote.

12. COMMUNICATION FROM THE CITY MANAGER

- A. Request for Confirmation of appointment to the Watertown Housing Authority

City Manager Proakis made the request to appoint James Mello to the Tenant Rep position which has been ably held by Patricia Sanchez.

President Sideris said that the appointment goes to Human Services.

- B. Constituent Services Director Search

City Manager Proakis stated that this is the position that will be manning the 311 call center.

President Sideris said that the appointment goes to City Organization and Personnel.

City Manager Proakis mentioned that they are searching for the City CFO. He went on to mention that the Watertown Square Project will have the following meetings on October 17 and November 28- 30. He reminded the Council of the upcoming Fair on the Square. He concluded in saying that they have an accepted offer for the new HR Director – Coleen Doyle.

13. REQUEST FOR INFORMATION

Councilor Bays asked for a copy of the standard operating procedure for the testing of the turf at Victory Field and the results of the test.

Councilor Feltner asked for data and results of DPW field survey used to map the PCI.

14. ANOUNCEMENTS

Councilor Piccirilli announced there would be a Watertown High School Community Zoom Forum on Thursday the 14th.

Councilor Palomba announced two Human Services meetings on the latest information on the Rodent Plan and also the implementation of the Climate and Energy Plan.

President Sideris reminded everyone of the upcoming joint meeting in regard to the Comprehensive Plan

15. PUBLIC FORUM

There were no participants in Public Forum.

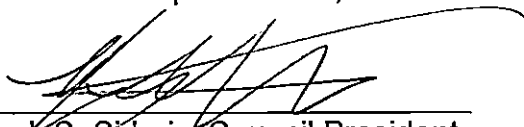
16. ADJOURNMENT

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

The motion was adopted unanimously in a Roll Call Vote.

The meeting adjourned at 8:30 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 9 for, 0 against, 0 present on September 26, 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

ADDENDUM TO THE MINUTES OF THE SEPTEMBER 12, 2023 CITY COUNCIL MEETING

Special City Council Meeting

Tuesday, September 12, 2023 at 6:30 PM

Richard E. Mastrangelo Council Chamber

Administration Building, 149 Main Street

List of Documents

1. Watertown Cooperative Nursey School Proclamation – Item 7A
2. Burnham-Manning VFW Post 1105 Proclamation – Item 7B
3. Winter Street Grant of Location – Cambridge Network Solutions – Item 8A
4. Early In-Person Voting Documents – Item 9C
5. 85 Walnut Street Grant of Easement from BP3-BOS4 250 Arsenal Place LLC to the City of Watertown Order – Item 9D
6. FY24 Human Resources Full Time Salaries Account to FY24 Human Resources Contracted Services Account Transfer of Funds – Item 9E
7. John A. Ryan Skating Arena Repurpose of Funds – Item 9F
8. Committee Report from the Committee of the Budget and Fiscal Oversight Committee Meeting on August 24, 2023 – Item 10A
9. Committee Report from the Committee on Personnel and City Organization Meeting on August 14, 2023 – Item 10B
10. Committee Report from the Committee on Human Services Meeting on August 7, 2023 – Item 10C
11. Watertown Housing Authority Request for Confirmation – Item 12A

CITY COUNCIL ATTENDANCE
MEETING DATE: SEPTEMBER 12, 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(Zoom) </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: SEPTEMBER 12, 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 a Proclamation Celebrating Watertown Cooperative Nursery School on the Occasion of their 70th Anniversary.



Watertown City Council

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149 Main Street

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Phone: 617-972-6470

PROCLAMATION HONORING WATERTOWN COOPERATIVE NURSERY SCHOOL ON THE OCCASION OF THEIR 70TH ANNIVERSARY

WHEREAS: Watertown Cooperative Nursery School is celebrating its 70th anniversary on September 9, 2023, at StoryFest; and

WHEREAS: The school has served hundreds of families across several generations; and

WHEREAS: The school offers a safe, nurturing, inclusive environment that balances self-directed learning with whole group experiences by allowing children time and space to develop skills by playing, tinkering, making mistakes, experiencing both success and failure, and reflecting on their own thinking; and

WHEREAS: Watertown Cooperative Nursery School is dedicated to making families an integral part of their children's preschool experience by providing opportunities for parents to assist in the classroom and in the operation of the school; and

WHEREAS: The school's cooperative model of governance fosters a cohesive community in which everyone's perspectives and feelings are valued.

NOW THEREFORE BE IT RESOLVED: That the Watertown City Council extends its sincerest congratulations to Watertown Cooperative Nursery School as it celebrates 70 years of serving families, and honors their outstanding contributions to the City of Watertown.

IN WITNESS WHEREOF,

I have hereunto set our hand and

Caused the Great Seal of the

City of Watertown to be affixed

On this 12th day of September 2023

Mark S. Sideris, City Council President



CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 a Proclamation Honoring the Burnham-Manning Veterans Of Foreign Wars
Post 1105.



Watertown City Council

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Phone: 617-972-6470

PROCLAMATION HONORING THE BURNHAM-MANNING VETERANS OF FOREIGN WARS POST 1105

WHEREAS: The Burnham-Manning Veterans of Foreign Wars (VFW) Post 1105 was installed on 14 May, 1924, and

WHEREAS: The mission of the VFW is: *"To foster camaraderie among United States veterans of overseas conflicts. To serve our veterans, the military and our communities. To advocate on behalf of all veterans"*, and,

WHEREAS: Watertown VFW Post 1105 has consistently been involved with the community, to include: providing scholarships through the Voice of Democracy and Patriot Pen essay contests; nominating a Watertown Middle School Teacher for the VFW Teacher of the Year Award in Massachusetts; and various other community-based initiatives in Watertown, and

WHEREAS: VFW Post 1105 has made significant investments in support of the VA in Bedford with a new trolley; a new work van for Project New Hope in Worcester; costs to train and provide a service animal to a Veteran free of charge; as well as financial support to Wild Hearts Therapeutic Equestrian Programs in West Bridgewater, demonstrating VFW Post 1105's commitment to supporting all Veterans, and

WHEREAS: Watertown VFW Post 1105 was recognized for their members committing over 350 hours of community service, and

WHEREAS: Watertown VFW Post 1105 was recognized by the State Commander of the VFW, Michael Raymond, as the VFW Post of the Year in Massachusetts.

NOW THEREFORE BE IT PROCLAIMED: That the Watertown City Council wishes to express their appreciation to Watertown VFW Burnham Manning Post 1105 for their strong commitment to Veterans and their community, and encourages residents to join in thanking them for being a partner in support of the City of Watertown.

IN WITNESS WHEREOF, I have
hereunto set our hand and caused the
Great Seal of the City of Watertown
to be affixed on this 12th day of
September 2023

Mark S. Sideris, City Council President



CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 petition by Cambridge Network Solutions for a Grant of Location in Winter St. and an Arial Grant of Location above Winter and Summer Street.



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RESOLUTION # 54

2023 – R - 58

BE IT RESOLVED: That the Watertown Department of Public Works has reviewed the attached petition by Cambridge Network Solutions for consideration of a Grant of Location in:

Winter Street – Underground Grant of Location- Strand and install approximately 35 linear feet of underground conduit.

Aerial Grant of Location – Winter Street and Summer Street - Install and maintain overhead wire from utility pole #5 along Winter Street to utility pole #8A at the intersection of Winter Street and Summer Street

This work is necessary to provide telecommunications service to 149 Main Street. The recommendations and conditions set out by the Department of Public Works shall be required upon approval of this application.

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.

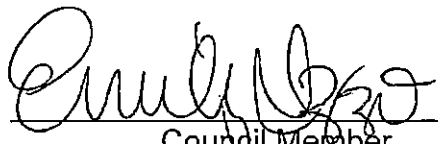
9. Public shade trees within and adjacent to the proposed work zone must be protected. The Contractor shall install individual tree protection on any public shade tree that may be impacted and the Contractor shall not stockpile material or equipment within the drip zone of a public shade tree.

10. Contractor shall coordinate with City Health Department on rodent control requirements.

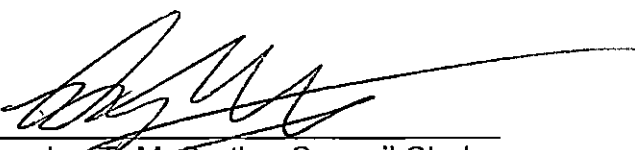
11. An as-built survey shall be performed upon completion of the work and provided to the Department of Public Works.

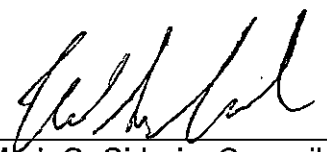
BE IT FURTHER RESOLVED: That the petitioner shall deposit sufficient cash surety as determined by the Superintendent of Public Works to be held in escrow until the Superintendent of Public Works is satisfied with the condition of repair and restoration of the street.

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 9 for, 0 against, and 0 present on September 12, 2023.


Brendan T. McCarthy, Council Clerk


Mark S. Sideris, Council President

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



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: July 19, 2023
APPLICANT: Cambridge Network Solutions
WORK ORDER: PROJ# 23-2133
LOCATION: Winter Street

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

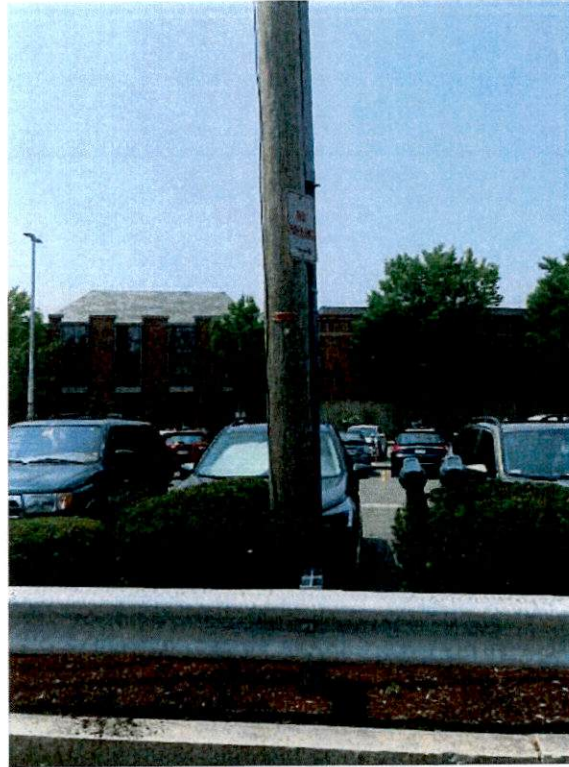
- **Underground Grant of Location – Winter Street – Strand and install approximately 35 linear feet of underground conduit.**
- **Aerial Grant of Location – Winter Street and Summer Street – Install and maintain overhead wire from utility pole #5 along Winter Street to utility pole #8A at the intersection of Winter Street and Summer Street**

This work is necessary to provide telecommunications service to 149 Main 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.

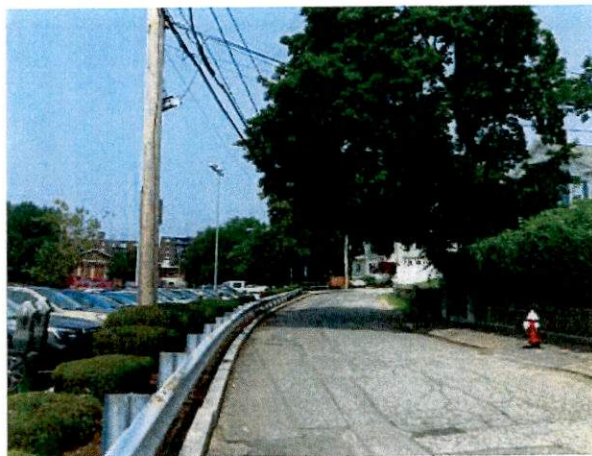
Standard Conditions

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.



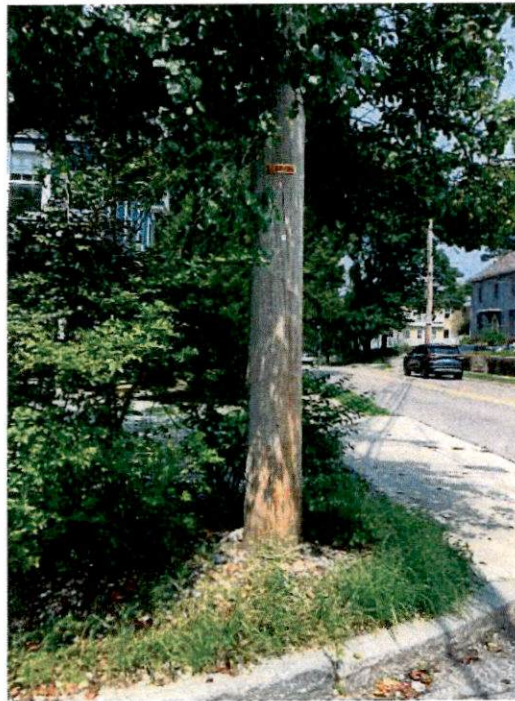
View of proposed start position of underground conduit at utility pole #5 facing southwest towards parking area.



View of utility pole #5 and Winter Street facing northwest.



View of utility pole #6 and Winter Street facing south.



View of proposed end position for aerial cable at utility pole #8A.

100 Quannapowitt Pkwy
Flr 4, Ste 401
Wakefield, Ma 01880



City Council
149 Main Street
Watertown, MA 02472

July 12, 2023

Dear Members of the Council:

The enclosed petition and plan are being presented by Cambridge Network Solutions for the purpose of obtaining a Grant of Location to strand and install approximately 35 feet of underground conduit in Winter Street.

The reason for this work is to provide network to 149 Main Street.

Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Jeff Harrington". The signature is written in a cursive style with a large, stylized "J" and "H".

Jeff Harrington

Sr. Director of Construction

617-999-5371

**PETITION OF CAMBRIDGE NETWORK SOLUTIONS FOR LOCATION OF
STRAND AND UNDERGROUND CONDUIT PLACEMENT**

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

Respectfully represents **CAMBRIDGE NETWORK SOLUTIONS** a company incorporated for the transmission of all-fiber, infrastructure-based connectivity, 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 **MTP COMMUNICATIONS INC** **Dated JUNE 29, 2023**, and filed herewith, under the following public way or ways of said City:

CAMBRIDGE NETWORK SOLUTIONS
100 QUANNAPOWITT PKWY FLR 4, STE 401
WAKEFIELD, MA 01880

149 Main Street – Install strand from Utility Pole #8A on the corner of Winter and Summer street along Winter Street to Utility Pole #5. Install 35 feet of 1, 4 inch PVC conduit (CNS) and 4, 1 ¼ inch PVC UG conduit (for city) from Utility Pole #5 to Private TMH. Install Cable from private property MH through existing private conduit to 149 Main Street.

BY

Jeff Harrington, Sr. Director of Construction

Dated this 12 day of July, 2023

City of **WATERTOWN** Massachusetts

Received and filed _____ 2023



PROPOSED OSP INSTALLATION
AT
#149 MAIN STREET (WINTER STREET SIDE)
IN THE
CITY OF WATERTOWN, MA

INDEX OF DRAWING

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
01	PROPOSED OSP INSTALL (WITH TRENCH) - SHEET 1
02	OSP SHEET 2



LAND PLANNING, INC.
Civil Engineer - Land Surveyor - Environmental Consultant
214 Main Street
Watertown, MA 02154

CONTRACTOR:

MTP
COMMUNICATIONS, INC.

PREPARED FOR:



PROJECT NOTES:

LEGEND

- WATER LINE
- SEWER LINE
- DRAIN LINE
- TELEPHONE LINE
- ELECTRIC LINE
- CATV LINE
- GAS LINE
- STEAM LINE
- COMBINED
- STORM DRAIN
- TRAFFIC
- UNKNOWN UTILITY
- COMMUNICATIONS
- PROP. AERIAL F/O CABLE

SYMBOLS:

1	EX. TRAFFIC BOLLARDS
2	UTILITY POLE
3	STREET LIGHT
4	TRAFFIC LIGHT
5	BMSC HH
6	ELECTRIC HH
7	GAS GATE
8	WATER GATE
9	UNKNOWN GATE
10	SEWER HH
11	DRAIN HH
12	TELEPHONE HH
13	ELECTRIC HH
14	STEAM HH
15	CABLE TV HH
16	UNKNOWN HH
17	LEVEL 3 HH
18	WALK BOX
19	COAL FEEDSTOCK
20	DOUBLE PRING METER
21	STEEL POST
22	SIGN POLE
23	HYDRANT
24	TRASH CAN
25	GATCH BUSH
26	STONE BOUND
27	PROPERTY LINE
28	FWC ALARM
29	TRAFFIC BOX
30	UNKNOWN HH
31	TRAFFIC HH
32	PROPOSED HH
33	PROPOSED CONDUIT
34	EXISTING TREE

REVISION HISTORY

REV	DATE	DESCRIPTION / DRAWER
1		
2		
3		
4		

PREPARED BY:



CONTACT INFORMATION:

OFFICE LOCATION: #90 MENDON STREET
BELLINGHAM, MA. 02019
MAILING ADDRESS: PO BOX 736, BELLINGHAM,
MA. 02019
TEL: (508) 530-8681

EMAIL: MPAYONE@MTPCOMMUNICATIONS.COM

TITLE:

PROP. OSP INTALL (W/ TRENCH) PLAN

LOCATION: #149 MAIN (ON CHURCH ST)
WATERTOWN, MA

CKD BY: MP APRVD BY: JH

DRAWN BY: MP DATE: 29JUNE2023

PROJ #: 23-2133 SHEET: 18 OF 14

GENERAL NOTES

- PRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT.
- THE CONTRACTOR SHOULD MAINTAIN A SEPARATION OF 18 INCHES MIN. WHEN CROSSING EXISTING WATER FACILITIES.
- THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANY.
- THE CONTRACTOR SHALL NOT DISTURB PUBLIC TREES AND SHRUBS.
- AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT NO EXPENSE TO THE OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING AND MAINTAINING TEMPORARY RESURFACING AND/OR PLATING FOR ALL EXCAVATIONS IN PAVED STREETS AND SIDEWALKS UNTIL PERMANENT RESURFACING IS COMPLETE.
- JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAW CUT EXISTING PAVEMENT SHALL BE SEALED WITH BITUMEN AND BACK SANDED.
- THE CONTRACTOR SHALL PROTECT AND SUPPORT ALL EXISTING UTILITY LINES THAT BECOME EXPOSED DUE TO EXCAVATION REQUIRED TO INSTALL THE PROPOSED CONDUIT.
- THE CONTRACTOR SHALL REPLACE ALL DISTURBED TRAFFIC SIGNAL LOOP DETECTORS TO GOOD WORKING CONDITION AS REQUIRED BY THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
- ALL EXISTING STATE, COUNTY, CITY, AND TOWN LOCATION LINES AND PRIVATE PROPERTY LINES HAVE BEEN ESTABLISHED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
- THE CONTRACTOR SHALL REPLACE ALL PAVEMENT MARKINGS IN THEIR ENTIRETY THAT HAVE BEEN DAMAGED BY TRENCH EXCAVATION OR OPERATIONS OF THE CONTRACTOR WITH SIMILAR COLOR AND SIZE THERMOPLASTIC MARKINGS.

MATCHLINE SHEET 2

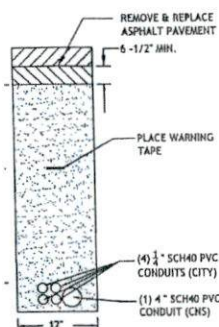
INSTALL 'CNS' (AERIAL) STRAND AND FIBER OPTIC CABLE FROM UP #5 ON WINTER STREET TO UP# 8A ON WINTER STREET AND SUMMER STREET

EXISTING SHRUBS TO BE PROCTED.

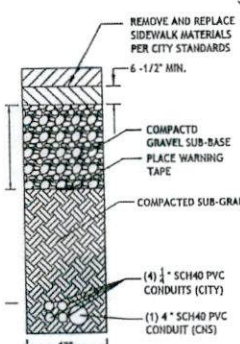
PROPOSED:

(1) 4" DIA., SCH40, PVC CONDUIT (CNS)
(4) 1 1/4" DIA. SCH40, PVC UNDERGROUND CONDUITS (FOR CITY) FROM UP #5 TO PRIVATE TMH.
TOTAL = ±35 LF
NOTE: ALL DISTURBED BY CONSTRUCTION AREAS TO BE RESTORED TO PRE-EXISTING CONDITIONS.

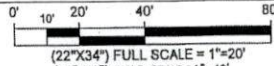
PROPOSED 'CNS' (1) 10' HT. 4" DIA. METAL RISER AT UP #5



CH/DUCT BANK DETAIL ON ROADWAY
NOT TO SCALE



CH/DUCT BANK DETAIL ON SIDEWALK
NOT TO SCALE

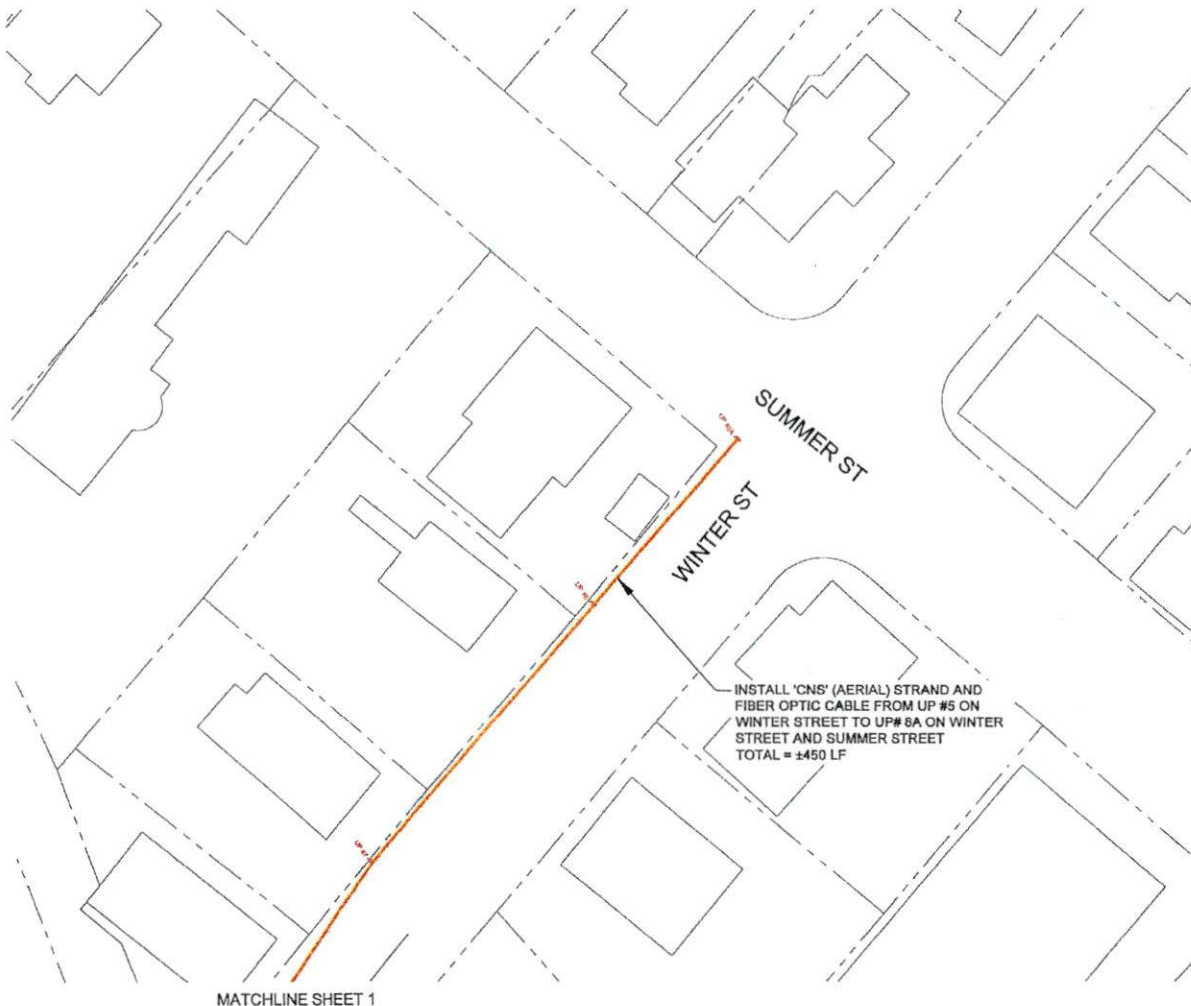


WINTER STREET AT P# 5 MATERIALS

STREET:	ASPHALT
SIDEWALK:	SOUTH SIDE NO SIDEWALK/ NORTH SIDE - ASPHALT
CURB:	GRANITE



DIGSAFE #XXXXXXX



GENERAL NOTES

- PRESENTATIVE.
THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
2. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT.
3. THE CONTRACTOR SHOULD MAINTAIN A SEPARATION OF 18 INCHES MIN. WHEN CROSSING EXISTING WATER FACILITIES.
4. THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANY.
5. THE CONTRACTOR SHALL NOT DISTURB PUBLIC TREES AND SHRUBS.
6. AREAS OUTSIDE THE LIMITS OF PROPOSED WORK, DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT NO EXPENSE TO THE OWNER.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING AND MAINTAINING TEMPORARY RESURFACING AND/OR PLATING FOR ALL EXCAVATIONS IN PAVED STREETS AND SIDEWALKS UNTIL PERMANENT RESURFACING IS COMPLETE.
8. JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAW CUT EXISTING PAVEMENT SHALL BE SEALED WITH BITUMEN AND BACK SANDED.
9. THE CONTRACTOR SHALL PROTECT AND SUPPORT ALL EXISTING UTILITY LINES THAT BECOME EXPOSED DUE TO EXCAVATION REQUIRED TO INSTALL THE PROPOSED CONDUIT.
10. THE CONTRACTOR SHALL REPLACE ALL DISTURBED TRAFFIC SIGNAL LOOP DETECTORS TO GOOD WORKING CONDITION AS REQUIRED BY THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
11. ALL EXISTING STATE, COUNTY, CITY, AND TOWN LOCATION LINES AND PRIVATE PROPERTY LINES HAVE BEEN ESTABLISHED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
12. THE CONTRACTOR SHALL REPLACE ALL PAVEMENT MARKINGS IN THEIR ENTIRETY THAT HAVE BEEN DAMAGED BY TRENCH EXCAVATION OR OPERATIONS OF THE CONTRACTOR WITH SIMILAR COLOR AND SIZE THERMOPLASTIC MARKINGS.

PREPARED FOR:



PROJECT NOTES:

LEGEND

- WATER LINE
- SEWER LINE
- DRAIN LINE
- TELEPHONE
- ELECTRIC LINE
- CATV LINE
- GAS LINE
- STEAM LINE
- COMBINED
- STORM DRAIN
- TRAFFIC
- UNKNOWN UTILITY
- COMMUNICATIONS
- PROP. AERIAL F/O CABLE

SYMBOLS:

1/4"	TR. TRAFFIC BOLLARDS
1/4"	UTILITY POLE
1/4"	STREET LIGHT
1/4"	TRAFFIC LIGHT
1/4"	BRGS MH
1/4"	ELECTRIC MH
1/4"	GAS GATE
1/4"	WATER GATE
1/4"	UNKNOWN GATE
1/4"	SEWER MH
1/4"	DRAIN MH
1/4"	TELEPHONE MH
1/4"	ELECTRIC MH
1/4"	STEAM MH
1/4"	CABLE TV MH
1/4"	UNKNOWN MH
1/4"	LEVEL 3 MH
1/4"	MIL. BOX
1/4"	COMM. PEDESTAL
1/4"	DOUBLE PING METER
1/4"	STEEL POST
1/4"	SIGN POLE
1/4"	HYDRAULIC
1/4"	TRASH CAN
1/4"	CATCH BASIN
1/4"	STONE BOUND
1/4"	PROPERTY LINE
1/4"	FIRE ALARM
1/4"	TRAFFIC BOX
1/4"	UNKNOWN MH
1/4"	TRAFFIC MH
1/4"	PROPOSED MH
1/4"	PROPOSED CONDUIT
1/4"	EXISTING TREE

REVISION HISTORY

REV	DATE	DESCRIPTION / DRAFTER
1		
2		
3		
4		

PREPARED BY:



CONTACT INFORMATION:

OFFICE LOCATION: #33 MENDON STREET
BELLINGHAM, MA. 02019

MAILING ADDRESS: PO BOX 736, BELLINGHAM,
MA. 02019

TEL: (508) 530-8881

EMAIL: MPVONE@MTPCOMMUNICATIONS.COM

TITLE:

PROPOSED OSP PLAN

LOCATION: #140 MAIN (ON CHURCH ST)
WATERTOWN, MA

CKD BY: MP

DRAWN BY: MP

PROJ #: 23-2133

SHEET: 2 OF 2

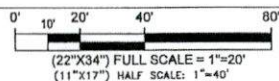
DATE: 29 JUNE 2023

APRVD BY: JH

2 OF 2



DIGSAFE #XXXXXXX



LAND PLANNING, INC.
214 Worcester Street
K. Graham, MA 01546



CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 Borrowing of Funds to pay costs of funding year one of the Centralized Manager Services Plan in Fiscal Year 2024 as part of the IT Cybersecurity Plan



Watertown City Council

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

Order # 59

2023 - O - 59

**ORDER TO APPROVE THE BORROWING OF FUNDS
TO PAY COSTS OF FUNDING YEAR ONE OF THE
CENTRALIZED MANAGER SERVICES PLAN IN
FISCAL YEAR 2024 AS PART OF THE IT
CYBERSECURITY PLAN**

ORDERED: That the sum of \$261,568 is appropriated to pay costs of funding year one of a centralized managed services plan in fiscal year 2024 as part of the IT Cybersecurity Capital Plan and all other costs incidental and related thereto; and 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 §7(9), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.


Council Member

I hereby certify that at a Meeting of the City Council for which a quorum was present, the above Order was adopted by a vote of 4 for, 0 against, and 0 present on September 12, 2023


Brendan T. McCarthy, Council Clerk


Mark S. Sideris, Council President

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 ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 an Order Relative to the Grant of Easements Relative to Property 85 Walnut Street from BP3-BOS4 250 Arsenal Place LLC to the City of Watertown and Authorizing the City Manager to Execute the Grant of Easements on Behalf of the City



Watertown City Council

Administration Building

149 Main Street

Watertown, MA 02472

Phone: 617-972-6470

ORDER# 60

O-2023- 60

An Order Relative to a Grant of Easements Relative to Property at 85 Walnut Street from BP3-BOS4 250 Arsenal Place LLC to the City of Watertown and Authorizing the City Manager to Execute the Grant of Easements on Behalf of the City

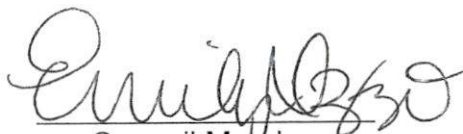
WHEREAS, BP3-BOS4 250 Arsenal Place LLC is developing property located at 85 Walnut Street; and

WHEREAS, due to the location of the improvements to be constructed at the property, BP3-BOS4 250 Arsenal Place LLC needs to relocate an existing sewer line, and will grant the City another easement for this purpose, on the southern boundary of its property; and

WHEREAS, in connection with its development, BP3-BOS4 250 Arsenal Place LLC has agreed to grant pedestrian, bicycle and open space easements to the City, for use by the public, such amenities to be constructed and maintained by the developer.

NOW THEREFORE BE IT ORDERED: That the City Council agrees, in connection with the development of 85 Walnut Street by BP3-BOS4 250 Arsenal Place LLC, to accept an easement for a sewer line, and pedestrian, bicycle and open space easements, for use by the public.

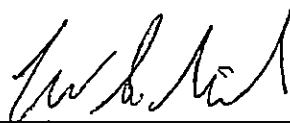
AND FURTHER, that the City Council hereby authorizes the City Manager to execute a Grant of Easements on behalf of the City.


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 1 for, 0 against and 0 present on September 12, 2023.



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President

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



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: September 7, 2023

RE: Agenda Item – Grant of Easements - 85 Walnut Street

Attached please find correspondence from Katherine L. Klein, Esquire, KP Law, P.C. regarding a proposed Grant of Easements conveying an easement for a sewer line and pedestrian, bicycle and open space easements at 85 Walnut Street.

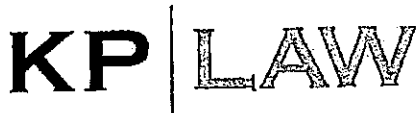
As indicated in Ms. Klein's correspondence, 250 Arsenal Place LLC is developing the property at 85 Walnut Street. The location of the improvements at the property necessitates the relocation of an existing sewer line. The developer is granting the City a new easement on the southern boundary of its property for this purpose. 250 Arsenal Place LLC has agreed to grant pedestrian, bicycle and open space easements to the City, for use by the public, which are to be constructed and maintained by the developer.

The Department of Community Development and Planning has reviewed the Grant of Easements and approves the document.

Therefore, given the above, I respectfully request the attached Order be placed on the September 12, 2023 City Council Agenda.

Thank you for your consideration in this matter.

cc: Steven Magoon, Assistant City Manager for Community Development and Planning
Gideon Schreiber, AICP, Assistant Director of Planning
Katharine L. Klein, Esquire, KP Law, P.C.
Mark R. Reich, Esquire, KP Law, P.C.



The Leader in Public Sector Law

101 Arch Street, Boston, MA 02110
Tel: 617.556.0007 | Fax: 617.654.1735
www.k-plaw.com

August 31, 2023

Katharine Lord Klein
kklein@k-plaw.com

BY ELECTRONIC MAIL ONLY (GProakis@watertown-ma.gov)

Mr. George Proakis, City Manager
Watertown Administration Building
149 Main Street
Watertown, MA 02472

Re: Grant of Easements – 85 Walnut Street

Dear Mr. Proakis:

I am writing to you regarding a proposed Grant of Easements conveying an easement for a sewer line and pedestrian, bicycle and open space easements at 85 Walnut Street.

BP3-BOS4 250 Arsenal Place LLC is developing the property at 85 Walnut Street. The location of the improvements at the property necessitates the relocation of an existing sewer line. The developer is granting the City a new easement on the southern boundary of its property for this purpose. BP3-BOS4 250 Arsenal Place LLC has, further, agreed to grant pedestrian, bicycle and open space easements to the City, for use by the public, which are to be constructed and maintained by the developer.

The Department of Community Development and Planning has reviewed the Grant of Easements and approves the document.

I recommend that the City Council vote to approve the enclosed Grant of Easements and authorize the City Manager to execute the document. I have provided a proposed Order.

Please contact Mark Reich or me with any questions regarding this matter.

Very truly yours,


Katharine Lord Klein

KLK/caa

Enc.

cc: Department of Community Development and Planning (SMagoon@watertown-ma.gov)

878938/WATR/0018

City Council
CITY OF WATERTOWN

ADMINISTRATION BUILDING – WATERTOWN, MA 02472-4410
(617) 972-6470 – FAX (617) 972-6485

ORDER #

O-2023-

An Order Relative to a Grant of Easements Relative to Property at 85 Walnut Street from BP3-BOS4 250 Arsenal Place LLC to the City of Watertown and Authorizing the City Manager to Execute the Grant of Easements on Behalf of the City

WHEREAS, BP3-BOS4 250 Arsenal Place LLC is developing property located at 85 Walnut Street; and

WHEREAS, due to the location of the improvements to be constructed at the property, BP3-BOS4 250 Arsenal Place LLC needs to relocate an existing sewer line, and will grant the City another easement for this purpose, on the southern boundary of its property; and

WHEREAS, in connection with its development, BP3-BOS4 250 Arsenal Place LLC has agreed to grant pedestrian, bicycle and open space easements to the City, for use by the public, such amenities to be constructed and maintained by the developer.

NOW THEREFORE BE IT ORDERED: That the City Council agrees, in connection with the development of 85 Walnut Street by BP3-BOS4 250 Arsenal Place LLC, to accept an easement for a sewer line, and pedestrian, bicycle and open space easements, for use by the public.

AND FURTHER, that the City Council hereby authorizes the City Manager to execute a Grant of Easements on behalf of the City.

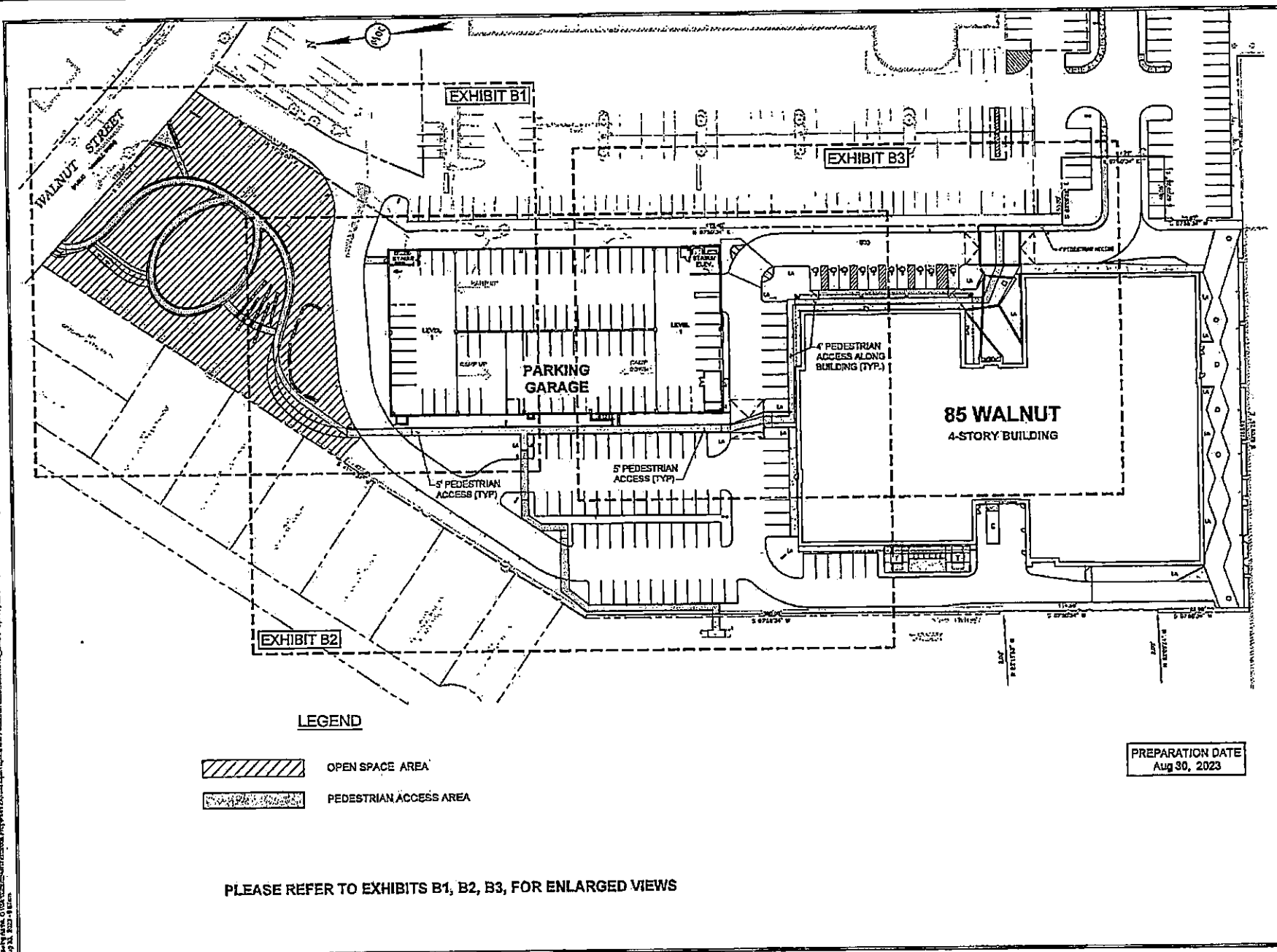
Council Member

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 September 12, 2023.

Brendan McCarthy, Council Clerk

Mark S. Sideris, Council President

Drawn by: J. J. O'Connell
Checked by: J. J. O'Connell
Date: 8/30/23
Scale: As Shown
Project: 85 Walnut Street, Watertown, MA
Drawing: Overall Park and Pedestrian Easement Exhibit
Sheet: 74 of 74



RJOC

PREPARED BY:
RJO'CONNELL & ASSOCIATES, INC.
CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
1000 WASHINGTON STREET, SUITE 200, WATERTOWN, MA 02459
PHONE: (617) 926-1000 FAX: (617) 926-1001

PHASE 3
OVERALL PARK AND PEDESTRIAN EASEMENT EXHIBIT

PROJECT NAME:
85 WALNUT STREET
WATERTOWN, MA

SCALE:

DATE:
Aug 30, 2023

PROJECT NUMBER:
OVERALL PARK AND PEDESTRIAN EASEMENT EXHIBIT

DRAWING NUMBER:
EXHIBIT B (OVERALL)

DESIGNED BY:
RJO'CONNELL & ASSOCIATES, INC.

770,000,000

PHASE 2

DISPATCH NUMBER:

Copyright © 2002 by A.A. Cruikshank & Associates, Inc.



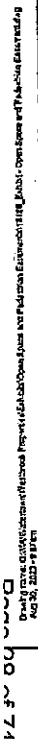
PHASE 3

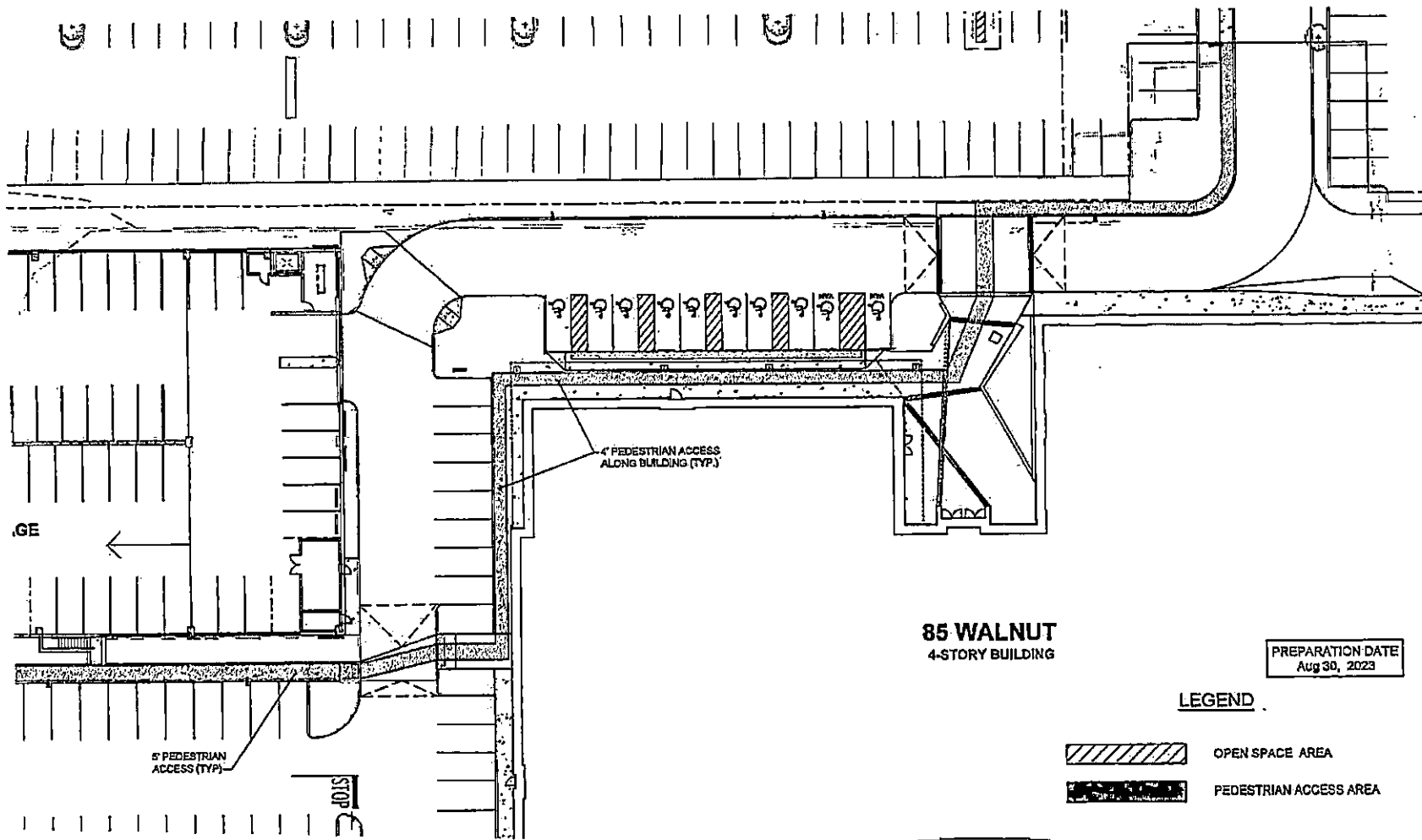
85 WALNUT STREET
WATERTOWN, MA

PARK AND PEDESTRIAN EASEMENT EXHIBIT

EXHIBIT B2

4. Example 2 (continued)





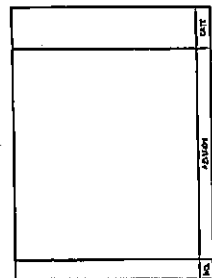
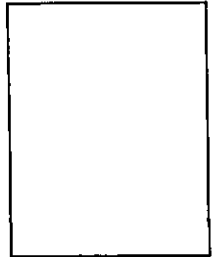
85 WALNUT
4-STORY BUILDING

PREPARATION DATE
Aug 30, 2023

LEGEND

-  OPEN SPACE AREA
-  PEDESTRIAN ACCESS AREA

RJOC



PREPARED BY
**RJO'CONNELL
& ASSOCIATES, INC.**
CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
65 WORTH STREET, SUITE 200, WATERTOWN, MA 02458
TEL: 617.252.1100 FAX: 617.252.1101
WWW.RJOCONNELL.COM

PHASE 3
PARK AND PEDESTRIAN EASEMENT EXHIBIT

PROJECT NAME

85 WALNUT STREET
WATERTOWN, MA

DATE

**PARK AND
PEDESTRIAN
EASEMENT EXHIBIT**

EXHIBIT B3

Copyright © 2023 by RJO'Connell & Associates, Inc.

Drawn by: [illegible] Date: 8/30/23
Checked by: [illegible] Date: 8/30/23
Reviewed by: [illegible] Date: 8/30/23
Project: 85 Walnut Street, Watertown, MA
Drawing: PARK AND PEDESTRIAN EASEMENT EXHIBIT
Scale: AS SHOWN
Notes: SEE EXHIBIT B1 FOR PHASE 1 AND PHASE 2 DRAWINGS.
8/30/23

**UPON RECORDING RETURN
TO:**

Greenberg Traurig, LLP
1840 Century Park East, Suite 1900
Los Angeles, CA 90067
Attention: Kate Cregor

GRANT OF EASEMENTS

This GRANT OF EASEMENTS (this "**Grant**") is entered into as of the ____ day of _____, 2023, by and between BP3-BOS4 250 ARSENAL PLACE LLC, as successor-by-name-change to BP3-BOS4 85 WALNUT STREET LLC, a Delaware limited liability company ("**Grantor**"), having an address of 4475 Executive Drive, Suite 100, San Diego, California 92121, and the CITY OF WATERTOWN, a Massachusetts municipal corporation ("**City**"), having its usual place of business at 149 Main Street, Watertown, Massachusetts 02472.

WITNESSETH:

Reference is made to the following facts which constitute the background to this instrument:

A. Grantor is the owner in fee simple of that certain real property situated in the City of Watertown, Middlesex County, Commonwealth of Massachusetts, and being more particularly described in a deed recorded with the Middlesex South District Registry of Deeds in Book 76574, Page 533, and as further described on attached **Exhibit A** (the "**Grantor Parcel**").

B. In connection with Grantor's development of the Grantor Parcel, Grantor has agreed to grant to the City certain utility, pedestrian and bicycle access easements and an open

space easement, to be located in, on, under and over certain portions of the Grantor Parcel, as set forth below in this Grant.

NOW THEREFORE, for the sum of One Dollar (\$1.00) paid, and in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and the City hereby agree as follows:

1. Sewer Easement from Grantor to the City. Grantor hereby grants to the City, in gross, subject to the terms hereof, the perpetual non-exclusive right and easement (the "Sewer Easement"), in common with the Grantor, to use, operate, inspect, maintain, repair, replace and relocate an existing sewer line, including any and all facilities and appurtenances related thereto, now or hereafter located in the area shown as 15' Wide Sewer Easement on the plan entitled "Sewer Easement Plan of Land" dated June 1, 2023, which Plan recorded separately under Plan Number Plan No. 561 of Book 2023 and prepared by RJO'Connell & Associates, Inc. (collectively, the Sewer Easement Premises"), for the benefit of the Grantor Parcel and such other properties served by the Watertown municipal sewer system as the City shall determine, in its absolute discretion.

2. Public Pedestrian Access Easement from Grantor to the City and the Public. Grantor hereby grants to the City and to the public, in gross, subject to the terms hereof, the perpetual non-exclusive right and easement (the "Public Pedestrian Easement"), in common with the Grantor, and all tenants and occupants of the Grantor Parcel, to use the easement area shown as "Pedestrian Access Area" on the plan entitled "Park and Pedestrian Easement Exhibit," dated August 30, 2023, prepared by RJO'Connell & Associates, Inc. (the "Public Pedestrian Easement Premises") shown on Exhibits B through B-3 attached hereto and incorporated herein, for recreational purposes to provide pedestrian access upon the Grantor Parcel ("Public Pedestrian

Easement Right"). The Public Pedestrian Easement Right shall not include or be deemed to include a right to ride or park bicycles or motor vehicles, motorcycles, or other motorized or non-motorized transportation devices within the Public Pedestrian Easement Premises at any time, with the exception of motorized or non-motorized transportation devices for use by disabled persons. Additionally, the City and/or any member of the public shall not place within the Public Pedestrian Easement Premises any improvements or obstructions. Grantor may restrict the City's and the public's easement rights during any period of construction, maintenance or repair of the improvements in the Public Pedestrian Easement Area. Further, the Public Pedestrian Easement Premises will not be open for use by the City or the public until the building on the Grantor Parcel has been developed and is open for business. Finally, the Public Pedestrian Easement Premises will be subject to Rules and Regulations from time to time imposed by the Grantor pursuant to the terms hereof. Such Rules and Regulations are contingent upon approval by the City, which approval shall not be unreasonably withheld, conditioned or delayed.

3. Public Bicycle Access Easement from Grantor to the City and the Public. Grantor hereby grants to the City and to the public, in gross, subject to the terms hereof, the perpetual non-exclusive right and easement (the "Public Bicycle Easement"), in common with the Grantor, and all tenants and occupants of the Grantor Parcel, to use the paved roadways that are from time to time located upon the Grantor Parcel for vehicular use (the "Public Bicycle Easement Premises"), for recreational purposes to provide access upon the Grantor Parcel for ingress and egress to the adjacent property known as 101 Walnut Street (the "Public Bicycle Easement Right"). The Public Bicycle Easement Right shall be limited for the purpose of a path of travel through the Premises to the adjacent property known as 101 Walnut Street. The Public Bicycle Easement Right shall not include or be deemed to include a right to park bicycles or motor vehicles,

motorcycles, or other motorized or non-motorized transportation devices within the Public Bicycle Easement Premises at any time with the exception of motorized vehicles for use by disabled persons. Additionally, the City and/or any member of the public shall not place within the Public Bicycle Easement Premises any improvements or obstructions. Grantor may restrict the City's and the public's easement rights during any period of construction, maintenance or repair of the improvements in the Public Bicycle Easement Area. Further, the Public Bicycle Easement Premises will not be open for use by the City or the public until the building on the Grantor Parcel has been developed and is open for business. Finally, the Public Bicycle Easement Premises will be subject to Rules and Regulations from time to time imposed by the Grantor pursuant to the terms hereof. Such Rules and Regulations are contingent upon approval by the City, which approval shall not be unreasonably withheld, conditioned or delayed.

4. Open Space Easement from Grantor to the City and the Public. Grantor hereby grants to the City and to the public, in gross, subject to the terms hereof, the perpetual non-exclusive right and easement (the "Open Space Easement"), in common with the Grantor, and all tenants and occupants of the Grantor Parcel, to use the easement area shown as "Open Space Area" on the plan entitled "Park and Pedestrian Easement Exhibit," dated August 30, 2023, prepared by RJO'Connell & Associates, Inc. (the "Open Space Easement Premises"), shown on Exhibit B-1 attached hereto and incorporated herein, for the purpose of park and recreational use, which shall be subject to Rules and Regulations, including then current public park applicable hours of use, imposed by the Grantor pursuant to the terms hereof. Such Rules and Regulations are contingent upon approval by the City, which approval shall not be unreasonably withheld, conditioned or delayed.

The City, and for the benefit of the public, shall further have the right and easement to use the Open Space Easement Premises for the purpose of access to and egress from paths, trails, walkways, parks and other recreational areas located upon adjacent parcels, whether owned by the City or other parties (the Sewer Easement Premises, the Public Pedestrian Easement Premises, the Public Bicycle Easement Premises and the Open Space Easement Premises, collectively the "Easement Premises"). The City and/or any member of the public shall not place within the Open Space Easement Premises any improvements or obstructions. Further, Grantor may restrict City's and the public's easement rights during any period of construction, maintenance or repair of the improvements in the Open Space Easement Premises. Finally, the Open Space Easement Premises will not be available for use until Grantor has opened the park to the public.

5. City's Responsibility for Utilities. The Grantor hereby conveys to the City the utility facilities and appurtenances within the Sewer Easement Premises, except that the Grantor does not convey, and the City does not accept, any pipes, conduits or other appurtenances from the mains to the buildings located upon the Grantor Parcel. The City shall be responsible for maintaining and repairing the utility facilities within the Sewer Easement Premises in the same manner in which the City maintains and/or maintains and/or repairs other such facilities, at the sole cost and expense of the City.

6. Grantor's Maintenance Responsibilities. The Grantor shall be responsible for maintaining and repairing the Public Pedestrian Easement Premises and the Public Bicycle Easement Premises (with the exception of the traffic signals, lighting and other such facilities) and the Park Easement Premises, in good and safe condition, including keeping them passable, ordinary wear and tear excepted, all such work to be in compliance with any applicable laws, rules, regulations and/or ordinances and pursuant to such permits and approvals required by law to

perform such work. In the event Grantor fails to comply with this provision, the City shall have the right, but shall not be obligated, upon forty-eight (48) hours' written notice to Grantor (except in the event of an emergency), which may be forty-eight (48) hours' oral notice, to do such maintenance and/or repair, in which event Grantor shall reimburse the City for its reasonable out-of-pocket costs for performing such maintenance and/or repair.

7. Non-Interference. The Grantor agrees not to construct, install or place any temporary or permanent buildings, structures, objects or facilities in, on, under or upon the Easement Premises that may unreasonably interfere with the rights granted hereunder, in each case except in the event of an emergency or bona fide threat to safety, as determined in good faith by Grantor. Any buildings, structures, objects or facilities located in, on, under or upon the Easement Premises, whether presently existing or constructed hereinafter, in violation of the terms of this provision may be removed by the City, at the Grantor's expense, and the City shall have no obligation to reconstruct, reinstall or replace the same.

8. Restoration by City. The City shall exercise its rights hereunder so as not to unreasonably interfere with (a) the Grantor's use and operation of the Grantor Parcel or (b) the operations of Grantor's tenants and occupants. Upon exercise of the rights hereunder, the City shall restore, as close as reasonably practicable, the Grantor Parcel and the Easement Premises.

9. Reserved Rights. Grantor, and all those claiming by, through or under Grantor, reserves the right to continue to use the Grantor Parcel, including the Easement Premises, in a manner that does not unreasonably interfere with the easement rights granted hereunder, including, without limitation: (a) to erect, near or along the boundary of the Easement Premises, such fences, vegetated buffers, or other measures it deems reasonably necessary or appropriate; (b) to install and maintain utilities, landscaping, solar canopies and signage within the Easement Premises; (c)

to establish such driveways, roads, paths or other traveled ways within the Grantor Parcel that do not unreasonably interfere with the exercise of the easement rights granted hereunder; and (d) to use, or to grant to others the right to use, the Easement Premises for any and all purposes, provided only that such use shall not interfere with the exercise of the easement rights granted hereunder. Further, the rights and obligations of the Grantor hereunder (including, without limitation, the right to adopt Rules and Regulations pursuant to the terms hereof) shall be appurtenant to and a burden upon the Easement Premises and shall run to the benefit of, and be enforceable, by the City.

10. Release. Grantor, and all those claiming by, through or under Grantor, shall be afforded all of the rights, protections, privileges and benefits granted under Massachusetts General Laws Chapter 21, Section 17C (or such other state or local law that hereafter affords the same or similar protections) and as such, Grantor, and all those claiming by, through or under Grantor, shall not be liable for personal injuries or property damage sustained by members of the public in connection with the rights granted hereunder including, without limitation, any minor or any other person on or within the Public Pedestrian Easement Premises, the Public Bicycle Easement Premises or the Park Easement Premises.

11. Bind and Inure. The rights created hereby shall run with the land and shall be binding upon and inure to the benefit of the parties, and their respective successors and assigns, including, in the case of the City, the public; provided, however, that the Grantor shall only be responsible hereunder for matters occurring and claims arising during its period of ownership of the Grantor Parcel. No partner, member, shareholder, trustee, beneficiary, director, officer, manager, or employee of Grantor, or any direct or indirect member or partner of Grantor, or any affiliate of Grantor, shall have any liability under this Grant. In addition, no party to this Grant shall have personal liability under this Grant. In the event any person obtains a judgment against

Grantor in connection with this Grant, such person's sole recourse shall be to the estate and interest of Grantor in and to the Grantor Parcel. Under no circumstances shall either party have the right to any indirect, consequential or punitive damages, or any damages relating to lost profits or lost opportunities with respect to any default by the other party hereto.

12. Notice. Any notice hereunder shall be given in writing to the party for whom it is intended, in person, by certified mail-return receipt requested, or by a recognized expedited overnight delivery service, at the following address, or such future address as may be designated by notice in writing:

If to Grantor, addressed to:

BP3-BOS4 250 Arsenal Place LLC
4475 Executive Drive, Suite 100
San Diego, California 92121

If to the City, addressed to:

City of Watertown
149 Main Street
Watertown, MA 02472
Attention: City Manager

13. Governing Law. This Grant shall be governed by the laws of the Commonwealth of Massachusetts, as the same may now exist or as may be hereinafter enacted. If any provision of this Grant, or portions thereof, or the application thereof to any person or circumstance shall, to any extent, be found to be invalid or unenforceable, the remainder of this Grant, or the application of such provision, or portion thereof, to any other person or circumstances shall not be affected thereby, and such provision of this Grant shall be valid and enforceable to the fullest extent permitted by law.

14. Relocation. Grantor may relocate any easements granted herein with the written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed,

and provided that: any such relocation shall be functionally equivalent to the existing easement and shall be undertaken in such a manner so as to minimize any disruption of the use of the City and the public of the easement for the purpose for which it was granted; and, to the extent any pipe, line or other improvement located within an easement is, as part of such relocation, placed outside of the easement area in question, prior to effecting such relocation, the Grantor shall cause to be granted to the City easement rights consistent with the Grant made in this section free and clear of all liens and encumbrances. Upon completion of any such relocation and the recording of a plan showing the same, the abandoned easement area shall automatically be released from its former location and shall attach to its new location. Grantor shall pay any and all costs and expenses associated with such relocation.

15. Counterparts. This Grant may be executed in several counterparts, each of which shall be deemed an original and all such counterparts shall constitute one and the same instrument. Several copies of this Grant may be executed and each shall be deemed an original.

[Signatures on the Following Pages]

EXECUTED as a sealed instrument as of the day and year first above written.

GRANTOR:

BP3-BOS4 250 ARSENAL PLACE LLC,
a Delaware limited liability company

By: _____

Name: _____

Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)ss.
COUNTY OF SAN DIEGO)

On _____, 2023, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

[Notary Seal]

(Lender Consent and Acknowledgment on Following Page)

CONSENT AND ACKNOWLEDGMENT

MWC 49 HOLDINGS, LLC, a Delaware limited liability company ("Lender"), having a business and mailing address of 11755 Wilshire Boulevard, Suite 2100, Los Angeles, California 90025, holder of a Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated as of November 30, 2021 from **BP3-BOS4 ARSENAL PLACE LLC**, a Delaware limited liability company ("Borrower"), to Lender, recorded December 1, 2021 with the Middlesex South Registry of Deeds in Book 79257, Page 273 (as the same may be amended, renewed, modified, consolidated, replaced, extended, increased or restated from time to time, the "Mortgage"), encumbering the property referred to in the foregoing Grant of Easements as to the Grantor Parcel, hereby consents to the foregoing Grant of Easements between Borrower and the **CITY OF WATERTOWN**, a Massachusetts municipal association (the "City") and acknowledges and confirms that the Mortgage remains subordinate and subject to the Grant of Easements.

IN WITNESS WHEREOF, this Consent and Acknowledgment has been duly executed as of the day and year first above written.

MWC 49 HOLDINGS, LLC,
a Delaware limited liability company

By: MWC 49, L.P., its sole member

By: MWC 49 GP, LLC, its general partner

By: Mesa West Capital, LLC, its sole
member

By: _____
Name: _____
Title: _____

(Notary Acknowledgement on Following Page)

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Signature of Notary [Notary Seal]

Page 11 of 74

ACCEPTANCE OF GRANT OF EASEMENT

On this ____ day of _____, 2023, the City of Watertown, acting by and through its City Manager pursuant to the vote taken by the City Council on _____, 2023, a certified copy of which is attached hereto as Exhibit C, hereby accepts the foregoing Grant of Easements granted to the City by Grantor.

City:

CITY OF WATERTOWN

By: _____
Name: _____
Title: _____

Approved as to form by City Attorney

By: _____
Name: _____
Title: _____

STATE OF MASSACHUSETTS)
)ss.
COUNTY OF MIDDLESEX)

On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared the above-named George Proakis as aforesaid, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as City Manager of the City of Watertown, as the voluntary act of said City of Watertown.

Notary Public:
My Commission Expires:

[AFFIX/IMPRINT NOTARIAL SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF GRANTOR PARCEL

PARCEL A:

Lots 1 and 2:

Two certain parcels of land with the buildings and improvements thereon situated in Watertown, Middlesex County, Massachusetts, being bounded and described respectively as follows:

PARCEL I

Beginning on Walnut Street at land now or formerly of the American Soda Fountain Realty Corporation; thence running by said land South $42^{\circ} 29' 4''$ West one hundred eighty-six and twenty-nine hundredths (186.29) feet and South $7^{\circ} 50' 34''$ West four hundred seventy-five and four tenths (475.4) feet to land now or formerly of the Boston and Maine Railroad at a point eighty-five (85) feet Northerly from and at right angles to the center line of the West bound main track of the Watertown Stench of said Railroad; thence turning and running North $82^{\circ} 9' 26''$ West by said Railroad land two hundred eighty-five (285) feet; thence turning and running still by land of said Railroad North $7^{\circ} 50' 34''$ East three hundred fifty (350) feet and North $41^{\circ} 50' 37''$ East four hundred seventy-four and one hundredth (474.01) feet to said Walnut Street; thence turning and running South $39^{\circ} 54' 16''$ East by said Street one hundred seventy (170) feet to the point of beginning, be all of said measurements more or less; said parcel containing about one hundred seventy-two thousand, six hundred ninety-three (172,693) square feet and being shown on a plan marked "Land in Watertown, Mass. Boston and Maine Railroad to William Underwood Co. C.J. Griffin, Prin, Asst. Engr. April, 1927", recorded with the Middlesex South District Registry of Deeds, Book 5102, End, to which reference is hereby made for a further description of the premises hereby conveyed.

PARCEL II

Beginning at a point, which point is North $7^{\circ} 50' 34''$ East twenty and forty hundredths (20.40) feet from Station 159+93.61 on Center Line of Location Boston Division Watertown Branch, Boston and Maine Railroad; thence running North $7^{\circ} 50' 34''$ East sixty-four and sixty hundredths (64.60) feet along other land now or formerly of the Boston and Maine Railroad; thence turning and running along land of the grantors and land now or formerly of Acme Engineering Co. South $82^{\circ} 09' 26''$ East three hundred thirty-four and forty-six hundredths (334.46) feet to a point; thence turning and running along land now or formerly of Boston and Maine Railroad on the following four (4) courses: South $7^{\circ} 50' 34''$ West seventy-four and seventy-one hundredths (74.71) feet; thence turning and running North $82^{\circ} 09' 26''$ West three hundred (300.00) feet to a chain link fence; thence turning and running North $7^{\circ} 50' 34''$ East ten and eleven hundredths (10.11) feet; thence turning and running North $82^{\circ} 09' 26''$ West thirty-four and forty-four hundredths (34.44) feet to the point of beginning, be all of said measurements more or less, said parcel containing about twenty-four thousand, six hundred thirty-eight (24,638) square feet and being shown upon plan marked "Land in WATERTOWN, MASS. Boston & Maine Railroad to William Underwood Co. J.F. Kerwin Ass't. Chief Engr. Scale: 1" = 40' May, 1961" recorded with the Middlesex South District Registry of Deeds,

Book 10131, Page 136, to which reference is hereby made for a further description of the premises hereby conveyed.

Lot 3:

A certain parcel of land located northerly of Arsenal Street and westerly of School Street in the City of Watertown, Massachusetts. The parcel is shown as Lot I on a plan entitled "Land in Watertown, MA., Boston and Maine Corporation to Doble Engineering, Scale 1" = 20', Date November 18, 1998". Prepared by Vanasse Hangen Brustlin, Inc. and more particularly described as follows.

Beginning at point on the railroad baseline of the Watertown Branch of the Boston and Maine Railroad at Station 157+07.25, thence running:

S 07°50'34"	a distance of 45.58' to a point, thence
W	a distance of 286.92' to a point, thence
N 82°09'26"	a distance of 05.08' to a point, thence
W	a distance of 35.00' to a point, thence
N 07°50'34"	a distance of 10 1 1' to a point, thence
E	a distance of 251 92' to a point, thence
S 82°09'26"	a distance of 10.29' to a point. Of beginning

Said Lot I contains 16, 384 square feet, more or less.

The above-referenced plan is recorded as Plan 175 of 1999 in Book 29842, Page 233.

Excepting from the above-described premises is "Lot B" shown on a plan entitled "Plan of Land in Watertown, Mass" dated August 9, 1979 by Everett M. Brooks Co., Civil Engineers, recorded as Plan 1047 of 1979 in Plan Book 13786, Page 468.

PARCEL B:

A perpetual right and easement to use, operate, maintain, repair, reconstruct and replace the existing water line as further described in document entitled Water Line Easement Agreement dated October 12, 2020 and recorded November 4, 2020 as Instrument No: 2020-00205479, Book 76086, Page 89 of Official Records.

For title reference see Deed of Doble Engineering Company to 10-85 Walnut Owner, LLC dated October 3, 2018, recorded with the Middlesex South District Registry of Deeds in Book 71707, Page 492.

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 Transfer of Funds in the amount of \$29,000 from the Human Resources full-time salaries account to the Human Resources Contracted Services account



Watertown City Council

Administration Building

149 Main Street

Watertown, MA 02472

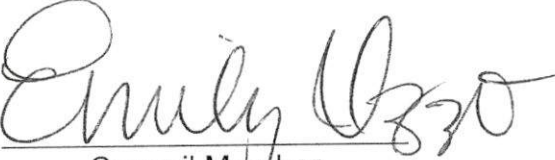
Phone: 617-972-6470

RESOLUTION# 61

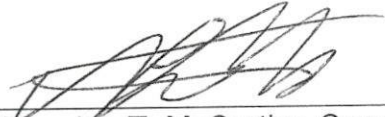
2023 – R – 61

BE IT RESOLVED: That the City Council of Watertown hereby approves the transfer of funds in the amount of \$29,000 from the Human Resources full-time salaries account to the Human Resources Contracted Services account.

BE IT FURTHER RESOLVED: That a copy of said transfer is forwarded to the City Auditor and City Treasurer/Collector.


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 Y for, 0 against, and 0 present on September 12, 2023.


Brendan T. McCarthy, Council Clerk


Mark S. Sideris, Council President

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



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 Proakis, City Manager 
Date: September 12, 2023
RE: Agenda Item - Transfer of Funds Request

Enclosed please find correspondence from Emily Monea, Deputy City Manager, regarding the need for additional funding of the Human Resources Contracted Services account to pay for expenses associated with our Temporary Human Resources Director, who is working for the City as a contract employee through Robert Half.

I respectfully request the attached transfer be considered at the September 12, 2023, City Council meeting.

Thank you for your consideration in this matter.

cc: Emily Monea, Deputy City Manager
Megan Langan, 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: George Proakis, City Manager
From: Emily Monea, Deputy City Manager
Date: September 7, 2023
RE: Human Resources Budget Transfer

I am requesting to transfer \$29,000 from the Human Resources full-time salaries account (0115251-510111) to the Human Resources Contracted Services account (0115252-530303) to cover the expenses associated with our Temporary Human Resources Director, who is working for the City as a contract employee through Robert Half.

The permanent Human Resources Director position will be vacant until October 12, 2023, so the HR full-time salaries account has a surplus of a little more than 14 weeks of the Director's salary, or about \$30,000.

Thank you for your consideration in this matter, and please let me know if you need any additional information.

cc: Megan Langan, City Auditor
Thu Nguyen, Temporary HR Director

TRANSFER AMOUNT: \$ 29,000

FROM: FY 2024 HUMAN RESOURCES FULL TIME SALARIES \$ 29,000
0115251-510111

TO: FY 2024 HUMAN RESOURCES CONTRACTED SERVICES \$ 29,000
0115252-530303

I hereby certify to the availability, authority of funding source, mathematical accuracy
and appropriate fiscal year.

9/7/2023
DATE

Mervyn Zinger
CITY AUDITOR

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 repurpose of funds in the amount of \$166,015.81 from the balance of work done on the John A. Ryan Arena handicap ramp to interior ADA compliant improvements at the John A. Ryan Skating Arena



Watertown City Council

Administration Building

149 Main Street

Watertown, MA 02472

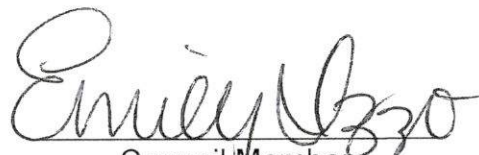
Phone: 617-972-6470

RESOLUTION# 62

2023 - R - 62

BE IT RESOLVED: That the City Council of Watertown hereby approves the repurpose of funds in the amount of \$166,015.81 from the balance of work done on the John A. Ryan Arena handicap ramp to interior ADA compliant improvements at the John A. Ryan Skating Arena.

BE IT FURTHER RESOLVED: That a copy of said repurposed funds is forwarded to the City Auditor and City Treasurer/Collector.


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 9 for, 0 against, and 0 present on September 12, 2023.


Brendan T. McCarthy, Council Clerk


Mark S. Sideris, Council President

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



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 *GP*

Date: September 7, 2023

RE: Agenda Item – Request to Repurpose Funds

As you recall, on February 14, 2023, the Honorable City Council voted to approve a proposed loan order authorizing the sum of \$300,000 to pay costs of designing and constructing a new handicap ramp at the John A. Ryan Skating Arena. The Skating Rink, with the assistance of the Department of Public Work's on-call sidewalk contractor was able to complete this job significantly under budget, resulting in a remaining available balance of \$166,015.81.

It is respectfully requested that these funds be repurposed towards necessary interior ADA compliant improvements at the John A. Ryan Skating Arena. These improvements will include the replacement of the entire bleacher seating area, with an ADA lift to an accessible row for patrons requiring such services.

The winning bid for the installation of the new bleacher system was \$151,142.00. This amount was approximately \$30,000.00 over the original budgeted amount for the installation of this project. Additionally, this amount excludes the ADA lift and its installation, which is expected to be approximately \$100,000.00. It is necessary to complete installation of the new bleachers prior to the ADA lift being sent out for public bid. However, if the Honorable City Council were to approve the repurposing of these funds, it is anticipated to cover the total remaining cost of the bleachers installation as well as the full cost of the ADA lift and installation.

Therefore, given all of the above, I respectfully recommend and request your favorable consideration on this matter at the September 12, 2023 City Council Meeting.

Thank you for your consideration in this matter.

cc: Megan Langan, City Auditor
Melissa A. Morrissey, City Treasurer/Collector
Daniel F. Brothers, Skating Rink Manager

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 authorize In-person Early Voting for the November 7, 2023 Municipal Election.



Watertown City Council

Administration Building

149 Main Street

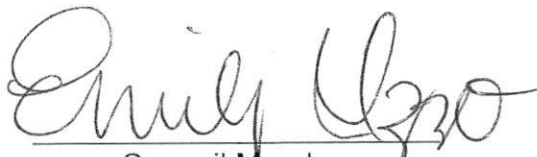
Watertown, MA 02472

Phone: 617-972-6470

RESOLUTION# 63

2023 - R - 63

BE IT RESOLVED: That the City Council of Watertown hereby authorizes In-person Early Voting for the November 7, 2023 Municipal Election, in accordance with "The Votes Act".



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 9 for, 0 against, and 0 present on September 12, 2023.



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President

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



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 *21P*

Date: September 7, 2023

RE: Agenda Item – Vote to Authorize In-person Early Voting for the November 7, 2023 Municipal Election, in accordance with “The VOTES Act”.

Attached please find correspondence from Janet M. Murphy, City Clerk/Chief Election Officer requesting the City vote to authorize in-person early voting for the November 7, 2023 Municipal Election, in accordance with “The VOTES Act”. The Board of Election Commissioners recommends early in-person voting begin on Tuesday, October 31st, and end on Thursday, November 2, 2023.

Therefore, given all of the above, I respectfully request your favorable consideration on this matter at the September 12, 2023 City Council Meeting.

cc: Janet M. Murphy, City Clerk/Chief Election Officer
Department Heads



CITY OF WATERTOWN

Office of the City Clerk
Administration Building
149 Main Street
Watertown, Massachusetts 02472

Janet M. Murphy
City Clerk/Chief Election Officer

Telephone (617) 972-6486
Fax (617) 972-6595

MEMORANDUM

TO: Mark Sideris, City Council President
George Proakis, City Manager

FROM: Janet Murphy, City Clerk

DATE: 15 August 2023

SUBJ: Agenda Item for September 12th City Council Meeting

During the May 9, 2023 meeting of the Election Commission, it was voted 4-0 that we would offer in-person Early Voting for the upcoming City Election to be held on November 7, 2023. Per the Secretary of the Commonwealth (SOC), in-person Early Voting is not mandatory for municipal elections and thus requires us to "opt in" via a vote of the City Council to approve.

As it is not mandated by the State, each community is allowed to set the days and times offered. We looked at voter reports from in-person Early Voting during the September 2022 Primary and the November 2022 General Election and have chosen the following time frames as being the most popular/heavily trafficked periods for in-person Early Voting here and are planning to offer the following schedule:

Tuesday, October 31st, 10:00 AM – 4:00 PM
Wednesday, November 1st, 10:00 AM – 4:00 PM
Thursday, November 2nd, 8:00 AM – 4:00 PM

Vote by Mail (which is not required for us to "opt in" to), will be offered as usual for this Election and all precincts will be open for Election Day voting on November 7, 2023.

Please advise if additional information is needed to place this item on the City Council agenda.

Thank you.

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 the Committee Report from the Committee on Budget and Fiscal Oversight
Meeting on August 24, 2023



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

Committee of the Budget and Fiscal Oversight Report of the Meeting of August 24, 2023

The Committee convened on Thursday August 24, 2023 at 6:00 pm in the Philip Pane Lower Hearing Room, as a hybrid meeting with remote participation by Zoom. Present were Vincent Piccirilli, Chair; Emily Izzo, Vice Chair and Nicole Gardner, Secretary. Also present were City Manager George Proakis, City Auditor Megan Langan, Council President Mark Sideris, and Councilor Lisa Feltner. No one attended via Zoom.

The purpose of the meeting was to discuss the qualities desired in the hiring of a Chief Financial Officer with the City Manager.

Councilor Piccirilli welcomed all present, and invited Mr. Proakis to share his thinking regarding this new position, and the creation of the department they will lead. Mr. Proakis noted that the prior Auditor, Tom Tracy, split his time between the Auditor role, and an informal Assistant City Manager for Finance. Mr. Tracy advised the Manager that these jobs should be split going forward. Mr. Proakis noted that the decision to split the roles was taken collaboratively with the Council.

The Auditor role, which reports to the Council, is responsible for the internal audit function, payroll, benefits, and all financial controls for the City.

The new CFO role, reporting to the City Manager, is responsible for operational and capital budgeting, long term financial policy, and financial operations, and will have 3 departments -- Assessor, Treasurer/Collector, and Procurement -- reporting to it. He noted that the job was posted in April, however there has been limited interest expressed. (See Attachment A)

Councilor Piccirilli then invited committee members and others present to share their views.

Councilor Izzo said that she would like to see someone whose focus will be to maintain our longstanding financial health, maintaining our fully funded pension, ensuring the city completes the funding of our new schools, and continuing our progress on funding OPEB.

Councilor Gardner said that she would like to see some one with the following characteristics:

- Experience in the municipal public sector
- Experience in operational & financial management of a complex department or entity
- Experience leading the preparation of a multi-year budget, including both operating and capital budgets
- Strategic financial planning
- Knowledge of Massachusetts fiscal policies and procedures
- Excellent communication, collaboration, and interpersonal skills
- Strong problem solving abilities
- Experience in designing and implementing new policies and procedures
- Ability to set and meet objectives and lead others to a common goal
- Negotiations experience

Councilor Piccirilli said that he would like to see a candidate with the following characteristics:

1. A commitment to the four basic tenets of budget development:
 - a) Continue to strive to provide the highest level of essential services possible with the most efficient use of resources.
 - b) Ensure annual costs of all operations are funded on an annual basis from current revenues.
 - c) Not defer maintenance and/or recognition of costs of capital equipment, facilities and infrastructure to future years.
 - d) Remain focused on achieving the long-term goal of sound financial management and fiscal stability.
2. The ability to achieve the priorities of the City Council in a financial sustainable manner.
3. Respect for the community's desire to produce balanced budgets over the long term without resorting to operating overrides or debt-exclusion overrides.
4. A collaborative approach with the City Council to develop concise and actionable Budget Policy Guidelines at the start of each fiscal year's budget process.
5. Partnering with the City Auditor to be the financial watchdog for the City of Watertown, with a commitment to transparency, accountability, and best management practices.
6. Not being afraid to promptly bring bad financial news to the City Council, or to identify City Council requests that could have an unfavorable effect on the city's long-term fiscal stability.

Ms. Langan said she also felt municipal experience was very important. She would like to someone who has experience with big budgets, similar to Watertown's. Finally, she would value expertise on property and liability insurance, given how important that is to the City's wellbeing.

Councilor Feltner said she would like to see the City hire a collaborative person with strong financial skills, who would be able to cost out the financial impact of potential policies and during negotiations, who was able to give the Council the straight story (especially when the news was not good), and who has had experience in transitions.

President Sideris said he would like the person to deliver continued sound financial management, first and foremost. He would value municipal experience, and familiarity with zero-based budgeting. He said that our philosophy and guidelines had led to Watertown's strong financial position and he would want to see a strong commitment to continuing that.

Mr. Proakis commented that a potential benefit of zero-based budgeting is digging in deeply to current activities and headcount, to ensure they matched the City's current needs. He noted that this same scrutiny of the level base of expenditures can happen during the normal rigorous budgeting cycle.

Councilor Gardner expressed a concern that we did not have a pipeline of strong candidates after 4 months. Councilor Izzo pointed out that Concord has a similar posting out a higher pay range. Mr. Proakis said that he was considering hiring a search firm like Community Paradigm Associates to help source strong candidates for this strategic role.

The Committee discussed this idea and unanimously endorsed a plan to use a search firm.

The meeting adjourned at 6:30 pm on a unanimous vote.

Report prepared by Nicole Gardner

Attachment A – Chief Financial Officer Job Posting April 18, 2023



CITY OF WATERTOWN
PERSONNEL DEPARTMENT
Administration Building, 149 Main Street
Watertown, Massachusetts 02472-4410
Tel. (617) 972-6443 • Fax (617) 923-8195
www.watertown-ma.gov
personnel@watertown-ma.gov

GAYLE M. SHATTUCK
Personnel Director

April 18, 2023
Posting #23-04-02

VACANCY ANNOUNCEMENT

CHIEF FINANCIAL OFFICER

The City of Watertown seeks a highly qualified and dynamic professional as the Chief Financial Officer. Appointed by the City Manager, the Chief Financial Officer will be a key member of the City's management team and is responsible for management, planning, coordination, and direction of the City's finance and budgeting functions. The C.F.O. will be responsible for coordinating all City department budgets to prepare the City Manager's recommended budget that is balanced and consistent with the City Council's budget policy guidelines. Oversees all municipal financial staff, except those in the Auditor's Office, either directly or through subordinate supervisors. In addition, the successful candidate will assist with preparing the Capital Budget Plan, debt management plan, coordinate grant management, participate as a member of the City's negotiating team for collective bargaining, insurance plans and policies, and respond to information requests. The successful candidate must possess the management and interpersonal skills to work collaboratively with the City Auditor, Treasurer/Collector, and IT departments to administer the City's central computerized financial and management systems. Responsibilities may include a variety of other duties and additional special projects assigned by the City Manager.

Minimum Required Qualifications

Bachelor's Degree in finance, public administration, or a related field; 5-10 years of experience in governmental financial management; or an equivalent combination of education, training and experience. Demonstrated management and leadership skills, understanding of accounting software systems and financial planning, applicable laws and regulations, excellent verbal and written communication skills.

Salary: Expected hiring range is \$131,176 to \$141,314 plus an excellent benefit package.

To Apply: A City of Watertown application form is available at <https://watertown-ma.gov/253/City-Employment-Opportunities>. An application with cover letter and resume is accepted by email: personnel@watertown-ma.gov, fax: 1-617-923-8195.

Deadline: Open until filled.

AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 the Committee Report from the Committee on Personnel and City Organization Meeting on August 14, 2023



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

Committee on Personnel and City Organization

August 14, 2023, 7:00 pm
City Council Chambers

Members present: Chair Caroline Bays, Vice Chair John Gannon, and Secretary Nicole Gardner. Additional people present were City Manager George Proakis, Emily Monea (Deputy City Manager), Councilor Vinnie Piccirilli, and the following members of the public: Jacky Van Leeuwen, Ilana Mainelli, Jacqui Gross, and (via zoom) Rachel Kay and Tiffany York.

The Committee held a public meeting to discuss the qualities desired in the hiring of a Human Resources Director with City Manager George Proakis and the public.

The meeting was called to order at 7:05 pm.

Councilor Bays welcomed all present, and invited City Manager Proakis and Deputy City Manager Monea to share background on the HR Study recently released, and the thinking regarding the new department and position.

Mr. Proakis thanked the Council for funding the study, and said that he looked forward to working with the Council and others to prioritize and implement the findings. He noted that the job is already posted, and there has been some promising interest expressed. The job posting is attached.

Ms. Monea then shared the study's key findings in four areas:

1. Strategy and leadership
 2. Recruitment and retention
 3. Organization development and culture
 4. Efficient and effective workflows
- (slides attached)

The public were then invited to ask questions or share their views.

Ms. Mainelli raised the issue of training needed for members of Boards, Committees, and Commissions, based on her experience as an Elections Commissioner. In the ensuing discussion the need was taken under advisement by Mr. Proakis, both for general training (i.e. open meeting law) and board specific training (i.e. elections law). It is not clear yet whether this responsibility would fall into the purview of the HR Director, or elsewhere.

Ms. Van Leeuwen spoke to long-standing and serious cultural issues within the Administration, and the need for change. She pointed out staff retention challenges and the fact that no employees were

participating in the meeting as evidence of a lack of trust and feeling of fairness and belonging. She said this is not unique to Watertown, and that these issues must be discussed to be addressed. She also hopes that the HR Director would work together with unions to tackle issues of discrimination. Ms. Van Leeuwen thinks it is essential that the City be open in the challenges it faces, when interviewing candidates, so they know what they are coming into.

Councilor Bays noted that the reason the HR Study was commissioned, and an HR Department is being created, is to create the capacity within the City to address such issues directly, professionally, and in a timely manner. She noted that a successful HR Director needs to understand that change will not come about simply through training.

Manager Proakis acknowledged the need to share what is working well and what is not, with candidates. He also noted that up until now, the city had only one HR professional for all the work that needed to get done, and that much of it is still being done inefficiently using paper forms. The day to day "must do" work of getting people hired (or retired) and paid left no time for things like development, training, performance management and so on.

Councilor Gannon said that he believes the following are important to look for in an HR Director:

- the ability to work with leaders of all departments
- the ability to work with a diverse workforce
- familiarity with MA labor and personnel law
- the expertise to conduct sensitive and savvy investigations of personnel matters, where employees will feel heard
- collective bargaining experience
- the ability to serve as the City's ADA Officer

Ms. York felt it was important that the city hire a seasoned HR professional, who knows how to build a team, and who is prepared to hold people accountable. She noted that exploring how the Director would conduct Performance Reviews was important.

Councilor Gardner shared a comment from a resident via Facebook that the HR Director should have a broad readiness to learn the perspective of marginalized groups, and a non-defensive, curious and collaborative personal style.

Councilor Gardner said that in addition to what had been said so far, she believes the following are important to look for:

- demonstrated experience in change management
- demonstrated strong executional skills given the work plan in the report
- embracing data as key to accountability -- knowing what should be measured, and how to use the information for organization improvement
- philosophy that people are an asset to the organization, and that centering the employee experience matters
- the ability to lead, influence and be a trusted advisor to others

Councilor Bays added negotiation skills to the list.

Councilor Gannon asked what the vision is for a revised HR Ordinance. Mr. Proakis replied that creating an Employee Handbook was the first step, because he wants clear and accessible codes and regulations. A review of the 40+ year old ordinance would follow later.

Ms. York said she believed mistakes have been made in the past, that not all employees have felt that they have a safe place to have a conversation, and that the City needs to address long standing personnel matters.

Mr. Proakis noted that he has restructured the city organization chart, with every department having either a direct or liaison role to either the Deputy Manager or the Assistant Manager. Until now, they have relied on people outside the organization for advice and counsel. He looks forward to having an HR Director as part of the team.

Councilor Piccirilli said that the HR Director will have a broader reach and thus more impact than other leaders. He agreed with the point that the Director must be able to serve as a change agent. Ultimately, the City is here to provide services to residents, and happy employees provide exceptional service.

In closing the meeting, Councilor Bays noted that the creation of the HR Department came out of the HR Study, which itself resulted from a referral to the PCO after the murder of George Floyd and the resulting discussion of racism and discrimination in our City. She hopes that the investment in HR will help Watertown improve the day to day experience of City employees, and result in strong recruitment, development, and retention of our staff.

The meeting adjourned on a unanimous vote at 8:26pm.

Minutes submitted by Councilor Nicole Gardner

Watertown City Council

Personnel & City Organization Meeting



August 14, 2023

On tonight's agenda

- Discuss the considerations of qualities for Director of Human Resources with the City Manager
- → this is directly tied to the recent Personnel/HR Department Study completed by Raftelis
- → the following slides summarize the key findings and recommendations from that study.

“Modern local government human resources management has been driven by technological advancements, changing workplace dynamics, and global workplace trends. Today’s approach to human resources is built upon the idea that **HR must be a strategic organizational function**, and the **actions and focus of HR should be based on meeting the needs of the organization and the people within it**. In other words, HR does not exist solely to process transactions; **HR exists to ensure that the organization has the workforce it requires to accomplish its objectives.**”

HR Service Level Evaluation (pg. 7)

Human Resource Function	Program Area
HR Leadership and Administration	• HR Strategy and Leadership × Policy Development and Administration ✓ Department Administration
Labor and Employee Relations	• Labor Relations • Employee Relations
Recruitment and Retention	• Active Recruitment × Proactive Recruitment • Onboarding × Retention Analysis
Compensation and Classification	• Position Classification • Employee Compensation
HR Customer Service and Workflows	• HR Customer Service • Personnel Records Administration ✓ Unemployment
Risk and Benefits	× Benefits Strategy × Employee Wellness • Risk Management • Employee Safety ✓ Workers' Compensation ✓ Family and Medical Leave Act (FMLA) Administration ✓ Americans with Disabilities Act (ADA) Administration
Organizational Development and Culture	× Learning Management × Employee Training × Succession Planning and Leadership Development × Employee Engagement and Recognition
HR Information Systems (HRIS)	× HRIS Administration × Process and Workflow Improvement

HR Study Key Recommendations: Strategy & Leadership

“Shifting to an HR management approach, capable of providing fundamental HR services to the organization, will necessitate the creation of a new way of doing business for the Department.”

- Rename the Department to Human Resources ✓
- Hire a professional HR Director ★
- Restructure the Department & add 2 new positions
- Create an employee handbook & develop standard operating procedures
- Update the City’s 40+ year-old personnel regulations
- Develop communication & outreach strategies

HR Study Key Recommendations: Recruitment & Retention

“Recruiting and retaining a high-quality workforce is an acute issue for local governments across the country... Changing workforce expectations about work-life balance, flexible work arrangements, career development, and longevity have shifted candidates’ expectations for employers, and organizations are being challenged to adjust their workplace policies and compensation practices to remain competitive.”

- Streamline application process & use web-based technology to automate it
- Expand recruitment outreach
- Develop proactive recruitment strategies
- Develop strategies & policies that position the City as an employer of choice

HR Study Key Recommendations: Organizational Development & Culture

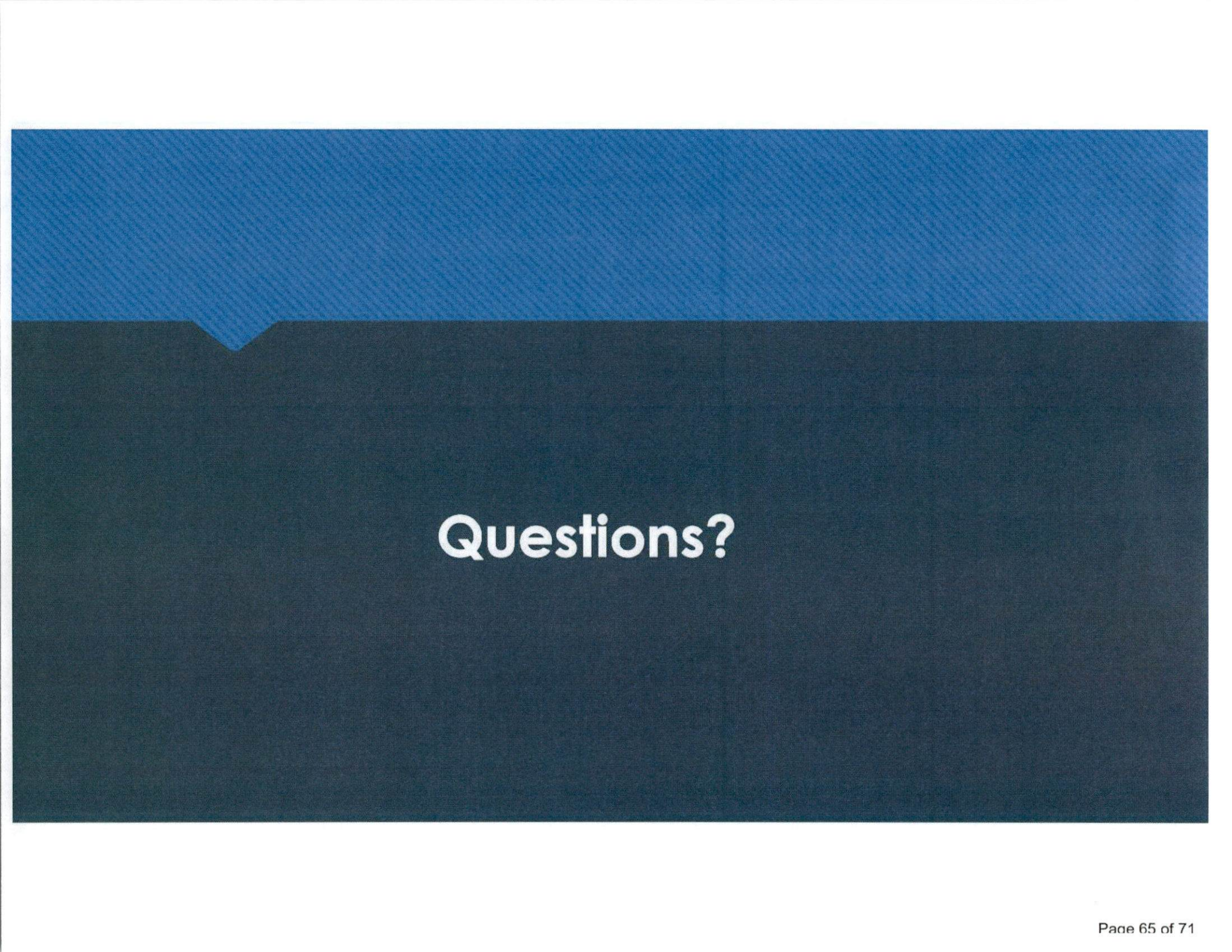
“Investing time and resources in employee development improves workforce retention and helps to promote a positive and engaged workplace culture. These are especially important in the public sector, where single employer, long-tenured careers are no longer the status quo.”

- Conduct needs assessment for organizational training & development
- Develop leadership development & supervisory training program
- Promote activities that support employee engagement

HR Study Key Recommendations: Effective & Efficient Workflows

“The HR Department has historically relied on manual, paper-based processes to accomplish many of its core functions. This approach requires a significant commitment of staff time and resources, promotes inefficiency, and boosts the risks associated with human error... [and limits] opportunities to focus on improving and expanding core HR services. ”

- Streamline the workflow for processing personnel-related changes.
- Negotiate union provisions that promote effective and efficient workflows.
- Leverage human capital management capabilities currently available to the City.



Questions?

Dear Nicole, Caroline, and John,

Circumstances prevent me from being there tonight, but I wanted to weigh in on your discussion.

As the City Manager pointed out during the recent State of the City address he delivered with the Council President, the voter-approved *Preamble* to the revised Watertown City Charter serves as an effective template for consideration of policy priorities, practices, and partnerships with respect to active civic and environmental stewardship of the City's precious resources. Those resources are not just financial. They also are human, social, environmental, built environment, even spiritual — to the extent that "hope" is in the air.

I consider the Director of Human Resources position as one that can embody, quite literally and figuratively, the best of those "multi-capital" commitments, even as it formally covers "human capital."

But we all know that we live in a world defined by systems and networks, so no form of "capital" — financial, human, social, environmental, built environment, or spiritual — is independent. To the contrary, they all interact and are interdependent.

As you discuss the qualities of candidates eligible for consideration as Director of Human Relations, I hope you rely, as City Manager Proakis did, on the *Preamble's* Guiding Principles, which include: Safety & Tranquility; Health & Well-Being; Education and Excellence; Creativity & Innovation; Equity & Diversity; and Accountability & Transparency.

More specifically, I hope you raise questions about capabilities associated with the use of ongoing professional education and development, so as to maintain awareness and application of "best practices" with respect to specialized domain responsibilities. This is a critical component of resilient organizations, so as to remain "fit for future purpose" in a variety of ways.

Finally, I'd like to add this: I wanted to include "**Dignity & Respect**" as the seventh Guiding Principle at the time the *Preamble* drafting process was underway, but time did not permit that. When we again engage in the Charter Review, which will take place in a few years, I will advocate for its addition.

Seems to me that ought to be at the centerpiece of any decent HR Director, and all of those who have the honor to work as employees as the City of Watertown.

Thank you for your consideration.

With every good wish,

Marcy.

Marcy Murningham

Principal Architect, Equity Culture / Civic Fiduciary Action Labs

Select writings on "Wealth, Power, and the Public Interest:

Building Equity Culture and Civic Stewardship," *New England Journal of Public Policy*, Vol. 30, no. 1 (2018)

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CITY OF WATERTOWN

THU NGUYEN

Temporary HR Director

HUMAN RESOURCES DEPARTMENT

Administration Building, 149 Main Street

Watertown, Massachusetts 02472-4410

Tel. (617) 972-6443 • Fax (617) 923-8195

www.watertown-ma.gov

recruiting@watertown-ma.gov

Posting Date: June 21, 2023

Posting # 23-06-07

POSITION VACANCY ANNOUNCEMENT

Human Resources Director

Human Resources Department

The City of Watertown is searching for a full-time Human Resources Director to serve as a key member of the City's leadership team and to implement the findings from the City's forthcoming Human Resources study, which calls for transforming the department from a transactional service provider to a strategic partner for the organization.

The forthcoming study will provide a roadmap for the incoming Human Resources Director. Expected focal points from that study include but are not limited to:

- Developing modern and best-practice human resources policies and procedures and a comprehensive employee guidebook.
- Reimagining the City's employment brand and talent acquisition experience.
- Strengthening the City's organizational culture to improve the employee experience and increase employee engagement and retention.
- Establishing a culture of learning, training, and growth for all employees.
- Embedding diversity, equity, and inclusion in all human resources functions.
- Collaborating with the Auditor's Office to transition the City's human resources functions from largely paper-based systems to a comprehensive human resources information system; and
- Restructuring the Human Resources Department, including creating new positions and modernizing internal processes.

The Human Resources Director will also collaborate with the City Manager's Office to implement the ongoing Classification & Compensation Study and to design a performance management program.

Additional responsibilities include management of the Human Resources staff; participation in collective bargaining negotiations and associated activities; and intaking and appropriately responding to complaints or claims related to discrimination, harassment, or other policy violations.

Required Minimum Qualifications

- Bachelor's degree in a relevant field such as human resource management, business, or public administration.
- 10 or more years of demonstrated progressively responsible leadership and management experience in human resources management, including in the public sector.
- Broad experience in the various disciplines of Human Resources including experience with collective bargaining units, compensation and benefits, payroll/human resources information systems, alternative dispute resolution techniques, and risk management/workers compensation.
- PHR or SPHR certification or the ability to obtain within a reasonable period is desired.
- Or any equivalent combination of education, training, and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Starting Salary Range: \$125,000 to \$140,000 commensurate with experience

To Apply: Submit a resume and cover letter by email to recruiting@watertown-ma.gov or by fax to 1-617-923-8195.

Application deadline: Open until filled.

AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER



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CITY COUNCIL ROLL CALL VOTE
MEETING DATE: SEPTEMBER 12, 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 the Committee Report from the Committee on Human Services Meeting on August 7, 2023

**Watertown City Council
Committee on Human Services
Monday, August 7, 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 August 7, 2023, at 5:30pm to consider re-appointments of trustees to the Watertown Affordable Housing Trust.

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 Jill Hyde and Leo Patterson.

1. Interview of Jill Hyde on Confirmation of Her Re-Appointment to the Housing Trust for a Term to Expire on June 30, 2025.

Jill Hyde serves as a lawyer and has an extensive background in real estate development, servicing, management, finance, and title issues. She has worked on numerous affordable housing development projects and has been involved in all aspects of real estate transactions. She has focused on the development of transit-oriented housing projects. She stated that Watertown is making initial progress in exploring a number of parcels for affordable housing purposes, and she stated that Watertown needs more funding to construct affordable housing. Councilor Gannon moved that the Committee recommend that Jill Hyde be re-appointed to the Housing Trust, seconded by Councilor Bays. The vote to approve the nomination was 3-0.

2. Interview of Leo Patterson on Confirmation of His Re-Appointment to the Housing Trust for a Term to Expire on June 30, 2025.

Leo Patterson has a background in the design and construction of affordable housing. Going back over a period of twenty years, he has worked on the development of numerous affordable housing developments, including in Jersey City, NJ; Cambridge, Lowell and Edgartown on Martha's Vineyard. His firm is also proficient in quality design and in developing elderly housing, including inter-

generational housing opportunities. He has also served on the Watertown School Building Committee. He expressed his appreciation for his service on the Trust as enlightening him on the challenges of funding of affordable housing. He sees the Trust as an invaluable resource in encouraging more affordable housing for Watertown. Councilor Bays moved that the Committee recommend that Leo Patterson be re-appointed to the Housing Trust, seconded by Councilor Gannon. The vote to approve the nomination was 3-0.

Councilor Gannon made a motion to adjourn the meeting, seconded by Councilor Bays. The vote was 3-0. The meeting adjourned at 6:23pm.

In addition, the Committee also requests that the City Council vote on the following action items:

Action Item 1. Confirmation of Jill Hyde for re-appointment to the Affordable Housing Trust for a term to expire on June 30, 2025.

Action Item 2. Confirmation of Leo Patterson for re-appointment to the Affordable Housing Trust for a term to expire on June 30, 2025.

Respectfully submitted,
John Gannon, Secretary



George J. Proakis
City Manager

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WATERTOWN
Office of the City Manager

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Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: September 7, 2023

RE: Request for Confirmation – Appointment to the Watertown Housing Authority

Pursuant to the provisions of the Watertown Home Rule Charter and Town Council Ordinance 2007-46, An Ordinance on the Timing and Process of Appointments to Town Boards, Commissions and Committees, I am transmitting herewith a request for appointment to the Watertown Housing Authority which requires Council confirmation.

- James Mello – Appointment as a member of the Watertown Housing Authority to a term expiring May 15, 2028

Thank you for your anticipated cooperation in this matter.

cc: Residents' Advisory Committee
Watertown Housing Authority