



City Council Meeting

Tuesday, April 23, 2024 at 6:00 PM
Richard E. Mastrangelo Council Chamber

Agenda

ACCESS INFORMATION:

- A. This meeting will be held on April 23, 2024 at 6:00 P.M. Location: Richard E. Mastrangelo Council Chamber
 - B. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/watch-now?site=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
- 2. EXECUTIVE SESSION - 6:00 P.M.
 - A. Executive Session pursuant to G.L. c. 30A, sec 21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares - Collective Bargaining
- 3. RETURN TO SESSION – 7:00 P.M.
- 4. PLEDGE OF ALLEGIANCE
- 5. PUBLIC FORUM
- 6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
 - A. Minutes from City Council Meeting April 9, 2024
- 7. PRESIDENT'S REPORT
- 8. PUBLIC HEARINGS
 - A. Public Hearing and Vote on a Proposed Loan Order that the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration

services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all 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 pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

9. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

- A. Ordinance to Revise the City Code to Reflect Adoption of the Municipal Opt-In Specialized Stretch Energy Code
- B. Order Accepting Amended Easement Along Arsenal Street in Connection with Corridor Improvements and Authorizing the City Manager to Execute the Acceptance of said Amended Easement
- C. Resolution Authorizing a Transfer of Funds in the Amount of \$446,450 From the City Council Reserve to Various WMEG and Teamsters Accounts
- D. Resolution Authorizing the Transfer of Funds in the Amount of \$137,910 from the City Council Reserve to Various DPW Accounts
- E. Resolution Authorizing a Transfer of Funds in the Amount of \$40,000 from the Community Development and Planning Full Time Salary Account to the Commanders Mansion Account
- F. First Reading on an Amendment to the FY24 Budget to fund the Police Association Collective Bargaining Agreement
- G. First Reading on an Amendment to the FY24 Budget to fund the Library Union Collective Bargaining Agreement
- H. Discussion and Vote on Four Proposals from the Community Preservation Committee for Funding

10. REPORTS OF COMMITTEES

- A. Committee on Economic Development & Planning Report regarding its meeting from April 16, 2024 - Feltner, Chair

ACTION ITEM:

To recommend that the City Council confirm Jason Cohen for reappointment as a full member of the Planning Board to a term expiring February 15, 2027

ACTION ITEM:

To recommend that the City Council confirm Gregory Girard for reappointment as an alternate member of the Zoning Board of Appeals to a term expiring February 15, 2026

ACTION ITEM:

To recommend that the City Council confirm David Ferris for reappointment as a full member to the Zoning Board of Appeals to a term expiring February 15, 2029

- B. Committee on Rules and Ordinances Report regarding its meeting on April 2, 2024 - Gannon, Chair

ACTION ITEM:

To recommend that the City Council Adopt Amended Council Rules with Supporting Referrals Chart and Definitions as described in committee meetings and as attached herein to the Rules and Ordinances Committee Report.

ACTION ITEM:

To recommend that the City Council Refer to Rules and Ordinances as New Business to Review the Appointment Process and Ordinances for those Boards/Committees/Commissions that Do Not Currently Require Council Confirmations, and which Are Not Solely Controlled by Statute, such as the Bicycle & Pedestrian Committee, the Commission on Disability, the Historical Commission, and potentially others.

- C. Committee on Public Works Report regarding its meeting on April 16, 2024 - Piccirilli, Chair

ACTION ITEM:

To recommend to the City Council to approve the appointment of Ms. Jill Ayers to the Conservation Commission to a term expiring February 15, 2025

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

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large

Nicole Gardner,
District A Councilor

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

John G. Gannon,
Councilor At Large

Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large

Emily Izzo,
District D Councilor



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: April 18, 2024

RE: Agenda Item – Executive Session Request

I respectfully request an Executive Session be placed on the April 23 2024 City Council Agenda. The reason for this Executive Session is to discuss strategy with respect to collective bargaining.

After discussion with the Honorable City Council President Mark S. Sideris and in accordance with Rule 2.10 of the Rules of the City Council, please be advised the Executive Session will be held at 6:00 P.M.

Thank you for your consideration in this matter.

APRIL 9, 2024



Watertown City Council

Administration Building

149 Main Street

Watertown, MA 02472

Phone: 617-972-6470

CITY COUNCIL MEETING

TUESDAY, APRIL 9, 2024, 6:30 P.M.

RICHARD E. MASTRANGELO COUNCIL CHAMBER

ADMINISTRATION BUILDING, 149 MAIN STREET

MINUTES

ACCESS INFORMATION:

- A. This meeting will be held on April 9, 2024 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 7:00 p.m. in the Richard E. Mastrangelo Chamber, Administration Building. Those present were Councilors John M. Airasian, Caroline Bays, John G. Gannon, Nicole Gardner, Lisa J. Feltner, Emily Izzo, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., and Council President Mark S. Sideris. Also present were George Proakis City Manager, Mark Reich, City Attorney, and Brendan T. McCarthy, Council Clerk.

2. EXECUTIVE SESSION – 6:30 P.M.

- A. Executive Session pursuant to G.L. c. 30A, sec 21(a)(3) to discuss strategy

with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares - Robert Degeis v. City of Watertown, Department of Industrial Accidents Case No.4162195

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

4. PLEDGE OF ALLEGIANCE

5. PUBLIC FORUM

Dennis Duff – 33 Spruce Street – Voiced concern against short term rentals as they do not serve the neighborhoods that are invaluable to the community. He remarked that most neighbors and members of the community are not in favor of STRs or the transient people that come along with them. He concluded by asking the Council to vote against the ordinance to protect the sanctity of the neighborhoods.

6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS

A. Minutes from City Council Meeting March 26, 2024

Councilor Piccirilli moved to accept the minutes as written and Councilor Feltner seconded.

The minutes were accepted unanimously in a Voice Vote.

7. PRESIDENTS REPORT

President Sideris elected to move forward with the agenda.

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

A. Arbor Day Proclamation

President Sideris presented the Arbor Day Proclamation.

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

The proclamation was approved unanimously in Voice Vote.

9. PUBLIC HEARINGS

A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

President Sideris remarked that this proposal needs a super majority of 6 votes to pass, while any amendments made to any aspect of it only needs 5 votes.

Assistant Director of Planning for the Development of Community Planning Giden Schreiber announced that he would be presenting the Planning Board Report regarding STRs as well as the proposed draft ordinance.

At the Planning Board Meeting on March 13 2024 four members voted to move the zoning amendment forward after discussion and collaboration from committees and public members.

He stated that the drafted ordinance provides regulations and standards for STRs (rentals of 31 days or less) and will update the table of accessory use regulations from outdated language. It also provides a new section which creates intents and purposes, which is targeted to preserve the livability of the neighborhoods. That section limits the use of STR to owner occupants and only allows two types of operations. One is to share a portion of a unit while the owner is living in it (ex. Renting 2 bedrooms out of a 3 bedroom dwelling) with a limitation of 2 renters per bedroom. The other is a home share unit where an owner needs to prove they live there at least 9 months out of the year, and then they would be able to rent out the entire property for times that it was otherwise vacant. The limitation on this option is that the limit of bedrooms for these properties is 5 bedrooms and that the whole unit would have to be rented out to one party.

He continued to say that there is a set of draft regulations that could be updated that go into detail of seeking proof of residency, inspection, and enforcement. He remarked that, in terms of enforcement, any violation would be looked at as a zoning violation and have a fine of up to \$300 per day of violation.

Mr. Schreiber remarked that during the Planning Board Meetings, public comments voiced concern on negative neighborhood impacts, that the amount of STRs would increase greatly, that there is a lack of ability for the City to enforce penalties or monitor infractions, and that STRs could reduce property values. Some positives that were voiced were that it excludes investor models and allows homeowners to use their home how they see fit, and it also welcomes people to partake in Watertown commerce like shopping and entertainment.

He commented that STRs aren't currently technically allowed in Watertown, but that no one is really aware of it, which has led to a gray area, and that STR usage has stayed at about the same level for the past several years. He stated that from a staff's perspective, they've tried to facilitate the amendment process while hosting community meetings and collaborating over the course of several years. The proposed amendment being

considered is a much clearer and limited standard that should help regulate STRs.

Russ Arico - 51 Fayette Street - Stated that approval of STRs will allow businesses in residential areas which will make neighborhood watch impossible. He continued to state that while Watertown is a safe city, undocumented illegal aliens are invading our county, and asked what's to stop Maura Healey from mandating owners to take in these aliens, to which if you were to refuse, you would be charged with discrimination. He said that a stable neighborhood is the City's lifeblood, and that we should preserve our way of life. He then remarked that people who think the parking ban is a bad idea are not home owners, but tenants, and that it would be horrible if the Council were to remove the parking ban.

David - Resident - Asked to vote no to STRs. He stated that he followed the process of the item and believes that the City has not brought forward any benefits that would outweigh the detriments of STRs to Watertown residents. He recognized that it's hard to look at zoning amendments effects in a long scope, but it stands to reason that if you lived in between two STRs that could potentially have many transient individuals coming in and out of the property year-round, your quality of life would suffer. He remarked from an enforcement standpoint that it would be easier to outright ban STRs as opposed to forcing neighbors to have to report and regulate infractions. He then pointed out that the amendment is inconsistent with the current code, where currently home offices need special permits and are forced to not adversely affect neighbors.

Natalie Zakarian – Warren Street – Remarked that she attended Councilor Izzo's meeting and was taken away by how engaged her neighbors were with this issue. She recognized that it was a tense issue that a lot of work has been done on, but didn't believe that there was enough reassurance to the community that having STRs wouldn't be disruptive. She remarked that it's possible to have rooms rented 365 days a year, which could be multiplied by countless rooms. She concluded by urging the Council and Planning Board to take this back and continue working on it.

George Skuse - 43 Pilgrim Road – Urged the Council to vote no. He remarked that he was astonished that 15% of the STRs are operated by the same individual or LLC, and assumed that the percentage of out of town operators is much higher. He stated that the Planning Board report itself clearly states that they are not allowed, but current operators have flaunted their business, and yet the City has looked the other way - perhaps incentivized by revenue. He stated that he is unconvinced that the City would be able to enforce regulations, and that short term renters will continue to create havoc on the community – noting negative effects on noise, parties, trash, and parking. He concluded in saying that he sees more and more units being used by STRs instead of traditional long-term housing, implored the Council to vote no, and encouraged the Council to explicitly ban STRs and impose strong fines on those who violate that code.

John Spengler – 18 Stearns Road – Thanked the Planning and Zoning Board on their hard work, but believed the greatest hurdle of the amendment would be enforcement. He believes it is the equivalent of asking neighbors to enforce upon neighbors, which is not an optimal situation. He stated he was against the amendment because of what he has seen in other cities. He then stated he the only possible benefit he could come up with from having STRs is aging in place, but that that would have to be strictly defined.

Joan Gumbleton – 32 Falmouth Road – Voiced her opposition to STRs in Watertown. She

cited a terrible well documented experience that her and her neighbors endured in which the City was not able to regulate, and asked how the City could possibly keep up with enforcement if STRs were to expand. She remarked that negative situations continue to occur because individuals hope to make a quick buck with no regard for their neighbors. She then stated that the City doesn't need to add more staff, ask neighbors, or the police force to have to deal with STRs, and remarked that there is a need for an outright ban. She pointed out that Waltham does not allow STRs in their community, and that it is explicitly written in their code.

Ruth Rappaport – 28 Hunt Street – Stated that three houses on her street were turned into Air BnBs in which the owners were not present, and there were no managers on site. She remarked that up to 30 guests could be staying in those properties at any given time. She stated that the street endured endless taxis, large parties, and an excess of trash. She stated that their sense of safety was put at risk, and that the zoning enforcement officers were not able to mitigate the problem. She then remarked that Hunt Street renters' leases were terminated to make room for STRs. She concluded by saying that STRs are careless and damaging to neighbors, only benefit multi billion-dollar corporations, and asked to put a permanent ban on them.

Chris Demis – 27 Falmouth Road – Urged the Council to vote no on the amendment. He remarked that the negative feelings of the community are palpable. He stated that his family has been in the city for decades, and that they've enjoyed getting to know and cohabit with their long-term neighbors which adds value to the community.

Jacki VanLeeuwen – 32 Whites Ave – Stated that she originally didn't have strong opinions with the issue, remarking that there are instances people having the ability to rent a room temporarily to be able to visit family for an event or in the event of sickness while avoiding large hotel prices. She recognized the fear of individuals or companies buying properties for the sole reason of operating an STR, and understood the Planning Board's efforts to set forth an amendment to set regulations. She then remarked that complaints about noise might be misleading, as permanent residents make plenty of noise having parties and celebrating with their neighbors, and that that is part of being a neighbor.

Clyde Younger – 188 Acton Street – Voiced his opposition to the proposed zoning amendment. He remarked that he didn't see any language in the Planning Board report regarding need – what was the need for the amendment to be added and code changed? He then asked what the cost of policing the proposed code would be, and its overall efficacy.

Yasmina Spector - Whites Avenue – Stated “not in my back yard you don't”. She continued to express her appreciation for Watertown as a small tight knit community, which would make it difficult to enforce this proposed code.

Elodia Thomas – 67 Marion Road – Addressed that most people in the room are aging in place and voiced that many people are legally renting rooms to individuals like visiting professors or traveling nurses for several months at a time. This allows an opportunity for these tenants to engage in the community. She remarked that there was a solicitor who approached her husband and pitched to rent out their rental property as an STR, which was met with much offense. She stated that it is legal for seniors to differ property taxes so that they can age in place, but that most people do not know they have that opportunity. She rejected STRs and stated that the Watertown is a community that may

not always agree with one another, but always has a driving force to get back to “we”, which is in contrast to the benefits of a singular person.

Jennifer Ernst - Resident - Stated that she is new to Watertown and has experience with STRs. She recognized people’s concerns with STRs, but addressed a few positives. She voiced that some pros for STRs include an opportunity to earn funds for renovations of outdated homes (of which Watertown has many) which helps the community, and also ability to help age in place. She concluded that if it is done right, there is a possibility of positive results.

Anne Marie Cloonan – 14-16 Winthrop Street – Echoed the voices of Watertown in speaking against STRs. She remarked on the lack of enforcement, and the stress it would cause for the police.

Mary Ann Mulligan – 23 Falmouth Road – Remarked from personal experience of a neighbor operating a STR to then being forced to rent in a long term scenario, which has proved to be positive for the community. She remarked that the current tenants now have housing, which is extremely important. She concluded by saying that there is a difference between commerce and community, and urged the Council to vote no.

Bob Shay – Resident – Opposed the amendment. He voiced express concern for the home share units which will cause a lack of oversight for up to three months of rotating renters.

Barbara Ruskin – 140 Spring Street – Asked the Council to step back and take a longer look at what is needed. She expressed the need of housing, and voiced concern with transient individuals taking up otherwise available units. She stated that she doesn’t believe there is anything that will stop corporations from buying homes and converting them to small hotels.

Maureen Foley – 10 Winthrop Street – She remarked that initially she was complacent with STRs, but that the more she looked into it, she realized how disruptive it is for the community, and asked what the benefit is for the City. She remarked that there is no guarantee that the individuals renting the unit will contribute to commerce in Watertown, instead they could easily go into Boston or Cambridge.

Rita Colafella – 56 Cuba Street – Spoke in favor of the amendment. She stated that as a landlord who rents to long term tenants, she understands that the demand for STRs serve a different market. There are individuals who encounter times where they might need a boost in earnings to help pay the mortgage, but don’t necessarily want a long term tenant or a roommate. She stressed the importance of property rights, and stated she didn’t want to forfeit that right as a possibility in the future. She concluded by saying that you should trust your neighbors, and if they are in violation of the regulations, this amendment allows for recourse.

Dean Martino – 94 Edenfield Avenue – Stated that the known largest draw for the City is its neighborhoods. He remarked that if just one neighborhood is affected by STRs, there will be problems for the entire community. He continued to say that Watertown doesn’t have the ability regulate STRs, and that they are causing large problems in the major metropolitan areas that have greater resources. He concluded in asking the Council to vote no and to protect our neighborhoods.

Bill Chosiad – 15 Franklin Street - Spoke in favor of the proposed ordinance. He stated that he has heard a lot of what can go wrong with STRs, and admitted that bad things can happen, but that the Planning Board has done a good job to set up regulations to limit the more egregious negative aspects that are associated with STRs, remarking that owners wouldn't put up with bad behavior from individuals renting a room in an owner occupancy situations. He continued to say other positives are allowing empty nesters to earn some income, that renters do in fact take part in commerce with local shopping and entertainment, and that the host will have more money to spend in the community.

Councilor Piccirilli read the following emails submitted for Public Hearing:

“Dear Councilors,
Please accept this written testimony in lieu of my testifying at the City Council meeting. I am unable to be in attendance as I will be traveling.

I'm concerned about the proposed rules that lump two very different types of “owner occupied” STR properties into one.

Two types:

Renting a room to a guest while the owner is present at all times

Renting a property when the owner is absent

As I understand it, one of the proposed rules is to limit the operation of all STRs to less than three months in a calendar year. This makes sense if the goal is to protect the housing stock. However, the room that I rent out is within my home, and not a space I would ever consider renting to a longterm tenant. STRs of this type should be excluded from the three-month restriction.

The nightmare scenarios associated with STRs are well-documented in the Facebook group I belong to for STR hosts. All of these stories belong to hosts who are not on the premises during the rental. It is an entirely different scenario in my home when a guest comes back to their rental only to be greeted by me for a brief chit-chat before quietly retiring for the night.

I am retired and rely on the income that is generated by my renting out an extra bedroom that would otherwise be empty. I will be at a loss to understand how my business adversely affects Watertown if my type of STR is not excluded from these rules.

Thank you,
Judi Fitts
9 Bridgham Ave”

“RE: Agenda Item 9. Public Hearings
A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

Greetings:

When Short Term Rentals were first discussed; in my position as a representative of the local electorate, I voiced many concerns against the legalization. I ask the City Council to think seriously, before exposing Watertown's residents to adverse ramifications. Vote "NO" to Short Term Rentals in residential zoning districts.

Many cities and towns, nationwide, have been subjected to the many pitfalls associated with Short Term Rentals in residential zoning districts. Please, do not allow your votes to create "serious problems".

Learn from areas such as: Nantucket and Lynnfield, MA; Houston, TX; New York City, NY; and San Francisco, CA, to name a few.

"Quasi Hotel", commercial uses, in residential neighborhoods, may infringe on the community as follows:

- Curtailed access to the City's limited rental housing stock
- Limited off-street and on-street parking spaces to accommodate multiple guests
- Constant turnover of unknown guests in the neighborhoods
- Excessive, unregulated noise
- Accumulation of trash from coming/going guests
- Fire hazards
- Lack of property maintenance
- Required monitoring for proliferation of illegal listings

<https://nantucketcurrent.com/news/judge-rules-against-town-in-short-term-rental-court-challenge>

<https://nantucketcurrent.com/news/select-board-will-not-appeal-court-ruling-on-short-term-rentals>

<https://www.bloomberg.com/news/articles/2023-09-05/airbnb-s-new-nyc-regulations-what-renters-and-hosts-need-to-know>

https://www.bisnow.com/houston/news/hotel/houston-short-term-rentals-are-a-serious-problem-whitmire-says-123562?utm_source=outbound_pub_1&utm_campaign=outbound_issue_75873&utm_content=outbound_link_14&utm_medium=email

Please do not pit neighbor against neighbor, as the City's enforcers of quality-of-life. Preserve neighborhood cohesiveness by voting "NO", against Short Term Rentals in Watertown's residential zoning districts. Thank you.

Best,

Angie

Angeline Maria B. Kounelis
Retired District A, East End, City Councilor
Landline: 617-926-2352
Mobile: 617-538-9252"

Joan Gumbleton – 32 Falmouth Road – Remarked that people that the community doesn't know could be here for up to 31 days, and once the parking ban is lifted, the streets will be clogged by their cars. She remarked that the argument that a loss of STRs contribution to local commerce falls on deaf ears due to Watertown not being a destination. She asked why the City isn't putting residents' wants and needs over strangers. She remarked that an ideal way to age in place could be for several individuals to live together and share expenses a la The Golden Girls. She asked for the Council to not put their personal preferences ahead of the needs of the community, and asked the Council to vote no.

Elodia Thomas – 57 Marion Road – Stated that the City has collected about 120K+ a year from STRs all the while residents have been left dealing with problems brought about by STRs. She continued to say that Air BnB and Vrbo, the companies that run platforms for STRs, are multi billion dollar corporations that represent big business. She also remarked that many of the units on these platforms are ADUs, which could otherwise be used as additional long term housing in the community, which is desperately needed. She stated that the world is a crazy place these days, but the community has been warm and comforting oasis that should be protected.

Clyde Younger – 188 Younger Street – Stated that he believes the need for this amendment is working in concert with the influx of development. He remarked that this wasn't an issue years ago, and that this is one way of accommodating ongoing development.

Dennis Duff – 33 Spruce Street – Stated that two issues are a common theme in all the comments. The first is enforcement. He stated that he wasn't aware that Air BnB's weren't allowed, and yet they do operate currently. The second is that big corporations are buying up more and more properties in the community with the intent of building STRs. He remarked that the prices for houses will only continue to rise if this trend continues.

Russ Arico – 51 Fayette Street – Remarked that he has never seen so much public opposition to this amendment in all his years of appearing in front of the Council, and that the main concern is public safety. He continued to say that Watertown should follow Waltham's lead in outright banning STRs.

Greg Gerard – 41 Maple Street – Remarked that he lives by several STRs and that he and his dogs do not like to walk by those houses any longer. He believes the amendment could possibly work in a specific vetted scenario, but ultimately he is against the it.

Richard Cohen – 134 Standish Road – Stated that he currently lives in an Air BnB due to severe damage to his home, but that he feels somewhat not welcomed in the neighborhood because he is inhabiting an STR. He remarked that, just as the City wouldn't let a person turn their garage into a autobody shop, they shouldn't let people turn their homes into hotels because it changes the character of the community. He did state that he could see an owner renting out a spare bedroom, but aside from that, he is against the practice.

Russ Arico – 51 Fayette Street – Remarked that if people need extra, they can bring in a

roommate or differ taxes.

Councilor Piccirilli moved to adopt the zoning amendment as presented and Councilor Feltner seconded.

Councilor Palomba asked to clarify that an owner has to live in their home for 9 out of 12 months a home share.

Assistant Director Schrieber responded that is correct and that they would have to produce proof confirming that the owner has lived there for that time.

Councilor Palomba then asked that if lives in his house for 9 months, could he rent his house as a home share for the 3 months he is away, and then rent out individual rooms for the other 9 months he is living there – essentially being able to operate STRs for 12 months of the year.

Assistant Director Schreiber responded that you couldn't use both at the same time, but you could theoretically use both in the scenario Councilor Palomba stated.

Councilor Palomba asked if you would be able to take a unit off the market for an STR.

Assistant Director Schreiber responded that you could not.

Councilor Piccirilli remarked that, in code, section 2.18 – Dwelling – says that a single family, two family, multifamily, shall not include hotel, lodging house, and bed and breakfasts. Section 2.35 – Home Occupation - says conducting of a guest house shall not be deemed as Home Occupation (home business that has customers coming to the home). Section 5.02d states Home Occupation is only allowed with a special permit. He then asked if it is safe to say that, under the current definitions, STRs are in fact traditional bed and breakfasts, which are prohibited under the current Watertown ordinances.

Assistant Director Schreiber replied that STRs are defined differently than traditional Bed and Breakfasts because STRs are using primary residences, and that they aren't prohibited for that same reason because they are regulated differently on the state level and have different health and safety standards.

Councilor Piccirilli responded that he is not talking about the state but is only talking about the Watertown ordinance. He continued to say that the language seemed explicit and not a gray area when it says, “shall not include BnB's or BnB's homes” and that home operations/guest houses are prohibited. Due to those two sections explicitly defining them as prohibited, is it safe to say that under the current definitions, that STRs are explicitly prohibited.

Assistant Director Schreiber responded that he understood the Councilors line of thinking, but that he wouldn't respond directly to his statement, and offered that the Planning Board and Zoning Board both determined that STRs are not allowed because they are not well defined.

Councilor Piccirilli asked if a traditional Bed and Breakfast is prohibited.

Assistant Director Schreiber responded that those are specifically prohibited, but that just

because one of the STR platforms are called “Air BnB” doesn’t necessarily make it a BnB.

Councilor Piccirilli then asked if it correct to say that if this amendment passes, that STRs will be allowed by right in all residential districts while every other home occupation business is either prohibited or only allowed by special permit in residential districts.

Assistant Director Schreiber remarked that Home Offices are not prohibited in residential districts.

Councilor Piccirilli responded that Home Offices and Home Occupations are clearly defined as different entities, and that Home Offices are designed as businesses where no customers come to your home.

Assistant Director Schreiber responded that the Planning and Zoning Boards agree that STRs are not allowed and gave the example of an individual buying a 2 family, and operating one full unit as an STR, and that that was determined to be prohibited.

Councilor Piccirilli asked for clarification on how accessory buildings differ from previous examples of home occupations.

Assistant Director Schreiber responded that they, along with other rooms and spaces, could be allowed upon special permits, but that the proposed ordinance would allow room shares by right.

Councilor Piccirilli asked if it was safe to say that if the proposed ordinance fails, STRs will still be prohibited and the code enforcement team has the ability to shut them down.

Assistant Director Schreiber responded yes, that it will remain as is.

Councilor Piccirilli stated that, speaking on behalf of the administration, STRs will be prohibited should the proposed amendment fail and that the code enforcement team has the ability to shut them down.

City Manager Proakis reiterated a point that Mr. Shreiber made, which is that while if this proposed ordinance is voted down, they administration can enforce against the prohibited practice of STRs, but that it would be better and more effective to write into the use table language that clearly defines STRs and outright prohibits them. That would bring uniform clarity to use for future use and possible disputes.

Councilor Piccirilli stated that ultimately the problem he sees with the zoning amendment is the inherent conflict between it and language elsewhere in the ordinance, particularly with “Dwelling” and “Home Occupation” which puts significant restrictions on the operations on home businesses including prohibiting STRs as accessory uses in residential districts. He continued to remark that if the proposal were to pass, that Watertown will create two tiers of home businesses, one where STRs are allowed to operate by right, and all other home business need to obtain a special permit including examples like giving piano lessons in your home. He then asked why we would want to do this? He remarked that Air BnB is a large corporation, and that the core question is why this multi-billion-dollar corporation would be allowed by right in residential districts, where other businesses are either prohibited or allowed under special permit. He remarked that

STRs have negatively affected residents' quality of life over the years, and the community has asked that the Council do something about it. He concluded in saying that if the Council were to pass this, that they would be allowing every residential district to be a mix use district by right specifically for the benefit of global companies like Air BnB and Vrbo to the detriment of the public health and safety, and due to that fact, he will be voting no.

Councilor Gannon remarked that currently there are roughly 150 units that are listed on platforms as STRs in the City, and asked what amount Watertown gets in return with regard to revenue.

Assistant Director Schreiber responded that it is 6%, the same as hotels.

Councilor Gannon remarked that Watertown received roughly \$120k through the units, which roughly means that the STRs total revenue is an estimated amount of \$2,000,000. He then asked if there is any explicit permission for Watertown to receive the \$120k from STRs.

Assistant Director Schreiber responded that it is not specifically allowed in the code.

Councilor Gannon then stated that if the amendment were to pass, which would legalize STRs, then that would lead to significant investments in STRs. He continued to say that there may be situations where operators could be incentivized to make more bedrooms out of say living rooms or family rooms so long as the unit doesn't exceed 5 bedrooms, or potentially altering a 2-family house into a single family, which would lead to a net decrease in housing units for permanent residents or long term tenants. That effect would lead toward a more transient environment and cause a detriment to the community.

Councilor Gannon remarked that he has sat on committees that have heard these issues in the past and has a record of voting to limit sizes of STRs, and that that is indicative of his feeling that adding STRs causes strain upon the quality of the community. He concluded by saying that he wants to incentive affordable housing, and a sense of community, so he will be voting no.

Councilor Feltner stated that this zoning ordinance has been brought forward because STRs have been occurring in Watertown for over seven years without much regulation. Over the years, there have been several complaints of STRs, but those operators were either absentee owners, or people buying 2 families with sole purpose of using one unit as a STR. The amendment sets regulations to prohibit those practices, and the proposed amendment does not affect long term units or affordable units. She continued to remark that STRs are not a new economy, but this amendment is focused on proposing strict barriers in which this existing state condoned business model can operate in. She stated that the typical current use of STR in Watertown are in fact single bedroom in owner occupied properties at specific times, such as graduations, medical visits, or other specific area events, and not large vacation type uses. She went on to state that a positive of the amendment includes yearly inspections of these homes that promote safe dwellings.

Councilor Feltner asked the Director of Planning to explain the merits of by right zoning for STRs, and how having explicit language in code that promotes regulations for STRs makes it easier to enforce them.

Assistant City Manager of Community Development Planning Steve Magoon replied that

when the process started, there was a community forum where the consensus was that it made more sense to regulate it than turn a blind eye to it. He continued to remark that through the years the ordinance has evolved greatly.

Councilor Feltner asked Mr. Magoon to explain that, if this amendment was adopted, it replaces ambiguity of accessory house use etc.

Assistant City Manager Magoon replied that that is correct, and that language would clarify different dwellings and uses.

Councilor Feltner asked Mr. Magoon to confirm that any person operating an STR in a condo would have to get permission from the condo association.

Assistant City Manager Magoon confirmed that to be true.

Councilor Feltner asked for confirmation that the staff has looked into these illegally run STRs.

Assistant City Manager Magoon replied that while they do not want a scenario of neighbor enforcement, any time there has been reports or complaints made of infractions, the enforcement staff has investigated. He continued to say that because this item was pending for some time, he did not ask staff to go out and proactively enforce as the regulations were bound to change one way or another.

Councilor Feltner asked Mr. Magoon to confirm that this ordinance creates a much more strictly documented agreement including registration and abutters notices.

Assistant City Manager Magoon confirmed that to be true.

Councilor Feltner then asked City Manager Proakis to speak to the concern of the City's lack of resources to enforce regulations.

City Manager Proakis replied that the administration runs a nimble staff where a few enforcement personnel wear a lot of hats. He recognized that the administration can't handle everything they would like to year in and year out and said that the staff and administration is not well structured to pro-actively enforce these types of regulations. The City would have to add staff in order to have dedicated individuals scouring websites and properties to enforce violators, or the City could hire an outside firm to do so; either way, it would come at a cost.

Assistant City Manager Magoon reiterated that they haven't had any dedicated staff for enforcement because the outcome of the ordinance is yet to be determined. He continued to say once the outcome is reached, they would be able to take the first steps in deciding what is needed.

Councilor Airasian remarked that he has heard arguments on both sides of the issue, but to him, the issue comes down to quality of life. He stated that Watertown's neighborhoods are precious, and that many have had to take on added pressure with a lot of development. He continued to say that if people want to temporarily stay in Watertown, they can stay at Watertown's hotels as opposed to clogging up neighborhoods with no vested interests. He claimed STRs do not improve the quality of life for residents that have

been here for 1 or 30 years, and thus he will vote no.

Councilor Bays asked if it is possible to turn a two family into a single family.

Assistant Director Schreiber replied yes.

Councilor Bays stated that she discovered 38 independent locations of STRs on Air BnB and Vrbo platforms in Watertown, and out of those, there were 2 properties that said they unit could house 8 people, and one that could house 10, but that both were illegal for lack of bedrooms. She continued to state that it's easy to determine which ones were not owner occupied, and that she determined there to be 8 owner occupied units. She then remarked that the best thing would be to take what would be made illegal Air BnB's off the website, and asked what that process would look like.

Assistant Director Schreiber replied that the staff would contact the website and report them, there would then be a warning, and then a shut down if the violation persisted.

Councilor Bays asked to confirm that if they were to vote down the amendment, then business would continue as usual.

Assistant Director Schreiber replied no, that if the amendment is voted down, there would be proactive enforcement to get the listings off the platform as an active user.

City Manager Proakis clarified that a vote either way would result in shutting down absentee owners. He then stated that if this resulted in an overwhelming work load, they would address the staff enforcement issue at that point.

President Sideris remarked that the expectation should not be that illegal STRs are going to be shut down overnight, but that it will be a process.

Councilor Gardner remarked she entered tonight intending to vote yes, and that cost for enforcement is going to be a factor regardless of what they decide. She continued to say that the housing stock is a red herring because this ordinance would only allow owner occupants to be operators of STRs. She believes that the ordinance should give the administration the teeth to go after violators. Through experiences engaging with the community, she recognized that there have been some bad experiences, but that there are many people who responsibly operate STRs to help them afford to live and stay in Watertown. She remarked that she is empathetic to the single moms and the commission-based individuals who rely on this option to be a part of the community. She herself rented out her own property after very careful vetting, and it turned out to be a positive experience to all involved. She stated that she wants to protect the property rights of individuals, who can legally rent part of their space for 31+ days, to have the ability to rent the same space for 4 days at a premium if it helps them stay as neighbors.

Councilor Palomba remarked that this is a fairly complicated topic, and balanced the pros of STRs bringing money into the Watertown as well as a source of income for owner occupant operators with the cons of possible disturbances to the communities. He concluded by saying that he wanted to wait to hear what friendly amendments his fellow Councilors had before making a decision.

Councilor Feltner moved to make a friendly amendment to reduce the capacity limit from

10 to 8, which in almost all cases would result in securing a bedroom for the homeowner. She then remarked that she knows individuals who, if this ability to rent out rooms is taken away from them, they will have to sell their home, so in good conscience she can't vote no, is trying to find a way to make it more palatable so it may pass.

Councilor Gardner seconded the motion.

The amendment failed 6 No (Palomba, Piccirilli, Airasian, Gannon, Izzo, Sideris) to 3 Yes (Bays, Feltner, Gardner) in a Roll Call Vote.

Councilor Palmoba moved to make a friendly amendment to eliminate the home share unit use and enforce that the only permittable STR would be one where the owner is present.

Councilor Gardner seconded.

Councilor Palomba stated that he believes the major concerns come from the scenario where an entire unit is rented out, as opposed to an owner occupant renting out spare bedrooms, and that is the reason behind his amendment.

Councilor Feltner emphasized the difference between hosting someone in their own home where the owner specifically vets.

The amendment failed 5 No (Piccirilli, Airasian, Gannon, Izzo, Sideris) 4 Yes (Feltner, Palomba, Bays, Gardner) in a Roll Call Vote.

President Sideris thanked the members of the Committee on Rules and Ordinance over the years, Planning and Zoning staff, and the members of the public who have reached out. He continued to say that what has been going on is a shadow business that hasn't met a lot of regulations. He stated that there is an opportunity tonight to either regulate this business or say that the community does not want it. He stated that he will be voting no, as a lot has already been asked of the community and recognized that there are many more voices of people who are against the zoning amendment. He concluded in saying that if this amendment indeed fails, that there needs to be specific language to go into code that specifically outright bans STRs.

City Attorney Reich remarked that it has been a robust discussion. Regarding the language of the zoning code, he reiterated that though this practice of STRs is not allowed, action will have to be taken to explicitly say so. He stated that the Council voting this down will serve as the policy guideline. He concluded that it will be easier to enforce something with clarity.

The motion to approve the proposed zoning amendment ordinance failed 6 No (Airasian, Gannon, Izzo, Palomba, Piccirilli, Sideris) 3 Yes (Bays, Feltner, Gardner) in a Roll Call Vote.

President Sideris then asked for a motion to work with City Attorney Reich to prepare what is necessary to amend zoning code to outright ban STRs.

Councilor Piccirilli made the motion and Councilor Gannon seconded.

The motion passed unanimously in a Voice Vote.

B. Public Hearing and Vote on an Amendment to the FY2024 Budget to Fund WMEG Agreement

City Manager Proakis stated that this funds the Watertown Municipal Employees Group Agreement which includes retro pay for FY23 as well as FY24. A total of \$160,500 will be transferred from the Collective Bargaining Stabilization Account to the City Council Reserve in order to facilitate it.

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

The motion passed unanimously in Roll Call Vote.

10. MOTIONS, ORDINANCES, ORDERS, AND RESOLUTIONS

A. Resolution Authorizing a Transfer of Funds in the Amount of \$20,00 from the FY24 Procurement Full Time Salaries Account to the FY24 Procurement Contracted Services Account

City Manager Proakis stated that there is an assistant procurement position that is till posted, but they now have an opportunity to take on a temporary staff member to help clear up some back log in procurement until a permanent staff member is hired. The transfer is necessary to facilitate this action.

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

The motion passed unanimously in a Roll Call Vote.

B. Resolution Authorizing a Transfer of Funds in the Amount of \$35,000 from the FY24 City Council Reserve to the FY24 BB&N Field Lights Account

City Manager Proakis stated that the City has a great relationship with BB&N in sharing use of their new field. As part of the agreement, Watertown takes on responsibility for lighting the field when it the City uses it, which is often. This transfer represents paying that light bill.

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

The motion passed unanimously in a Roll Call Vote.

C. First Reading on a Proposed Loan Order that the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court,

Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all 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 pursuant to any other enabling authority, and to issue bonds or notes of the City therefore.

City Manager Proakis presented the First Reading.

11. REPORTS OF COMMITTEES

There were no Reports of Committees.

12. NEW BUSINESS

There was no New Business.

13. COMMUNICATIONS FROM THE CITY MANAGER

A. Request for Confirmation of Appointment to the Stormwater Advisory Committee

City Manager Proakis requested Warren Tolman be appointed as a member of the Storm Water Committee to a term expiring July 15, 2026.

President Sideris stated that this referral goes to the Committee on Public Works.

B. Request for Confirmation of Reappointment to the Board of Assessors

City Manager Proakis requested that Kathleen Colleary be reappointed as a member of the Board of Assessors to a term expiring May 15, 2027.

President Sideris stated that this referral goes to the Committee Personnel and City Organization.

C. Request for Confirmation of Reappointment to the Traffic Commission

City Manager Proakis requested that Robert Airasian be reappointed to the Traffic Commission to a term expiring May 15, 2026.

President Sideris stated that this referral goes to the Committee on Public Safety.

D. Community Development & Planning Organizational Update

City Manager Proakis stated that this document (attached) will be a sneak peek into an update of the organizational chart and part of the FY25 Budget. He noted that the most significant changes and time sensitive items include the removing the Assistant Planning Director position and replacing it with three positions – two division heads that are a lower rate than current Director but above current Assistant Director, and one entry level position. This creates three divisions that each answer to the Director, and four teams which are smaller than the divisions. The divisions are Building, Community Design, and Planning and Zoning. The teams are Events, Wellness, Sustainability, and Code Enforcement.

He continued to announce that his immediate plan is to promote Gideon Schreiber from Assistant Director of Planning for the Development of Community Planning to the title of Director of Planning and Zoning and to continue to fill part time the Energy Advocate and the Senior Planners for Open Space and Economic Development roles.

He then thanked the community for attending the Watertown Square Meeting on April 4th, and asked people to fill in the feedback forms. He stated he is seeking a community member to become an alternate member of the Planning Board.

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

Councilor Feltner requested what the status was of screening the roof top utilities at 48 North Beacon, what is the status of the Host Community Agreements with local cannabis businesses, and what is the status of enhanced notification materials.

15. ANNOUNCEMENTS

Councilor Bays announced her annual meeting on April 16th.

Councilor Feltner announced that tonight was the kick off of the Watertown Schools art show at the Watertown Mall.

President Sideris announced the grand opening of the Watertown Cable Television facility.

16. PUBLIC FORUM

17. RECESS OR ADJOURNMENT

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

The motion was adopted unanimously in a Voice Vote.

The meeting adjourned at 10:11 p.m.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted by a vote of ___ for, ___ against, ___ present on April 23, 2024.

Mark S. Sideris, Council President
s:/BTM

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large

Nicole Gardner,
District A Councilor

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

John G. Gannon,
Councilor At Large

Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large

Emily Izzo,
District D Councilor

City Council Meeting
Tuesday, April 9, 2024 at 6:30 PM
List of Documents

1. Arbor Day Proclamation– Item 8A
2. Short Term Rental Ordinance and PB Report– Item 9A
3. FY2024 Budget Amendment - WMEG– Item 9B
4. Transfer of Funds FY24 Procurement Full Time Salaries – FY24 Procurement Contracted Services Account– Item 10A
5. Transfer of Funds FY24 City Council Reserve – FY24 BB&N Field Lights Account – Item 10B
6. Proposed Loan Order Sidewalks and Streets – Item 10C
7. Request for Confirmation – Stormwater Advisory Committee– Item 13A
8. Request for Confirmation – Board of Assessors – Item 13B
9. Request for Confirmation – Traffic Commission – Item 13C
10. Community Development & Planning Organization Update – Item 13D
11. Former Councilor Kounelis Email
12. Judi Fitts Email



City Council Meeting

Tuesday, April 9, 2024 at 6:30 PM
Richard E. Mastrangelo Council Chamber

Agenda

ACCESS INFORMATION:

- A. This meeting will be held on April 9, 2024 at 6:30 P.M. Location: Richard E. Mastrangelo Council Chamber
 - B. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/watch-now?site=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
- 2. EXECUTIVE SESSION - 6:30 P.M.
 - A. Executive Session pursuant to G.L. c. 30A, sec 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares - Robert Degeis v. City of Watertown, Department of Industrial Accidents Case No. 4162195
- 3. RETURN FROM EXECUTIVE SESSION 7:00 P.M.
- 4. PLEDGE OF ALLEGIANCE
- 5. PUBLIC FORUM
- 6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
 - A. Minutes from City Council Meeting March 26, 2024
- 7. PRESIDENT'S REPORT
- 8. PRESENTATION OF PETITIONS, PROCLAMATIONS, AND SIMILAR PAPERS AND MATTERS
 - A. Arbor Day Proclamation
- 9. PUBLIC HEARINGS
 - A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

- B. Public Hearing and Vote on an Amendment to the FY2024 Budget to Fund WMEG Agreement
- 10. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS
 - A. Resolution Authorizing a Transfer of Funds in the Amount of \$20,000 from the FY24 Procurement Full Time Salaries Account to the FY24 Procurement Contracted Services Account
 - B. Resolution Authorizing a Transfer of Funds in the Amount of \$35,000 from the FY24 City Council Reserve to the FY24 BB&N Field Lights Account
 - C. First Reading on a Proposed Loan Order that the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all 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 pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.
- 11. REPORTS OF COMMITTEES
- 12. NEW BUSINESS
- 13. COMMUNICATIONS FROM THE CITY MANAGER
 - A. Request for Confirmation of Appointment to the Stormwater Advisory Committee
 - B. Request for Confirmation of Reappointment to the Board of Assessors
 - C. Request for Confirmation of Reappointment to the Traffic Commission
 - D. Community Development & Planning Organizational Update
- 14. REQUESTS FOR INFORMATION/REVIEW OF LIST OF PENDING MATTERS
- 15. ANNOUNCEMENTS
- 16. PUBLIC FORUM
- 17. RECESS OR ADJOURNMENT

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large

Nicole Gardner,
District A Councilor

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

John G. Gannon,
Councilor At Large

Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large

Emily Izzo,
District D Councilor

CITY COUNCIL ATTENDANCE
MEETING DATE: APRIL 9, 2024

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

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	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 enter into Executive Session

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

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

Motion to accept minutes from City Council Meeting March 26, 2024

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	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 Proclamation for Arbor Day



Watertown City Council

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

ARBOR DAY PROCLAMATION

WHEREAS: In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and,

WHEREAS: This holiday, called Arbor Day, was first observed with the plantings of more than one million trees in Nebraska; and,

WHEREAS: Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate temperature, clean the air, produce oxygen, and provide a habitat for wildlife; and,

WHEREAS: Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and,

WHEREAS: Trees in our cities increase property values, enhance the economic vitality of our business area, and beautify our community; and,

WHEREAS: Trees, wherever they are planted, are a source of joy and spiritual renewal;

NOW THEREFORE BE IT RESOLVED: That the City Council of the City of Watertown is proud to proclaim April 26, 2024 as **ARBOR DAY** and urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

IN WITNESS WHEREOF,

I hereunto set my hand
And caused the Great Seal of
The City of Watertown on this
9th day of April 2024.

Mark S. Sideris, Council President



CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

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

Motion to amend the proposed zoning ordinance to limit the number of guests allowed in an STR at one time from 10 to 8

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

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

Motion to amend the proposed zoning ordinance to exclude home share units.

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

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

Motion to adopt the proposed Zoning Amendment Ordinance as written.



Watertown City Council

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

ELECTED
OFFICIALS:

ORDINANCE #

2024 – O –

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,

WHEREAS, pursuant to Massachusetts General Laws Chapter 40A, Section 5, and the Watertown Code of Ordinances, Title XV, Land Usage, Chapter 155, Zoning Code, Article IX, Enforcement and Application Procedures, §9.20, Amendments to Zoning Ordinance, the Zoning Ordinance may be amended from time to time; and

WHEREAS, on January 24, 2023, the City Council conducted a first reading on amendments the Zoning Code in regard to Article II, Definitions, and Article V, Tables of District Regulations, §§ 5.02, 5.03, and a new §5.19, to regulate short-term rentals; and

WHEREAS, on March 13, 2024, with four members present, the Planning Board voted to recommend approval of the amendments and directed Department of Community Development and Planning staff to submit the Planning Board's report and recommendations to the City Council with respect to the proposed amendments; and

WHEREAS, on April 9, 2024 the City Council conducted a duly advertised Public Hearing with respect to the proposed Amendment.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that Title XV, Chapter 155 of the Watertown Code of Ordinances, the Zoning Code, is hereby amended, with the bold and underlined language inserted and the strike through language deleted, as follows:

- I. Article II, Definitions– insert a new Section 2.76 alphabetically (after Section 2.75, 4 Setback) to define short-term rental for zoning regulation, as follows with all subsequent sections renumbered sequentially as necessary.

Proposed Language:

Section 2.76 Short-Term Rental(s)

Any rental of the owner's primary residence or of a bedroom within their primary residence, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.

- II. Article V, Table of District Regulations – delete the language found in Section 5.02(a) and insert in place therein the new Section 5.02(a) Short-Term Rental, as follows, with a note added to reference the proposed Ordinance.

SECTION 5.02 TABLE OF ACCESSORY USE REGULATIONS

	Accessory Use Only	S-6	S-10	C R	SC	I	R.7 5	R1. 2	N B	LB	C B	I- 1	I- 2	I- 3	PSC D	OS C	RM UD
a.	Within a dwelling unit that is owner occupied, renting of not more than two rooms as a lodging without separate cooking facilities and for not more than two lodgers	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP	SP	N	N	N
a	<u>Short-Term Rental (21)</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

- III. Article V, Table of District Regulations – insert a new note in Section 5.03, Notes to Table of Use Regulations, as follows:

(21) Notwithstanding Section 4.03, Short-Term Rentals may be allowed as an accessory use within residential dwelling units in all districts, as specified in Section 5.19.

- IV. Article V, Table of District Regulations – insert a new Section 5.19, Short-Term Rentals, with the zoning requirements for Short-Term Rentals, as follows:

SECTION 5.19 SHORT-TERM RENTALS

(a) Intent and Purpose

This Section is intended to make the operation of Short-Term Rentals legal for residents, promote the safety of renters and residents, ensure that the primary use remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

(b) Definitions

For purposes of this section of the Ordinance, the following terms shall have the following meanings:

- (1) **Booking Agent: Any person or entity that facilitates reservations or collects payment for a Short-Term Rental on behalf of or for an Operator.**
- (2) **Short-Term Renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as a Short-Term Rental for a duration of not more than thirty-one (31) consecutive days.**
- (3) **Operator: The person that seeks to offer a residential dwelling unit or bedroom as a Short-Term Rental, who is the owner of the dwelling unit, and with the written permission of the condominium association if applicable. Only one owner may be**

registered as an Operator on the Short-Term Rental Registry for a Residential Unit.

- (4) Limited Share Unit: consists of a private bedroom or shared space at the primary residence of the Operator while the Operator is present. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of six guests. One bedroom must be reserved for the Operator.
- (5) Home Share Unit: consists of a whole unit available for a Short-Term Rental which is the primary residence of the Operator. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of 10 guests.
- (6) Primary Residence – The Residential Unit which is the Operator’s domicile for at least nine months out of a twelve-month period. In the event that the Operator is not a natural person, the Residential Unit must be the domicile of a natural person with an ownership interest in the entity which equals or exceeds fifty (50) percent.
- (7) Registration Number – A unique identification number generated for a single Residential Unit registered as a Short-Term Rental. Registration Numbers shall be valid for the calendar year during which they are assigned and shall be associated with both a single Residential Unit and a single Operator. The Registration Number must be included on any listing or advertisement offering a unit as a Short-Term Rental.
- (8) Residential Unit—A Residential Unit is a dwelling unit within a dwelling classified as a residential use, as those terms are defined in the Code, but excluding: a congregate living complex; elderly housing; a group residence; and transitional housing. The term “Residential Unit” shall not include a hotel, motel, executive suite, or other commercial or non-residential use.
- (9) Short-Term Rental Registry – the database maintained by the city that includes information on Operators who are permitted to offer their Residential Units as Short-Term Rentals. The Short-Term Rental Registry may be a stand-alone registry or may be incorporated into an electronic database maintained by the City, provided that the location of the Short-Term Rental with the Short-Term Rental Registry shall be made public.

(c) Applicability

The requirements of this Section shall apply to all short-term rentals in all districts where residential uses are located but shall not apply to principal transient accommodations including Hotels.

(d) Regulations

The Director of the Department of Community Development and Planning (DCDP) or the Director’s designee, shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section. DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.

(e) Requirements: Only operator-occupied Short-Term Rentals are permitted as follows:

- (1) No one shall operate a Short-Term Rental in Watertown without first registering with the DCDP and obtaining a certificate of registration from DCDP. Said registration shall be subject to annual renewal.**
- (2) An Operator may rent to only one party of guests at a given time.**
- (3) An Operator may rent to that party of guests either:**
 - a. Limited Share Unit: An Operator may offer a Limited Share Unit as a Short-Term Rental; or**
 - b. Home Share Unit: An operator may offer a Home Share Unit as a Short-Term Rental.**
- (4) A dwelling unit or bedroom offered for Short-Term Rentals shall comply with all standards and regulations promulgated by DCDP.**
- (5) All Short-Term Rental operators shall register with the State and DCDP prior to short-term rental use and occupancy, showing conformance with regulations in place.**
- (6) Operators shall comply with all applicable federal, state, and local laws and codes, including but not limited to the Fair Housing Act G.L.c. 151b and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings.**
- (7) Operators of Short-Term Rentals shall remit to the appropriate body all fees and taxes as required by city and/or state authorities.**
- (8) Short-Term Rental operators shall comply with the liability insurance requirements set forth in G.L. c. 175, Section 4F.**
- (9) Renting for an hourly rate, or for rental durations of less than one day, shall not be permitted.**
- (10) Notifications:**
 - a. The Operator shall include the Registration Number issued by DCDP on any listing offering the Residential Unit as a Short-Term Rental and shall post a sign on the inside of the Residential Unit providing information on the location of all fire extinguishers in the dwelling unit and the maximum number of occupants set by the city for operation as a Short-Term Rental.**
 - b. The Operator shall, within thirty days of approved registration, provide written notice to abutters of a Residential Unit that the Residential Unit has been registered as a Short-Term Rental. For the purposes of this section, an abutter shall be defined as any residential dwelling located within 300 feet of said Residential Unit.**

- (11) Retention of Records: The Operator shall retain and make available to DCDP, upon written request, records to demonstrate compliance with this section, including but not limited to: records demonstrating number of months that Operator has resided or will reside in Residential Unit; records showing that Operator is the owner of Residential Unit offered as a Short-Term Rental; and records demonstrating number of days per year that Residential Unit is offered as a Short-Term Rental. The Operator shall retain such records for a period of three years from the date the Residential Unit is registered with the City of Watertown.

(f) Ineligibility

The following residential units are not eligible to be offered as Short-Term Rentals: Residential Units designated as below market rate or income-restricted, that are subject to affordability deed restrictions or covenants, or that are otherwise subject to housing or rental assistance under local, state, or federal law.

Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above Ordinance was adopted by a vote of ___ for, ___ against, and ___ present on April 9, 2024.

Brendan McCarthy, Council Clerk

Mark S. Sideris, Council President



CITY OF WATERTOWN

Planning Board
Administration Building
149 Main Street
WATERTOWN, MASSACHUSETTS 02472

Janet Buck, Chair
Payson Whitney
Jason Cohen
Abigail Hammett
Rachael Sack

Telephone (617) 972-6417
Facsimile (617) 972-6484
www.watertown-ma.gov

PLANNING BOARD REPORT

This Report provides the Planning Board's recommendation to the Honorable Council for the Council's public hearing on a Zoning Text Amendment for regulating short-term rentals.

ZONING AMENDMENT:	Article II, Definitions; Article V, §5.02, Table of Accessory Use Regulations; §5.03, Notes to Table of Uses; NEW §5.19 Short-Term Rentals
DATE OF CITY COUNCIL FIRST READING:	January 23, 2024
STAFF RECOMMENDATION:	Adopt Zoning Amendment
DATE OF PLANNING BOARD HEARING:	March 13, 2024
PLANNING BOARD RECOMMENDATION:	Adoption (4-0)

I. PUBLIC NOTICE

A. Procedural Summary:

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

- Published in the newspaper of record (Boston Globe) on February 28 and March 6, 2024; and
- Posted on the City's website and at the Administration Building on February 28, 2024;

B. Planning Board Public Notice:

"City of Watertown Planning Board will hold a public hearing on Wednesday, March 13, 2024 with the meeting starting at 7:00 pm, City Council Chamber, Administration Building, 149 Main St., Watertown, MA. Pursuant to Chapter 2 of the Acts of 2023, or as updated, the meeting will be conducted with remote participation opportunities identified on the agenda posted 48 hours prior to the meeting."

To consider Watertown Zoning Ordinance amendments for Short-Term Rentals as a Use Category (replacing a previous renting of rooms use category) with supporting language, definitions, and a section for the requirements to operate short-term rentals as an accessory use within certain residential dwelling units.”

II. DESCRIPTION

A. Nature of the Request

Over the last five years, the City has considered whether and how to allow Short-Term Rentals (STRs). The latest proposal received a first reading at the City Council on January 23, 2024 and a referral to the Planning Board for public hearing and recommendation. Below is a summary of the current proposed zoning amendment and accompanying regulations. This Planning Board report also includes factual background from staff consisting of information gathered in February 2023 and February/March 2024. The Planning Board’s record included a full copy of the proposed zoning amendment and regulations and relevant excerpts from the November 27, 2023 Report of the City Council Committee on Rules and Ordinance.

In summary, the proposed ordinance and regulations would:

- Define Short-Term Rentals – rental of a dwelling unit, or bedroom of not more than 31 days in a row.
- Table of Accessory Uses – Replace an obsolete use category for renting up to two rooms. STRs, as proposed, would be allowed in all districts with a new note restricting them to be an accessory use within residential dwelling units, and only as allowed within a new section.
- New Section for Short-Term Rentals – Identifies the intent/purpose to allow STRs while ensuring safety, primary residential use, and protecting the character and livability of residential neighborhoods. The use is limited to owner occupied units only, with two types of operations proposed:
 - a. Limited Share Unit: a private bedroom or shared space at the primary residence of the Operator while the Operator is present with occupancy limited to three bedrooms or six guests, whichever is fewer. One bedroom must be reserved for the Operator.
 - b. Home Share Unit: a whole unit available for a short-term rental which is the primary residence of the Operator with occupancy limited to five bedrooms or 10 guests, whichever is fewer.
- Transparency—Operators would be required to register and post the registration number on short-term rental sites. Information on approved operators and short-term rental locations would also be posted on a city-maintained registry. In addition, operators would be required to provide renters with certain information and notify abutters that a unit has been approved to be used for short-term rental.

The section authorizes the Department of Community Development and Planning (Department) to issue regulations that ensure compliance. Accompanying the amendment is a set of draft regulations, which include the following additional points:

- **Proof of Residency**— The regulations specify the evidence that each operator must provide annually to prove their primary residency is at the identified location. These include proof of enrollment in the city’s residential tax exemption program; voter registration; motor vehicle registration; driver’s license or state-issued identification; deed; or utility bill.
- **Inspection**—The regulations provide for inspections to ensure compliance with building/public health/fire codes.
- **Enforcement**—The regulations provide a complaint process and penalties for violations, including suspension of the short-term rental license.

B. Background

1. Pre-November 2021 Planning Board Hearing

The Department started soliciting community input on STRs in February 2018 and in spring 2019 worked with the Boston University Initiative on Cities - Metrobridge to review the public comments from 2018 and identify key points to consider in allowing such rentals.

The Council Committee on Rules and Ordinances held meetings to discuss STRs on August 7, 2019, September 23, 2019, November 25, 2019, February 18, 2020, and March 29, 2021. The Committee reported to the Council on March 29, 2021 recommending language for a STR zoning amendment and draft regulations. On June 22, 2021, the Council referred the proposal to the Planning Board with specific questions: 1) should renters be allowed to offer their premises for short-term rental? and 2) what should be the maximum number of guests?

At the same June 2021 meeting, the Council also voted to adopt G.L. Chapter 64G, Section 3D (a) and (b). Those sections allow municipalities to impose a 3% community impact fee on, respectively, STRs that are “professionally managed” or STRs located in an owner-occupied two- or three-family building. Community impact fees go to support affordable housing or local infrastructure projects.

2. November 2021 Planning Board Hearing

On November 10, 2021, the Planning Board voted 5-0 to recommend allowing STRs, with proposed changes in the language that was referred to the Board for public hearing. There was limited public comment, with a supporter arguing that since STRs are already occurring in Watertown, regulation is needed, and an opponent arguing that “monetizing” homes would tear at the community fabric.

The proposal considered March 13 differed significantly from that considered in November 2021 as “owner adjacent” units are not allowed under the current proposal. An owner-adjacent unit is one located within the same residential building as the owner’s primary residence and where all dwelling units in the building are owned by the Operator (e.g., a two-family). The current proposal also includes additional detail about local registration, proof of residency, transparency and enforcement.

The Board’s 2021 report answered the Council’s questions by recommending that 1) tenants be allowed to operate STRs with owner consent and 2) supporting the proposed maximum number of guests (adding a maximum for owner-adjacent units). It made several other recommendations, most significantly that the term “building and health code requirements” be replaced with “basic habitability and life safety standards” to clarify that owners did not need to comply with the same requirements as new residential units.

3. Council consideration between November 2021 and January 2024

On January 22, 2022, the Council considered the proposed ordinance, along with the Planning Board's report. There was considerable public comment at the meeting, with residents expressing concern about the neighborhood impact of allowing STRs. Particular concerns included increased demand for parking, additional noise and trash, and frequent turnover of renters. The Council referred the matter to the Rules and Ordinance Committee for further consideration of the issues raised during the public hearing.

The Rules and Ordinance Committee held four meetings in 2023 on this topic: January 30, February 13, April 3, and April 20. There was robust public comment, mostly negative about allowing STRs and allowing "owner adjacent" units. Some comments also expressed concern about allowing as many as 10 guests in a five-bedroom house and suggested reducing maximums to six or eight guests even in large houses. Major points included the following:

- There will be a large increase in STRs, particularly if investors can operate;
- Allowing STRs will create parking problems in already dense neighborhoods;
- There will be additional noise and trash, particularly if operators do not live in the same residence;
- Hotels in Watertown will lose customers and might close or cut jobs;
- There will be many transients in residential neighborhoods; and
- Several commenters did not believe that the city would enforce the ordinance/regulations and criticized the city for not shutting down illegal STRs.

Supportive comments about allowing STRs focused on acknowledging the role of the "sharing economy" (e.g., helping owners to age in place), the benefit of having local accommodations for those needing extended visits (e.g., family or hospital visitors) and the need to regulate the STRs already operating here.

The Department provided a memo in February 2023 analyzing the pros and cons of STRs and offering regulatory options. The memo also furnished new information on the operation of STRs in Watertown, including their estimated number and the level of neighborhood complaints. The next section summarizes that information, along with updated data where available.

As indicated in its report, the Committee ultimately voted to eliminate the "owner adjacent" unit category and otherwise tighten the proposal to "regulate STRs and ensure safety while balancing concerns of negative impacts." The Committee voted to submit the updated ordinance language, with two points noted for further discussion:

- Whether the proposed cap on the number of renters per residence be reduced from 10 to 8 per booking (i.e., even in a 5-bedroom dwelling, the maximum would be 8 rather than 2 per bedroom for a maximum of 10); and
- Whether the City should pass/use G.L. c. 40, Section 22F so that administrative/inspection fees can be included in regulations; otherwise, the Council would be required to pass a fee schedule (and amend it as needed).

On January 23, 2024, this matter was referred to the Board for public hearing and recommendation.

C. Findings/Analysis

1. Information on Short-Term Rentals now operating in Watertown

The Commonwealth has an online registry of short-term rental (STR) operators in each city or town. According to this registry, there were 154 registrations in Watertown as of February 27, 2024.¹ These STRs pay their room occupancy excise tax to the Department of Revenue. The data does not provide information on which operators are actively renting, the number of unique rentals, or duration of unique stays, so it is not clear how many are actively operating in Watertown. Moreover, when an operator reverts to renting for more than 31 days, they may remain on the registry.

There were 128 entries in February 2023. However, because of the way the data is kept, it is not clear how much of an actual increase has occurred in the last year.

Based on the commencement date in a separate Mass DOR database, many of these STRs began operating before 2020. The STRs are predominantly in single or two-family homes and mostly appear to be whole units. About 15% appear to be operated by the same person/company.

Over seven of the last eight quarters, tax revenue from STRs has averaged \$31,459 per quarter. There was one outlier—the quarter ending September 30, 2023—that may be attributable to a state-level data issue.² Except for that outlier, STR's percentage of all lodging revenue has been steady since July 1, 2022 (at 8-9%). Between July 1, 2021 through June 30, 2022, that share was between 12-15%.

The city administration can divert time and effort from code enforcement priorities to identify and start enforcement actions against STRs. It has not done so, other than when complaints are received, because the Council is considering allowing STRs. The current enforcement policy is to investigate complaints and obtain prompt compliance.

Between January 2017 and December 31, 2023, there were 27 complaints to code enforcement regarding STRs, most occurring before 2020. In the last nine weeks, there have been 23 such complaints. While some of the older complaints appear to have been triggered by other issues (e.g., noise), the 2024 complaints have not. There appears to be a concerted effort by one or more individuals to shut down STRs by triggering city investigation.

The city's enforcement has consisted of demanding that the operator either cease operation or revert units to month-to-month rentals. If there were other code violations, compliance was required. There have been relatively few repeat complaints once an operator has responded to the initial complaint.

2. Adoption of the Current Proposal

The City has a policy choice between allowing/regulating STRs or taking the initiative in stopping their operation. Either course would likely require the City to increase staff capacity or look at contract services.

If the city decides that STRs will be banned, there should be a strong enforcement effort to stop the operations that may be active-- and to continually act whenever a new STR opens. On the other hand, if

¹ <https://www.mass.gov/info-details/public-registry-of-lodging-operators#search-the-registry->

Under state law, a STR is for 31 days or less. Although some STRs call themselves Bed & Breakfasts or Lodging Houses in the registry, neither are allowed in Watertown.

² Revenue for that quarter jumped 325% from FY23/4Q and 230% from FY23/1stQ for STRs and only 58% and 13% (respectively) for hotels. STR revenue then fell the next quarter to a number much closer to the longer-term average.

legalized, there will still need to be a robust effort to bring current and future STRs into compliance. Experience in surrounding communities indicates that most STRs will not automatically comply with city regulations.³

Legalizing STRs will require at least the following: a webpage that clearly describes the licensing and regulatory requirements; adding STRs to the online permitting system; a checklist and inspection process for code compliance; linking to and posting STR locations online; and a publicized means for residents to report complaints about STRs. The Department believes that the webpages created by Lexington and Brookline are good models.⁴

The two scenarios—legalize or ban—differ financially. While both require administrative capacity, legalizing STRs includes some of the current flow of occupancy taxes and allows for a local registration fee. If the City adopts the proposed ordinance, however, it could not take advantage of the community impact fee authorized by the state, which applies to the kind of STRs that would not be allowed here.

The Planning Board has previously recommended that allowing and regulating STRs is a better course. Allowing and regulating STRs allows Watertown residents to participate in the sharing economy, brings new people to Watertown (potentially supporting local businesses), and makes it easier to maintain safety for those staying in STRs. However, the proposed amendment in its current form will substantially reduce the market and the potential benefits of allowing short-term rentals.

The Board's previous recommendations also acknowledged the potential for some negative impact on neighbors and suggested ways to minimize that impact. The proposed ordinance and regulations incorporated these suggestions—and others from community members—to make the current proposal narrowly tailored to allowing Watertown residents use their own home for short-term rental of a bedroom while they are present or the entire home if they are temporarily away. The current proposal basically eliminates the potential for investors/professional operators because the unit must be the operator's primary residence.

3. City Council Questions

The Committee Report identified specific two questions for the City Council. First, the Committee identified the maximum number of guests as an issue where there was a difference of opinion. The current proposal uses a metric of two guests per bedroom, with a maximum of 10 even if there are additional bedrooms. The majority of "whole unit" STRs are likely to offer between 2 or 3 bedrooms, or between 4 and 6 guests. The argument for a 10-guest maximum is that it allows for a "family" rental, e.g., for a reunion or family event like a college graduation. The argument for an 8-guest (or even 6-guest) maximum is the potential that a larger group will create more impact on neighbors. Staff suggested, before the Planning Board, that rentals involving 10-person rentals are likely to be rare and would lead to relatively few instances of abuse. Staff cited the fact that so few past STR complaints have included noise, trash buildup or other tangible impacts supports allowing a 10-guest maximum. Moreover, staff pointed out that if problems occur, the ordinance can be amended to lower the maximum.

³ While the number of Boston STRs on the state registry in February 2023 was 2,551, the number licensed by the city was only 677. Similarly, Cambridge had 671 on the state registry and 345 licensed. Based on conversations with several other nearby communities, this is a common pattern.

⁴ Lexington: <https://www.lexingtonma.gov/591/Short-Term-Rentals>; Brookline: <https://www.brooklinema.gov/2022/Short-Term-Rentals>.

Second, the Committee highlighted the need to adopt G.L. c. 40, Section 22F if the Council wished to include administrative/inspection fees in regulations. Unless a municipality has adopted this statute, the initial fees and any change in the fees must be approved by City Council. Adoption of this state statute would still require the Council to delegate fee-setting to the city administration. Once adopted, the statute would allow the Council—if it wishes—to similarly delegate other types of fee-setting to a board or commission. Staff suggested that the Council should have the freedom to delegate fee-setting in those instances where flexibility is desirable. Moreover, staff suggested that STR fees are an appropriate area for flexibility because it will take trial-and-error to determine fee levels that both compensate the city for its time/effort in regulating STRs and is appropriate for residents using their own home as part of the “sharing economy.”

To be clear, adoption of an STR ordinance that allows the Department to set fees can occur before the Council decides on adoption of G.L. c. 40, Section 22F. However, this authorization cannot be implemented until and unless the Council adopts G.L. c. 40, Section 22F.

Staff proposed the following language as the second sentence of Section 5.19 (d): **“DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.”**

III. STAFF RECOMMENDATIONS

Staff recommended approval of the proposed Zoning Amendments to define and regulate Short-Term Rentals, based on the findings. Further, Staff recommended that the Board endorse the draft regulations, with changes to conform to the final ordinance on adoption of the Zoning Amendments. Finally, with respect to the two questions posed in the Committee Report, staff recommended that (1) the Zoning Amendments continue to use a 10-guest maximum and (2) the Council adopt G.L. c. 40, Section 22F and add the following as the second sentence of Section 5.19 (d): “DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.”

IV. PUBLIC COMMENT

Six residents testified against allowing short-term rentals and an eighth resident sent an email opposed to STRs. The main reasons for opposition included:

- Concern over neighborhood impacts such as noise and having extra cars on the street.
- Belief that the City will not enforce STR regulations and will not respond to complaints.
- Concern that allowing STRs would reduce property values.
- Belief that there are no community benefits to allowing STRs.

Several of those opposed said that limiting STRs to owner-occupied properties would help reduce impacts but they were unconvinced that this was enough.

One resident spoke in favor, arguing that STRs are part of the “sharing economy” that is now prevalent, that the proposal has now been narrowed to exclude investors, and that responsible homeowners should not be foreclosed from renting extra space or their home when away.

Three residents asked questions about the proposed ordinance: one about “grandfathering” (staff said STRs are not allowed, so there would be no grandfathering) and one about condo units (staff said condo

association consent must be documented, with the necessary majority governed by the condo documents); and one about whether STRs should be treated like a home “occupation.”

V. PLANNING BOARD DELIBERATION AND RECOMMENDATION

The Board deliberated with four members present (Member Whitney absent). Chair Buck and Member Cohen spoke in favor of allowing and regulating STRs. Both said STRs are here and it would be better to establish a framework for them. Both said many of the concerns about STRs are not limited to that form of rental; they are present with multi-generational homes with many occupants and cars, and can be present with longer rentals.

Buck cited two examples of STRs that provide a community benefit: she used one when her daughter had a baby and she needed to stay in another community for 3 weeks, and a family needing to stay near a hospital during someone’s recovery.

Cohen said that banning STRs would send the wrong signal about Watertown: that it was not a welcoming community. He noted that the City has been discussing this since 2018 and that the present proposal is 100% better than the original version and should be approved.

Cohen and Member Hammett exchanged comments about tightening the language on occupancy. Cohen suggested that there is a good argument that owners should be required to have lived in the residence for 9 of the prior 12 months rather than prove they “intend” to do so. Hammett said that STRs might help a new household afford to buy a property and that having to wait 9 months might make the difference. She noted that one of the true benefits to allowing STRs was augmenting the income of people faced with high housing costs. Finally, Hammett said she hoped the City Council would consider putting owner-adjacent units back into the proposed ordinance to support this type of homeowner.

There was discussion on whether the Board should support the 10-guest maximum. Cohen said he was sympathetic to lowering it to 6 or 8. Member Sack said she was not sure about whether 6 or 8 would be better if the maximum was reduced. She also asked if the registration would include the maximum number of guests in the particular unit (staff said yes). Hammett was opposed to lowering the cap. Cohen said that in the absence of a consensus on lowering the maximum, he was willing to move the current proposal forward.

Cohen moved, Hammett seconded, and the Planning Board voted 4-0 to:

(1) recommend approval of the Zoning Amendments with one change: add the following as the second sentence of Section 5.19 (d): “DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.”

(2) endorse the draft regulations, with changes to conform to the final ordinance on adoption of the Zoning Amendments.

A copy of the proposed zoning amendments, with the proposed change in red, along with the draft regulations, are attached as “A.”

ATTACHMENT "A"

Text of proposed zoning amendments... pages 2-5

Text of proposed regulations... pages 6-9

Proposed Zoning Amendments:

- I. Article II – Insert a new Section alphabetically (after Section 2.74 Setback) to define short-term rental for zoning regulation. Subsequent sections would be renumbered.

Proposed Language:

Section 2.75 Short-Term Rental(s)

Any rental of the owner's primary residence or of a bedroom within their primary residence, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.

- II. Article V – Strike out Section 5.02(a) and replace with NEW Section 5.02(a) Short-Term Rental. Add a note to reference the proposed Ordinance. This removes an unused section and replaces it with an allowance for short-term rentals. This amendment does not have a requirement for a Special Permit for any scenario, and only requires registration and compliance with new regulations.

Proposed Language:

SECTION 5.02 TABLE OF ACCESSORY USE REGULATIONS

	<u>Accessory Use Only</u>	<u>S-6</u>	<u>S-10</u>	<u>C</u> <u>R</u>	<u>SC</u>	<u>I</u>	<u>R.7</u> <u>5</u>	<u>R1.</u> <u>2</u>	<u>N</u> <u>B</u>	<u>LB</u>	<u>C</u> <u>B</u>	<u>I-</u> <u>1</u>	<u>I-</u> <u>2</u>	<u>I-</u> <u>3</u>	<u>PSC</u> <u>D</u>	<u>OS</u> <u>C</u>	<u>RM</u> <u>UD</u>
a.	Within a dwelling unit that is owner occupied, renting of not more than two rooms as a lodging without separate cooking facilities and for not more than two lodgers	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP	SP	N	N	N
a	<u>Short-Term Rental (20)</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

- III. Add a new note within SECTION 5.03 NOTES TO TABLE OF USE REGULATIONS, referencing that Short-Term Rentals are only allowed as specified in the new Short-Term Rentals Section within the ordinance.

Proposed Language:

(21) Notwithstanding Section 4.03, Short-Term Rentals may be allowed as an accessory use within residential dwelling units in all districts, as specified in Section 5.19.

IV. Add a new Section 5.19 with the zoning requirements for Short-Term Rentals, as follows.

Proposed Language:

SECTION 5.19 SHORT-TERM RENTALS

(a) Intent and Purpose

This Section is intended to make the operation of Short-Term Rentals legal for residents, promote the safety of renters and residents, ensure that the primary use remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

(b) Definitions

- (1) Booking Agent: Any person or entity that facilitates reservations or collects payment for a Short-Term Rental on behalf of or for an Operator.
- (2) Short-Term Rental(s): The use of the owner's primary residence or of a bedroom within their primary residence, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.
- (3) Short-Term Renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as a Short-Term Rental for a duration of not more than thirty-one (31) consecutive days.
- (4) Operator: The person that seeks to offer a residential dwelling unit or bedroom as a Short-Term Rental, who is the owner of the dwelling unit, and with the written permission of the condominium association if applicable. Only one owner may be registered as an Operator on the Short-Term Rental Registry for a Residential Unit.
- (5) Limited Share Unit: consists of a private bedroom or shared space at the primary residence of the Operator while the Operator is present. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of six guests. One bedroom must be reserved for the Operator.
- (6) Home Share Unit: consists of a whole unit available for a Short-Term Rental which is the primary residence of the Operator. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of 10 guests.
- (7) Primary Residence – The Residential Unit which is the Operator's domicile for at least nine months out of a twelve-month period. In the event that the Operator is not a natural person, the Residential Unit must be the domicile of a natural person with an ownership interest in the entity which equals or exceeds fifty (50) percent.
- (8) Registration Number – A unique identification number generated for a single Residential Unit registered as a Short-Term Rental. Registration Numbers shall be valid for the calendar year during which they are assigned and shall be associated with both a single Residential Unit and a

single Operator. The Registration Number must be included on any listing or advertisement offering a unit as a Short-Term Rental.

- (9) Residential Unit—A Residential Unit is a dwelling unit within a dwelling classified as a residential use, as those terms are defined in the Code, but excluding: a congregate living complex; elderly housing; a group residence; and transitional housing. The term “Residential Unit” shall not include a hotel, motel, executive suite, or other commercial or non-residential use.
- (10) Short-Term Rental Registry – the database maintained by the city that includes information on Operators who are permitted to offer their Residential Units as Short-Term Rentals. The Short-Term Rental Registry may be a stand-alone registry or may be incorporated into an electronic database maintained by the City, provided that the location of the Short-Term Rental with the Short-Term Rental Registry shall be made public.

(c) Applicability

The requirements of this Section shall apply to all short-term rentals in all districts where residential uses are located but shall not apply to principal transient accommodations including Hotels.

(d) Regulations

The Director of the Department of Community Development and Planning (DCDP) or the Director’s designee, shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section. **DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.**

(e) Requirements: Only operator-occupied Short-Term Rentals are permitted as follows:

- (1) An Operator may rent to only one party of guests at a given time.
- (2) An Operator may rent to that party of guests either:
 - a. **Limited Share Unit:** An Operator may offer a Limited Share Unit as a Short-Term Rental; or
 - b. **Home Share Unit:** An operator may offer a Home Share Unit as a Short-Term Rental.
- (3) A dwelling unit or bedroom offered for Short-Term Rentals shall comply with all standards and regulations promulgated by DCDP.
- (4) All Short-Term Rental operators shall register with the State and DCDP prior to short-term rental use and occupancy, showing conformance with regulations in place.
- (5) Operators shall comply with all applicable federal, state, and local laws and codes, including but not limited to the Fair Housing Act G.L.c. 151b and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings.
- (6) Operators of Short-Term Rentals shall remit to the appropriate body all fees and taxes as required by city and/or state authorities.

- (7) Short-Term Rental operators shall comply with the liability insurance requirements set forth in G.L. c. 175, Section 4F.
- (8) Renting for an hourly rate, or for rental durations of less than one day, shall not be permitted.
- (9) Notifications:
 - a. The Operator shall include the Registration Number issued by DCDP on any listing offering the Residential Unit as a Short-Term Rental and shall post a sign on the inside of the Residential Unit providing information on the location of all fire extinguishers in the dwelling unit and the maximum number of occupants set by the city for operation as a Short-Term Rental.
 - b. The Operator shall, within thirty days of approved registration, provide written notice to abutters of a Residential Unit that the Residential Unit has been registered as a Short-Term Rental. For the purposes of this section, an abutter shall be defined as any residential dwelling located within 300 feet of said Residential Unit.
- (10) Retention of Records: The Operator shall retain and make available to DCDP, upon written request, records to demonstrate compliance with this section, including but not limited to: records demonstrating number of months that Operator has resided or will reside in Residential Unit; records showing that Operator is the owner of Residential Unit offered as a Short-Term Rental; and records demonstrating number of days per year that Residential Unit is offered as a Short-Term Rental. The Operator shall retain such records for a period of three years from the date the Residential Unit is registered with the City of Watertown.

(f) Ineligibility

The following residential units are not eligible to be offered as Short-Term Rentals: Residential Units designated as below market rate or income-restricted, that are subject to affordability covenants, or that are otherwise subject to housing or rental assistance under local, state, or federal law.

Proposed Short-Term Rental Regulations:



City of Watertown
Department of Community Development and Planning
149 Main Street
Watertown, MA 02472

SHORT TERM RENTAL REGULATIONS

These regulations are developed pursuant to the Watertown Zoning Ordinance, Section 5.19 Short-Term Rentals, to carry out and provide enforcement requirements for operation of short-term rentals within Watertown. The regulations are intended to provide clear guidance and requirements for Short-Term Rentals to be legal for residents, promote the safety of renters and residents, ensure that the primary use remains residential, and ensure that Short-Term Rentals will not be a detriment to the character and livability of the surrounding residential neighborhoods.

The regulations shall take effect on the date that the Short-Term Rental Zoning Ordinance Amendment goes into effect, with the understanding that there will be a three-month initial timeframe for existing locations to become compliant and properly permitted. This timeframe may be extended by the Department of Community Development and Planning (DCDP) Director upon a written request by a pre-existing Operator explaining the need for an extension.

I. Definitions

The definitions contained in Section 5.19 of the Watertown Zoning Ordinance are incorporated by reference.

II. Information to be Provided to Renters and Abutters

The following information shall be provided to all short-term renters and posted in all Short-Term Rentals in a manner to be determined by the DCDP:

- a. Instructions for disposal of waste per the City of Watertown's rules and the conditions of the particular residence.
- b. A diagram in each bedroom used for Short-Term Rentals and at each point of egress from the dwelling unit, showing the location of emergency exits and fire extinguishers.
- c. Instructions for parking rules and limitations for off-site public parking (including the rules about no parking on sidewalk or planter strips, and the "overnight parking restrictions").
- d. Contact information for the Short-Term Rental operator, or when the operator is not present, the contact information for a locally available contact designated to respond to all

emergencies and problems that may arise during the rental period, whether from renters, neighbors, or municipal authorities.

- e. The Certificate of Registration for the Short-Term Rental, including that portion showing the maximum number of occupants set by the city for operation as a Short-Term Rental.

The Operator must provide written notice to abutters within thirty days of approved registration that a unit has been registered as a Short-Term Rental unit. An abutter is defined as any residential dwelling within 300 feet of the Short-Term Rental unit. Operator may obtain an abutter list from DCDP.

III. **Registration and Eligibility**

All dwelling units offered for Short-Term Rental shall first register with the municipality and secure a Certificate of Registration and pay all associated fees. The Certificate of Registration shall require the Operator to abide by these Regulations, including:

- a. **Proof of Residency:** Primary residence is demonstrated by showing that as of the date of registration of the Residential Unit on the Short-Term Rental Registry, the Operator has resided at the property for nine of the past twelve months, or that the Operator intends to reside in the Residential Unit for nine of the next 12 months as demonstrated by at least two of the following: proof of enrollment in the city's residential tax exemption program; voter registration; motor vehicle registration; driver's license or state-issued identification; deed; or utility bill. DCDP may require additional documents as needed to corroborate Operator's residency.
- b. **Condominium Consent:** If the property is a condominium unit, the Operator must provide written evidence that the condominium association has consented to the property's use as a Short-Term Rental.
- c. **Inspection:** Prior to issuing or renewing a Certificate of Registration, the Department must conduct an inspection to verify that each dwelling unit and bedroom to be rented to short-term renters meets applicable Building/Health/Fire Code requirements, including those listed in the DCDP's Inspection Checklist. In addition, the inspection shall verify that the Operator and Home Share or Limited Share Unit meet all the requirements set forth in Section II of these regulations.
- d. **Maximum Occupancy.** The definitions of Limited Share Unit and Home Share Unit use both a "two persons per legal bedroom" and total occupancy limit. The two person per bedroom limit is intended to provide a limit considering the number of legal bedrooms in the unit and does not regulate guest living arrangements.
- e. **Renewal:** It is the responsibility of the Operator to renew its certificate of registration annually or upon change of operator. New owners are responsible for ensuring that they re-register with the city to obtain a new Registration Number in order to continue to list the Residential Unit on the Short-Term Registry. If an

Operator offering a registered Residential Unit ceases to use the unit as a Primary Residence, the Operator shall immediately notify the city to remove the unit from the Short-Term Rental Registry.

- f. **Proof of Insurance** – The Operator must show proof of liability insurance complying with G.L. c. 175, Section 4F.
- g. **Listing Information:** The Operator, upon listing a Short-Term Rental or modifying an existing listing, shall file with the municipality an exact duplicate of the listing, including property address. Listings must specify the quantity of off-street parking, if any, and include language relative to Watertown parking regulations.
- h. **Agent Updates:** A Booking Agent with any listings in Watertown shall provide to the municipality on a quarterly basis an electronic report, in a format to be determined by Watertown. The report shall include a breakdown of where the listings are located, whether the listing is for a room or a whole unit, the number of nights each unit was reported as occupied during the applicable reporting period, and the Operator's name and full contact information. Nothing herein shall prohibit a Booking Agent from entering into an agreement with the city to provide registration services for Short-Term Rental Operators.

IV. Short-Term Rental Registry

The City will keep a public registry of approved Operators and Short-Term Rental locations as set forth in the ordinance. [Information placeholder: to be added once the details are finalized by the City for permitting and database location]

V. Complaint Process and Violations

Complaints shall be made to the Department and an investigation shall commence within 30 days. Violations may, at the Director's discretion, result in a warning or a ticket and the maximum fine appropriate per the Zoning Ordinance. Emergencies requiring immediate assistance shall be reported to emergency services, with any needed follow-up reported to the Department during working hours.

Operators who have violated any of the following three (3) or more times within a six (6) months period shall have their registrations automatically suspended:

- (1) the Short-Term Rental Ordinance;
- (2) these Regulations; or
- (3) any municipal ordinance or state law or code relating to excessive noise, improper disposal of trash, disorderly conduct, or other similar conduct.

At the Director's discretion, an Operator's registration may be suspended upon notice of a single violation endangering life or safety, or upon notice of a single egregious violation of the Short-Term Rental Ordinance or these regulations. An example of an egregious violation is falsifying evidence of a Primary Residence.

Suspended Operators may apply for reinstatement. The Director may reinstate the Operator's registration if the Operator presents sufficient evidence that one or more of the violations were not committed and/or the Operator/Short-Term Rental will comply with all applicable requirements during the remainder of the registration period or, if the period has expired, the next period.

VI. Reporting

DCCDP will produce a report to the City Council annually providing information on the number of Short-Term Rentals and complaints about their compliance with any municipal ordinance or state law or code.

Order Confirmation

Town of Watertown
 149 Main Street
 Watertown, MA 02472

Thank you for placing your advertisement in The Boston Globe.

Your order information and a preview of your advertisement are displayed below for your review. If there are any changes or questions, please contact the Classified Department at 617-929-1500 or email classified@globe.com.

Any and all proposed edits, revisions, and/or other changes to the advertisement must be communicated to us in writing prior to the deadline specified in the Advertising Specs + Deadlines page located at <https://www.bostonglobemedia.com/specs-deadlines>.

Thank you,
 Boston Globe Classified Sales

617-929-1500
 Monday – Friday 9:30 am - 4:30 pm
classified@globe.com

Order Number	730988	Order Price	\$947.74
Sales Rep.	Lindy Rodriguez	PO No.	
Account	2105782	Payment Type	Invoice
Publication	Boston Globe	Number of dates	2
First Run Date	03/26/2024	Last Run Date	04/02/2024
Payment Type	Invoice		

AD PREVIEW:

City of Watertown
City Council
Administration Building
149 Main Street
Watertown, Massachusetts 02472

LEGAL NOTICE

Watertown City Council Public Hearing: Tuesday, April 9, 2024, 7:00 pm, Council Chamber, Administration Building, 149 Main St. Watertown, MA, with remote access link on the Agenda posted 48 hours prior to the meeting.

To consider Watertown Zoning Ordinance amendments for Short-Term Rentals as a Use Category (replacing a previous renting of rooms use category) with supporting language, definitions, and a section for the requirements to operate short-term rentals as an accessory use within certain residential dwelling units.

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	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 FY24 Budget Amendment to fund WMEG



Watertown City Council

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

ORDER # 34

O-2024- 34

ORDER ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2024 BUDGET

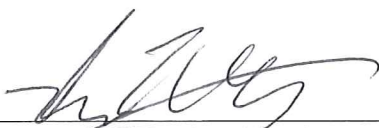
BE IT ORDERED: That the City Council of the City of Watertown hereby adopts an amendment to the Fiscal Year 2024 General Budget as attached.

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

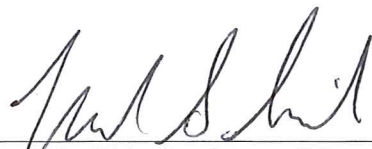


Council Member

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 April 9, 2024.



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

**FISCAL YEAR 2024
BUDGET AMENMENT #4**

REVENUE	INCREASE (DECREASE)	TO READ
OTHER FINANCING SOURCES - TRANSFER FROM COLLECTIVE BARGAINING STAB 00100970-497100	\$ 160,500	\$ 640,550
TOTAL REVENUE ADJUSTMENT	<u>\$ 160,500</u>	
EXPENDITURES	INCREASE (DECREASE)	TO READ
CITY COUNCIL RESERVE 0111152-570780	\$ 160,500	\$ 4,746,385
TOTAL EXPENDITURE ADJUSTMENT	<u>\$ 160,500</u>	



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: March 21, 2024

RE: Proposed Amendment to the Fiscal Year 2024 Budget

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

The Proposed Amendment is related to the Memorandum of Agreement Between the City of Watertown and Watertown Municipal Employee Group for Successor Collective Bargaining Agreement that was ratified on March 13, 2024.

I respectfully request this Amendment be placed on the March 26, 2024 City Council Agenda as a First Reading amending the Fiscal Year 2024 Budget.

Thank you for your favorable consideration in this matter.

**FISCAL YEAR 2024
BUDGET AMENMENT #4**

REVENUE	INCREASE (DECREASE)	TO READ
OTHER FINANCING SOURCES - TRANSFER FROM COLLECTIVE BARGAINING STAB 00100970-497100	\$ 160,500	\$ 640,550
TOTAL REVENUE ADJUSTMENT	<u>\$ 160,500</u>	
EXPENDITURES	INCREASE (DECREASE)	TO READ
CITY COUNCIL RESERVE 0111152-570780	\$ 160,500	\$ 4,746,385
TOTAL EXPENITURE ADJUSTMENT	<u>\$ 160,500</u>	



Boston Globe Media

Order Confirmation

Marilyn Pronvost
Watertown City Council
149 Main Street
Watertown, MA 02472

Thank you for placing your Legal Notice in The Boston Globe.

Your order information and a preview of your notice are displayed below for your review. If there are any changes or questions, please contact the Classified Department at 617-929-1314 or email legals@globe.com.

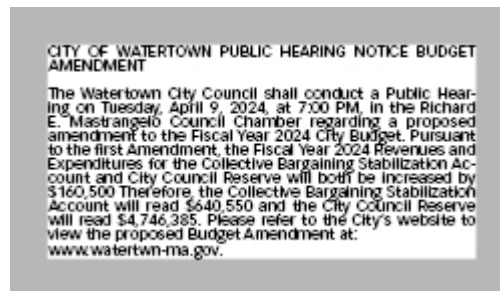
Any and all proposed edits, revisions, and/or other changes to the notice must be communicated to us in writing prior to the deadline specified in the Advertising Specs + Deadlines page located at <https://www.bostonglobemedia.com/specs-deadlines>.

Thank you,
Boston Globe Classified Sales

617-929-1314
Monday - Friday 9:30 am - 4:30 pm
legals@globe.com

Order Number	731280	Order Price	\$380.38
Sales Rep.	Jackson Kocak	PO No.	
Account	3028420	Payment Type	
Publication	Boston Globe	Number of dates	1
First Run Date	03/30/2024	Last Run Date	03/30/2024
Payment Type			

AD PREVIEW:



The Boston Globe | Classified Advertising Proof | Printed on: Mar 29 2024

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	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 the Transfer of Funds in the amount of \$20,000 from the FY24 Procurement Full Time Salaries Account to the FY24 Procurement Contracted Services Account



Watertown City Council

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

RESOLUTION# 35

2024 – R – 35

RESOLUTION APPROVING A TRANSFER OF FUNDS FROM FISCAL YEAR 2024 PROCUREMENT FULL TIME SALRIES ACCOUNT TO FISCAL YEAR 2024 PROCUREMENT CONTRACTED SERVICES ACCOUNT

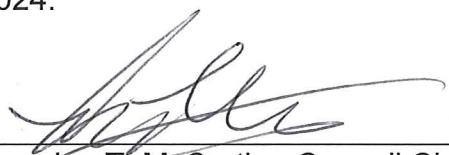
BE IT RESOLVED: That the City Council of Watertown hereby approves the transfer of funds in the amount of \$20,000 from the Fiscal Year 2024 Procurement Full Time Salaries Account to the Fiscal Year 2024 Procurement Contracted Services Account.

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

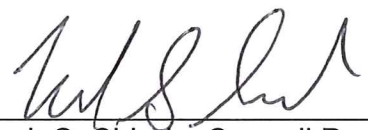


Council Member

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 9 for, 0 against, and 0 present on April 9, 2024.



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

Date: March 26, 2024

RE: Agenda Item – Transfer of Funds Request

Attached please find a transfer of funds request in the amount of \$20,000 from the FY24 Procurement Full Time Salaries account to the Fiscal Year 2024 Procurement Contracted Services account to pay for expenses associated with our Temporary Assistant Procurement Director, who is working for the City as a contract employee.

I respectfully request the attached transfer be placed on the April 09, 2024 City Council Agenda.

Thank you for your consideration in this matter.

TRANSFER AMOUNT: \$ 20,000

FROM: FY 2024 PROCUREMENT FULL TIME SALARIES \$ 20,000
0113851-510111

TO: FY 2024 PROCUREMENT CONTRACTED SERVICES \$ 20,000
0113852-530303

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

3/22/2024
DATE

Megan Taylor
CITY AUDITOR

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	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 the Transfer of Funds in the amount of \$35,000 from the FY24 City Council Reserve to the FY24 BB&N Field Lights Account.



Watertown City Council

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

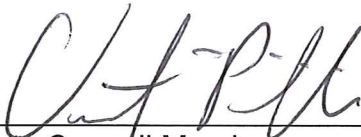
RESOLUTION# 36

2024 – R – 36

RESOLUTION APPROVING A TRANSFER OF FUNDS FROM FISCAL YEAR 2024 CITY COUNCIL RESERVE TO FISCAL YEAR 2024 BB&N FIELD LIGHTS ACCOUNT

BE IT RESOLVED: That the City Council of Watertown hereby approves the transfer of funds in the amount of \$35,000 from the Fiscal Year 2024 City Council Reserve to the Fiscal Year 2024 BB&N Field Lights 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 9 for, 0 against, and 0 present on April 9, 2024.



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
Date: March 26, 2024
RE: Agenda Item – Transfer of Funds Request

Attached please find a transfer of funds request in the amount of \$35,000 to the Fiscal Year 2024 BB&N Field Lights account. This proposed transfer of funds request to the BB&N Fields Lights account is necessary to sufficiently fund services for the remainder of Fiscal Year 2024.

I respectfully request the attached transfer be placed on the April 09, 2024 City Council Agenda.

Thank you for your consideration in this matter.

TRANSFER AMOUNT: \$ 35,000

FROM: FY 2024 CITY COUNCIL RESERVE \$ 35,000
0111152-570780

TO: FY 24 BB&N FIELD LIGHTS \$ 35,000
0194000-596821

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

3/26/24
DATE

Weyn Zanger
CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 4, 2024

RE: Agenda Item – Proposed Loan Order - Highway and Sidewalk Reconstruction

Attached please find correspondence from Gregory M. St. Louis, Superintendent of Public Works, Department of Public Works requesting that the necessary actions be taken to authorize the Treasurer to fund \$2,625,000.00 as outlined and approved in the Fiscal Year 2024 - 2028 Capital Improvement Program budget for Highway Reconstruction (Bonds) for \$2,100,000.00 (line 317) and \$525,000.00 (line 322) for Sidewalk Reconstruction (Bonds), for the total of \$2,625,000.00. This recommendation is in accordance with the City Council Committee on Public Works report that was reviewed and approved by the City Council on December 12, 2023.

I respectfully request the attached proposed Loan Order be placed on the April 9, 2024, City Council Agenda as a First Reading.

Thank you for your consideration in this matter.



CITY OF WATERTOWN
DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET

Gregory M. St. Louis, PE
Superintendent

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

TO: Mr. George Proakis, City Manager
FROM: Mr. Greg St. Louis, Superintendent, Department of Public Works
DATE: April 3, 2024
RE: Loan Order Request: Highway & Sidewalk Reconstruction

The Department of Public Works respectfully requests that the necessary actions be taken to authorize the Treasurer to fund \$2,625,000.00 as outlined and approved in the Fiscal Year 2024 - 2028 Capital Improvement Program budget for Highway Reconstruction (Bonds) for \$2,100,000.00 (line 317) and \$525,000.00 (line 322) for Sidewalk Reconstruction (Bonds), for the total of \$2,625,000.00. This recommendation is in accordance with the City Council Committee on Public Works report that was reviewed and approved by the City Council on December 12, 2023.

The work will consist of the reconstruction of various streets and sidewalks which include George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street. These funds will be utilized for the design, engineering, construction and construction administration services associated with the full reconstruction efforts of the aforementioned roadways and sidewalk. Work will also include the installation of curbing, bicycle lanes, tree plantings and other appurtenant work, as appropriate.

This work is also in accordance with the 2024 Road Program presentation to the City Council Committee on Public Works provided on November 16, 2023. The 2024 Road Program presentation can be found on the DPW website:

<https://www.watertown-ma.gov/asset/e7545088-480e-4fc9-ad79-2cec78c9d396>

If borrowing is approved as outlined in the FY2024 Capital Improvement Plan, construction is anticipated to begin later this Spring.

We thank you in advance for your consideration.

CC: M. Langan
T. Tracy
T. Glode
M. Albano
M. Morrissey
K. McPhail



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

Kris A. Moussette
(617) 378-4136
kmoussette@hinckleyallen.com

April 4, 2024

George J. Proakis
City Manager
Administration Building
149 Main Street
Watertown, Massachusetts 02472

RE: Draft Loan Order – Highway and Sidewalk Reconstruction Bonds

Dear George:

As requested, I suggest the following form of loan order to approve the borrowing of funds to pay costs of the reconstruction of various streets and sidewalks:

ORDERED: That the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all 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 pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

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

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

Sincerely,

A handwritten signature in blue ink that reads 'Kris A. Moussette'.

Kris A. Moussette



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 1, 2024

RE: Request for Confirmation – Appointment to the Stormwater Advisory Committee

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 Stormwater Advisory Committee which requires Council confirmation.

- Warren Tolman – Appointment as a member of the Stormwater Advisory Committee to a term expiring July 15, 2026

In accordance with Council Rules, this appointment is referred to the Committee on Public Works for their review and report back to the full City Council.

Thank you for your anticipated cooperation in this matter.



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 1, 2024

RE: Request for Confirmation – Reappointment to the Board of Assessors

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 reappointment to the Board of Assessors which requires Council confirmation.

- Kathleen Colleary – Reappointment as a member of the Board of Assessors to a term expiring May 15, 2027

In accordance with Council Rules, this reappointment is referred to the Committee on Personnel and City Organization for their review and report back to the full City Council.

Thank you for your anticipated cooperation in this matter.



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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 1, 2024

RE: Request for Confirmation – Reappointment to the Traffic Commission

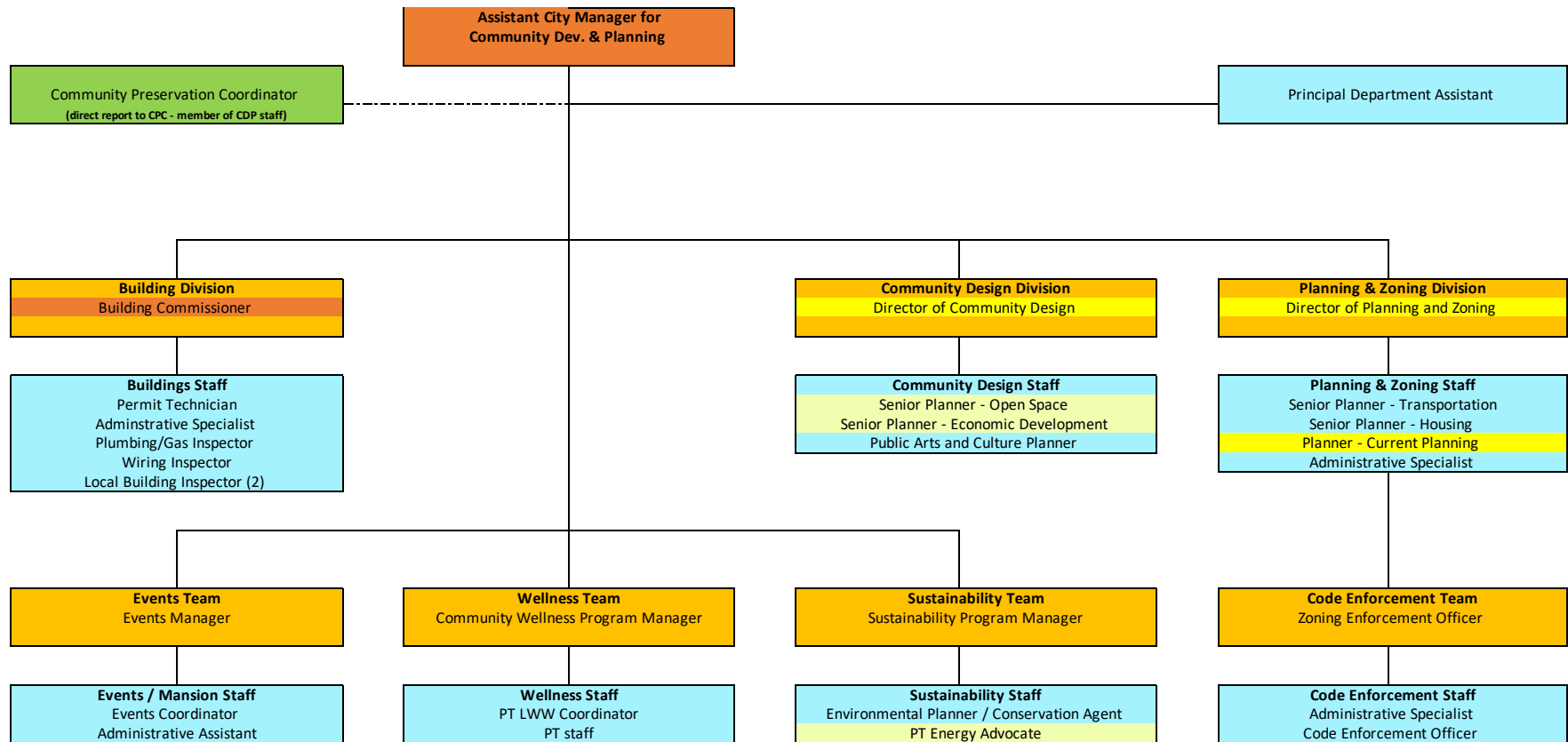
Pursuant to the provisions of the Watertown Home Rule Charter and Town Council Ordinance 2007-46, An Ordinance on the Timing and Process of Appointments to Town Boards, Commissions and Committees, I am transmitting herewith a request for reappointment to the Traffic Commission which requires Council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

- Robert J. Airasian – Reappointment as a member of the Traffic Commission to a term expiring May 15, 2026

In accordance with Council Rules, this reappointment is referred to the Committee on Public Safety for their review and report back to the full City Council.

Thank you for your anticipated cooperation in this matter.

Community Development and Planning - Proposed Amended Organization



SUBMISSION FOR CITY COUNCIL PUBLIC HEARINGS ON 04/09/2024

RE: Agenda Item 9. Public Hearings

A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

Greetings:

When Short Term Rentals were first discussed; in my position as a representative of the local electorate, I voiced many concerns against the legalization. I ask the City Council to think seriously, before exposing Watertown's residents to adverse ramifications. Vote "NO" to Short Term Rentals in residential zoning districts.

Many cities and towns, nationwide, have been subjected to the many pitfalls associated with Short Term Rentals in residential zoning districts. Please, do not allow your votes to create "serious problems".

Learn from areas such as: Nantucket and Lynnfield, MA; Houston, TX; New York City, NY; and San Francisco, CA, to name a few.

"Quasi Hotel", commercial uses, in residential neighborhoods, may infringe on the community as follows:

- Curtailed access to the City's limited rental housing stock
- Limited off-street and on-street parking spaces to accommodate multiple guests
- Constant turnover of unknown guests in the neighborhoods
- Excessive, unregulated noise
- Accumulation of trash from coming/going guests
- Fire hazards
- Lack of property maintenance
- Required monitoring for proliferation of illegal listings

<https://nantucketcurrent.com/news/judge-rules-against-town-in-short-term-rental-court-challenge>

<https://nantucketcurrent.com/news/select-board-will-not-appeal-court-ruling-on-short-term-rentals>

<https://www.bloomberg.com/news/articles/2023-09-05/airbnb-s-new-nyc-regulations-what-renters-and-hosts-need-to-know>

https://www.bisnow.com/houston/news/hotel/houston-short-term-rentals-are-a-serious-problem-whitmire-says-123562?utm_source=outbound_pub_1&utm_campaign=outbound_issue_75873&utm_content=outbound_link_14&utm_medium=email

Please do not pit neighbor against neighbor, as the City's enforcers of quality-of-life. Preserve neighborhood cohesiveness by voting "NO", against Short Term Rentals in Watertown's residential zoning districts. Thank you.

Best,

Angie

Angeline Maria B. Kounelis
Retired District A, East End, City Councilor
Landline: 617-926-2352
Mobile: 617-538-9252

Sent from my Smartphone - Apologies for brevity and/or typos

Dear Councilors,

Please accept this written testimony in lieu of my testifying at the City Council meeting. I am unable to be in attendance as I will be traveling.

I'm concerned about the proposed rules that lump *two very different types* of "owner occupied" STR properties into one.

Two types:

1. Renting a room to a guest while the **owner is present at all times**
2. Renting a property when the owner is absent

As I understand it, one of the proposed rules is to limit the operation of all STRs to less than three months in a calendar year. This makes sense if the goal is to protect the housing stock. However, the room that I rent out is within my home, and not a space I would ever consider renting to a longterm tenant. STRs of this type should be excluded from the three-month restriction.

The nightmare scenarios associated with STRs are well-documented in the Facebook group I belong to for STR hosts. All of these stories belong to hosts who are *not* on the premises during the rental. It is an entirely different scenario in my home when a guest comes back to their rental only to be greeted by me for a brief chit-chat before quietly retiring for the night.

I am retired and rely on the income that is generated by my renting out an extra bedroom that would otherwise be empty. I will be at a loss to understand how my business adversely affects Watertown if my type of STR is not excluded from these rules.

Thank you,
Judi Fitts
9 Bridgham Ave

"For things to reveal themselves to us, we have to be ready to abandon our views about them."
--Thich Nhat Hahn



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 4, 2024

RE: Agenda Item – Proposed Loan Order - Highway and Sidewalk Reconstruction

Attached please find correspondence from Gregory M. St. Louis, Superintendent of Public Works, Department of Public Works requesting that the necessary actions be taken to authorize the Treasurer to fund \$2,625,000.00 as outlined and approved in the Fiscal Year 2024 - 2028 Capital Improvement Program budget for Highway Reconstruction (Bonds) for \$2,100,000.00 (line 317) and \$525,000.00 (line 322) for Sidewalk Reconstruction (Bonds), for the total of \$2,625,000.00. This recommendation is in accordance with the City Council Committee on Public Works report that was reviewed and approved by the City Council on December 12, 2023.

I respectfully request the attached proposed Loan Order be placed on the April 9, 2024, City Council Agenda as a First Reading.

Thank you for your consideration in this matter.



CITY OF WATERTOWN
DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET

Gregory M. St. Louis, PE
Superintendent

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

TO: Mr. George Proakis, City Manager
FROM: Mr. Greg St. Louis, Superintendent, Department of Public Works
DATE: April 3, 2024
RE: Loan Order Request: Highway & Sidewalk Reconstruction

The Department of Public Works respectfully requests that the necessary actions be taken to authorize the Treasurer to fund \$2,625,000.00 as outlined and approved in the Fiscal Year 2024 - 2028 Capital Improvement Program budget for Highway Reconstruction (Bonds) for \$2,100,000.00 (line 317) and \$525,000.00 (line 322) for Sidewalk Reconstruction (Bonds), for the total of \$2,625,000.00. This recommendation is in accordance with the City Council Committee on Public Works report that was reviewed and approved by the City Council on December 12, 2023.

The work will consist of the reconstruction of various streets and sidewalks which include George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street. These funds will be utilized for the design, engineering, construction and construction administration services associated with the full reconstruction efforts of the aforementioned roadways and sidewalk. Work will also include the installation of curbing, bicycle lanes, tree plantings and other appurtenant work, as appropriate.

This work is also in accordance with the 2024 Road Program presentation to the City Council Committee on Public Works provided on November 16, 2023. The 2024 Road Program presentation can be found on the DPW website:

<https://www.watertown-ma.gov/asset/e7545088-480e-4fc9-ad79-2cec78c9d396>

If borrowing is approved as outlined in the FY2024 Capital Improvement Plan, construction is anticipated to begin later this Spring.

We thank you in advance for your consideration.

CC: M. Langan
T. Tracy
T. Glode
M. Albano
M. Morrissey
K. McPhail



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

Kris A. Moussette
(617) 378-4136
kmoussette@hinckleyallen.com

April 4, 2024

George J. Proakis
City Manager
Administration Building
149 Main Street
Watertown, Massachusetts 02472

RE: Draft Loan Order – Highway and Sidewalk Reconstruction Bonds

Dear George:

As requested, I suggest the following form of loan order to approve the borrowing of funds to pay costs of the reconstruction of various streets and sidewalks:

ORDERED: That the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all 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 pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

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

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

Sincerely,

Kris A. Moussette



Boston Globe Media

Order Confirmation

Marilyn Pronvost
Watertown City Council
149 Main Street
Watertown, MA 02472

Thank you for placing your Legal Notice in The Boston Globe.

Your order information and a preview of your notice are displayed below for your review. If there are any changes or questions, please contact the Classified Department at 617-929-1314 or email legals@globe.com.

Any and all proposed edits, revisions, and/or other changes to the notice must be communicated to us in writing prior to the deadline specified in the Advertising Specs + Deadlines page located at <https://www.bostonglobemedia.com/specs-deadlines>.

Thank you,
Boston Globe Classified Sales

617-929-1314
Monday - Friday 9:30 am - 4:30 pm
legals@globe.com

Order Number	732380	Order Price	\$556.94
Sales Rep.	Jackson Kocak	PO No.	
Account	3028420	Payment Type	Invoice
Publication	Boston Globe	Number of dates	1
First Run Date	04/19/2024	Last Run Date	04/19/2024
Payment Type	Invoice		

AD PREVIEW:

LEGAL NOTICE The City Council of the City of Watertown hereby gives notice of public hearings and votes on Tuesday, April 23, 2024 at 7:00 PM, in the Richard E. Mastrangelo Chamber, Administration Building, 149 Main Street, Watertown, MA on the proposed Order as follows: ORDERED: that the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all 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 pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

The Boston Globe | Classified Advertising Proof | Printed on: Apr 18 2024



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager

Date: April 18, 2024

RE: Agenda Item – An Ordinance to Revise the City Code to Reflect Adoption of the
Municipal Opt-In Specialized Stretch Energy Code.

Attached is draft ordinance formalizing prior acceptance by the City Council of the Specialized Stretch Energy Code. This ordinance references the prior vote taken on January 10, 2023 by the City Council and acts to replace the existing Stretch Energy Code as contained in the City's Code of Ordinances. The prior vote indicated that the Specialized Code would become effective six months after the vote, which would be consistent with the recommendation for adoption as of July 1, 2023, and that date is referenced in the ordinance. The ordinance is based upon the DOER model for such action.

Thank you for your consideration in this matter.



Watertown City Council

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

AN ORDINANCE TO REVISE THE CITY CODE TO REFLECT ADOPTION OF THE MUNICIPAL OPT-IN SPECIALIZED STRETCH ENERGY CODE.

ORDINANCE #

2024 – O –

WHEREAS, the City Council adopted the Municipal Opt-In Specialized Stretch Energy Code, as authorized by G.L. c.25A, §6(14), by vote on January 10, 2023; and

WHEREAS, Title XV, Chapter 150, §150.02 of the City's Code of Ordinances currently states that the Stretch Energy Code and not the Municipal Opt-In Specialized Stretch Energy Code applies in the City of Watertown; and

WHEREAS, the City Council desires to revise the Code of Ordinances to reflect the City Council's prior adoption of the Municipal Opt-In Specialized Stretch Energy Code.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that Title XV, Chapter 150, §150.02 of the Watertown Code of Ordinances, Building Regulations, is hereby amended by deleting said §150.02 in its entirety and replacing that section with the language as follows:

§ 150.02 Specialized Stretch Energy Code.

(A) The following definitions shall apply to this section:

- *International Energy Conservation Code ("IECC")*: The IECC is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the state Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.
- *Specialized Stretch Energy Code*: Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Stretch Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the IECC to incorporate the energy efficiency of the Stretch Energy Code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050. The Specialized Stretch Energy Code is authorized pursuant to G.L. c.25A, §6(14).

- *Stretch Energy Code*: Codified by the combination of 225 CMR 22 and 23, not including Appendices RC and CC, the Stretch Energy Code is a comprehensive set of amendments to the IECC seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the state Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code.

(B) The purpose of 225 CMR 22.00 and 23.00 including Appendices RC and CC, also referred to as the Specialized Stretch Energy Code, is to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code or the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings.

(C) The Specialized Stretch Energy Code shall take effect on July 10, 2023. The Specialized Stretch Energy Code applies to residential and commercial buildings.

The Specialized Stretch Energy Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications, is herein incorporated by reference into this section. The Specialized Stretch Energy Code is enforceable by the Inspector of Buildings

Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above resolution was adopted by a vote of __ for, __ against, and __ present on_____.

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 

Date: April 18, 2024

RE: Agenda Item – An Order Accepting Amended Easement Along Arsenal Street in Connection with Corridor Improvements and Authorizing the City Manager to Execute the Acceptance of said Amended Easement

Attached are documents relating to an amended easement agreement needed for the Arsenal Street corridor work.

I respectfully request the attached Order be placed on the April 23, 2024 City Council Agenda.

Thank you for your consideration in this matter.

ORDER #

O-2024-

An Order Accepting Amended Easement Along Arsenal Street in Connection with Corridor Improvements and Authorizing the City Manager to Execute the Acceptance of said Amended Easement

WHEREAS, significant public infrastructure improvements, including, but not limited to, traffic control, pedestrian/bicycle, bus shelter, lighting, street and safety facilities, are underway for that segment of Arsenal Street between Greenough Boulevard and Louise Street, requiring city and/or public access to portions of certain private properties along the corridor; and

WHEREAS, ARE-MA Region No. 75, LLC, a Delaware limited liability company (“ARE Grantor”), is the owner of certain real property commonly identified as 311 Arsenal Street, Watertown, Massachusetts, as described in that certain Quitclaim Deed recorded with the Registry in Book 73848, Page 56 (the “ARE Grantor Parcel”); and

WHEREAS, in connection with the Arsenal Street corridor improvements, ARE Grantor and the City entered into that certain Grant of Easement dated January 3, 2023, recorded with the Middlesex South Registry of Deeds in Book 81152, Page 409 (the “Grant of Easement”); and

WHEREAS, in connection with reconciliation of physical site conditions in performance of the Arsenal Street corridor improvements contemplated by the Easement Agreement, the City and ARE Grantor have agreed to increase the size and expand the use of the easement area labeled “Sidewalk Easement B6 13 +/- S.F.” on the plan entitled “Easement B6 For 311 Arsenal St. ARE-MA Region No 75 LLC,” dated March 8, 2024, to include placement of an electrical lighting load control equipment box and foundation in such enlarged easement area, as set forth in the First Amendment to Grant of Easement.

NOW THEREFORE BE IT ORDERED, that the City Council of the City of Watertown hereby accepts the Amended B6 Easement along Arsenal Street, on the terms and conditions as set forth in the First Amendment to Grant of Easement with ARE Grantor, conveying the said Easement to the City of Watertown;

AND BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager to execute the Acceptance to the First Amendment to Grant of Easement with ARE Grantor.

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 _____, 2024.

Brendan McCarthy, Council Clerk

Mark S. Sideris, Council President

FIRST AMENDMENT TO GRANT OF EASEMENT

This FIRST AMENDMENT TO GRANT OF EASEMENT ("Amendment") is entered into as of the ____ day of _____, 2024, by and between **ARE-MA Region No. 75, LLC**, a Delaware limited liability company ("Grantor"), having a mailing address of 26 North Euclid Avenue, Pasadena, CA 91101, and the **City of Watertown**, a Massachusetts municipal corporation ("City"), having its usual place of business at 149 Main Street, Watertown, Massachusetts 02472.

WITNESSETH:

A. Grantor and Grantee entered into that certain Grant of Easement dated January 3, 2023, recorded with the Middlesex South Registry of Deeds in Book 81152, Page 409 (the "Easement Agreement"). All capitalized terms not defined herein shall have the meaning ascribed to them in the Easement Agreement

B. In connection with reconciliation of physical site conditions in performance of the public infrastructure project on Arsenal Street contemplated by the Easement Agreement, Grantor and Grantee have agreed to increase the size and expand the use of the easement area labeled on the Plan "Sidewalk Easement B6 13 +/- S.F." to include placement of

an electrical lighting load control equipment box and foundation in such enlarged easement area, as more particularly described herein.

NOW THEREFORE, for 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 that the Easement Agreement is amended as follows:

1. Depiction and Description of Enlarged Easement B6. The depiction and labeling of “Sidewalk Easement B6 13 +/- S.F.” on the Plan is hereby replaced with the depiction and labeling of “Proposed 57 SF Highway Easement B6 for Sidewalk and Lighting Load Center” as depicted and labeled on the easement sketch plan attached to this Amendment as Exhibit A. The legal description of “Sidewalk Easement B6” attached to the Easement Agreement is replaced with the legal description of “Easement B6” attached to this Amendment as Exhibit B.

2. Revised Grant of Easement for Enlarged Easement B6. Clause 1(d) of the Easement Agreement is deleted, and in its stead, Grantor hereby grants to the City, subject to and together with the benefit of the terms of the Easement Agreement and limited to the extent of Grantor’s interest in such easement area, the perpetual non-exclusive right and easement, in common with the Grantor, to use “Proposed 57 SF Highway Easement B6 for Sidewalk and Lighting Load Center” as depicted and labeled on the easement sketch plan attached to this Amendment as Exhibit A, and as legally described in Exhibit B attached to this Amendment, for the purposes of (i) installing, operating, maintaining, inspecting, repairing, replacing and removing sidewalk, ramp and curbing, and together with the right to permit the general public to access and use the same, and (ii) installing, operating, maintaining, inspecting, repairing, replacing and removing an electrical lighting load control equipment box and foundation,

together with all fittings, equipment and other fixtures and appurtenances necessary or useful in connection therewith.

3. 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 partner of Grantor, or any affiliate of Grantor, shall have any personal 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 Grantor Parcel. No employee, official, agent or representative of the City shall have personal liability under this Grant. Notwithstanding anything to the contrary contained in this Grant, in the event of any breach of any term, condition, or obligation hereof, the sole remedy of any party shall be an action at law for money damages or a suit in equity for specific performance or other equitable relief, but no such breach shall operate as a forfeiture, reversion, or termination of any rights granted or arising hereunder.

4. Permitted Encumbrances. The easements and rights granted herein are subject to all restrictions, covenants, easements and other encumbrances of record, whether now or hereafter existing, to the extent in force and applicable, with the exception of monetary encumbrances, for which a subordination shall be obtained and recorded.

Without limiting the foregoing, the easements and rights granted herein are subject to all easements, restrictions and covenants contained in that certain Quitclaim Deed, dated August

20 1998, recorded with the Middlesex County (Southern District) Registry of Deeds at Book 29012, Page 420, from the United States of America, acting by and through the Secretary of the Army (the "Army"), to the Watertown Arsenal Development Corporation ("WADC"), with respect to the Grantor Parcel (the "Army Deed"), which Army Deed includes, without limitation, covenants in Part IV of the Army Deed associated with the Army's obligations under the Federal Facility Agreement between the Army and the United States Environmental Protection Agency ("EPA"), and covenants in Part XI associated with certain historical resources at the Grantor Parcel.

Notice is hereby given that a Grant of Environmental Restriction and Easement, dated August 11, 1998, pursuant to Massachusetts General Laws Chapter 21E, has been recorded by the Army with the Middlesex County (Southern District) Registry of Deeds at Book 28978, Page 549, as amended by a First Amendment to Grant of Environmental Restriction and Easement, dated February 5, 1999, recorded at Book 29779, Page 359, as affected by a Subordination Agreement, dated March 16, 1999, recorded at Book 29957, Page 104, as further affected by a Subordination Agreement, dated March 24, 1999, recorded at Book 29985, Page 151, as further amended by a Second Amendment to Grant of Environmental Restriction and Easement, dated April 15, 1999, recorded at Book 30066, Page 116, as further affected by a Partial Release of Environmental Restriction and Easement, dated June 10, 1999, recorded at Book 30278, Page 511, as further amended by a Third Amendment to Grant of Environmental Restriction and Easement, dated June 7, 1999, recorded at Book 30278, Page 513, and further amended by a Fourth Amendment to Grant of Environmental Restriction and Easement, dated July 22, 2000, recorded at Book 31682, Page 99, as further amended by a Fifth Amendment to Grant of Environmental Restriction and Easement dated July 14, 2004, and recorded with said Registry of Deeds in Book

44119, Page 1; as affected by a plan entitled “Plan Showing Excavation Areas B, E, and G in Watertown, Massachusetts,” dated February 20, 2002, as revised on September 25, 2002, prepared by Dunn McKenzie, Inc., recorded as Plan No. 1348 of 2004; as further amended by a Sixth Amendment to Grant of Environmental Restriction and Easement dated March 21, 2005, and recorded with said Registry of Deeds in Book 45129, Page 1; as further affected by a plan entitled “Plan Showing Commercial Reuse Area in Watertown, Massachusetts,” dated October 25, 2004, as revised on March 16, 2005, prepared by Dunn McKenzie, Inc., recorded as Plan No. 523 of 2005; as further amended by a Seventh Amendment to Grant of Environmental Restriction and Easement dated August 9, 2006, and recorded with said Registry of Deeds in Book 48562, Page 187; and as further affected by a plan entitled “Plan Showing Commercial Reuse Area in Watertown, Massachusetts,” dated August 16, 2004, as revised on March 16, 2005 and February 10, 2006, prepared by Dunn McKenzie, Inc., recorded as Plan No. 1480 of 2006 (the “Grant of Environmental Restriction and Easement”). This restriction on the activities conducted on the Grantor Parcel and use limitations contained in the Grant of Environmental Restriction and Easement are hereby incorporated by reference and shall be independently enforceable by the Army under the Grant of Environmental Restriction and Easement and under the Army Deed as a Restrictive Covenant and equitable servitude.

Notice is hereby further given that three Notices of Activity and Use Limitations, pursuant to Massachusetts General Laws Chapter 21E, have been recorded with the Middlesex County (Southern District) Registry of Deeds, (1) dated August 11, 1998, recorded at Book 28959, Page 92; (2) dated August 11, 1998, recorded at Book 28959, Page 190, as amended by a First Amendment to Notice of Activity and Use Limitations, dated October 26, 1999, recorded at Book 30801, Page 319, as further amended by a Second Amendment to Notice of Activity and Use

Limitations, dated December 9, 2019, recorded at Book 73807, Page 226; and (3) dated February 4, 1999, recorded at Book 29766, Page 17, as amended by a First Amendment to Notice of Activity and Use Limitations, dated August 19th, 2004, recorded at Book 43589, Page 438, and as further amended by a Second Amendment to Notice of Activity and Use Limitation, dated February 28, 2005, recorded at Book 44737, Page 453 (the “Notices of AULs”). The restriction on activities conducted on the Grantor Parcel and use limitations contained in the Notices of AULs are hereby incorporated by reference and shall be independently enforceable by the Army under this Deed as a Restrictive Covenant and equitable servitude.

Notice is hereby given that the WADC reserved an easement and right of access on, over and through the Grantor Parcel for inspection in order to fulfill its obligations under the Army Deed, in the Quitclaim Deed from the WADC to Charles River Business Center Associates, LLC, dated December 1, 1998 and recorded with the Middlesex County (Southern District) Registry of Deeds at Book 29502, Page 92.

5. Easement Agreement Remains in Effect as so Amended. As amended by this Amendment, the Easement Agreement remains in in full force and effect and is ratified by Grantor and Grantee.

6. 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:

ARE-MA REGION NO. 75, LLC, a Delaware
limited liability company

By: _____,
_____, Authorized Signer
per M.G.L. c. 15C, § 66

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this _____ day of _____, 2024, before me, the undersigned notary public,
_____ personally appeared, 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 Authorized Signer of ARE-MA Region No. 75, LLC, a
Delaware limited liability company, as the voluntary act of said limited liability company.

Notary Public

Print Name: _____

My Commission Expires: _____

[affix seal]

[City signatures on next page]

ACCEPTANCE OF AMENDMENT TO EASEMENT

On this ____ day of _____, 2024, the City of Watertown, acting by and through its City Manager pursuant to the vote taken by the City Council on _____, 2024, a certified copy of which is attached hereto as Exhibit C, hereby accepts the amended Easement contained in the foregoing First Amendment to Grant of Easement granted to the City by Grantor, which is recorded herewith.

CITY OF WATERTOWN

Name:

Title: City Manager

Hereunto duly authorized

Approved as to form by City Attorney:

Name:

Title: City Attorney

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this _____ day of _____, 2024, before me, the undersigned notary public, personally appeared _____, the City Manager of the City of Watertown, 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 on behalf of the City of Watertown.

Notary Public

My commission expires: _____

822193/WATR/0164

128895051v6

EXHIBIT A

EASEMENT SKETCH OF REVISED EASEMENT B6

(see attached)

EXHIBIT B

LEGAL DESCRIPTION OF REVISED EASEMENT B6

(see attached)

Easement B6
Arsenal Street, Watertown, MA

A certain easement located in the Commonwealth of Massachusetts, County of Middlesex, City of Watertown, situated on the southerly sideline of Arsenal Street, and is shown as Easement B6 on "Easement Plan of Land in Watertown, MA," dated March 8, 2024 by Stantec Consulting Services Inc. to be recorded with the Middlesex South Registry of Deeds, more particularly bounded and described as follows:

Beginning at the most northwesterly corner thereof, said point being S83°21'13"E 1250.16' from the northwesterly corner of the parcel owned by ARE-MA Region No. 75 LLC at #311 Arsenal Street; thence running

S 83°21'13" E	12.65' by the southerly sideline of Arsenal Street to a point; thence turning and running
---------------	--

S 06°38'03" W	7.04' by the westerly sideline of Kingsbury Avenue to a point; thence turning and running
---------------	--

N 61°38'07" W	13.62' to a point; thence turning and running
---------------	---

N 06°38'47" E	2.00' to the POINT OF BEGINNING.
---------------	----------------------------------

Containing 57 square feet, more or less.



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 18, 2024

RE: Agenda Item – Transfer of Funds Request

I respectfully request a transfer of funds be placed on the April 23, 2024 City Council Agenda in order to fund the first year (FY2023) and the second year (FY2024) of the three year collective bargaining agreement between the City and the Watertown Municipal Employees Group, Teamsters, Local 25 for the period July 1, 2022 to June 30, 2025.

Thank you for your consideration in this matter.

TRANSFER AMOUNT \$446,450

FROM:	FY 2024 CITY COUNCIL RESERVE 0111152-570780	\$	446,450
TO:	FY 2024 CITY AUDITOR FULL TIME SALARIES 0113551-510111	\$	9,400
	FY 2024 CITY AUDITOR OVERTIME 0113551-510130	\$	265
	FY 2024 CITY AUDITOR PRIOR YEAR FULL TIME SALARIES 0113551-511111	\$	4,095
	FY 2024 CITY AUDITOR PRIOR YEAR OVERTIME 0113551-511130	\$	260
	FY 2024 PURCHASING FULL TIME SALARIES 0113851-510111	\$	3,200
	FY 2024 PURCHASING PRIOR YEAR FULL TIME SALARIES 0113851-511111	\$	1,500
	FY 2024 CITY ASSESSOR'S FULL TIME SALARIES 0114151-510111	\$	6,520
	FY 2024 CITY ASSESSOR'S OVERTIME 0114151-510130	\$	110
	FY 2024 CITY ASSESSOR'S PRIOR YR. FULL TIME SALARIES 0114151-511111	\$	2,545
	FY 2024 TREASURER/COLLECTOR FULL TIME SALARIES 0114551-510111	\$	7,950
	FY 2024 TREASURER/COLLECTOR OVERTIME 0114551-510130	\$	170
	FY 2024 TREAS/COLLECTOR PRIOR YR. FULL TIME SALARIES 0114551-511111	\$	2,700
	FY 2024 INFORMATION TECHNOLOGY FULL TIME SALARIES 0115551-510111	\$	14,450
	FY 2024 IT PRIOR YEAR FULL TIME SALARIES 0115551-511111	\$	5,550
	FY 2024 CITY CLERK FULL TIME SALARIES 0116151-510111	\$	850
	FY 2024 CITY CLERK OVERTIME 0116151-510130	\$	65
	FY 2024 ELECTIONS FULL TIME SALARIES 0116251-510111	\$	2,512
	FY 2024 DEV. & PLANNING FULL TIME SALARIES 0118151-510111	\$	66,585

FY 2024 DEV. & PLANNING OVERTIME 0118151-510130	\$	2,625
FY 2024 DEV. & PLANNING PRIOR YEAR FULL TIME SALARIES 0118151-511111	\$	27,600
FY 2024 DEV. & PLANNING PRIOR YEAR OVERTIME 0118151-511130	\$	395
FY 2024 PARKING LOTS AND METERS FULL TIME SALARIES 0119351-510111	\$	6,525
FY 2024 PARKING LOTS AND METERS OVERTIME 0119351-510130	\$	75
FY 2024 P LOTS & METERS PRIOR YR. FULL TIME SALARIES 0119351-511111	\$	2,825
FY 2024 PUBLIC BUILDINGS FULL TIME SALARIES 0119551-510111	\$	7,780
FY 2024 PUBLIC BUILDINGS OVERTIME 0119551-510130	\$	1,000
FY 2024 PUBLIC BUILDINGS SHIFT DIFF. 0119551-510141	\$	2,080
FY 2024 PUBLIC BUILDINGS PRIOR YEAR FULL TIME SALARIES 0119551-511111	\$	3,125
FY 2024 PUBLIC BUILDINGS PRIOR YEAR OVERTIME 0119551-511130	\$	575
FY 2024 PUBLIC BUILDINGS PRIOR YEAR SHIFT DIFF. 0119551-511141	\$	1,040
FY 2024 POLICE FULL TIME SALARIES 0121051-510111	\$	44,650
FY 2024 POLICE SPECIALIST PAY 0121051-510122	\$	250
FY 2024 POLICE OVERTIME 0121051-510130	\$	6,675
FY 2024 POLICE SHIFT DIFFERENTIAL 0121051-510141	\$	13,000
FY 2024 POLICE HOLIDAY PAY 0121051-510142	\$	1,600
FY 2024 POLICE PRIOR YR. FULL TIME SALARIES 0121051-511111	\$	19,995
FY 2024 POLICE PRIOR YEAR SPECIALIST PAY 0121051-511122	\$	250
FY 2024 POLICE PRIOR YEAR OVERTIME 0121051-511130	\$	2,685

FY 2024 POLICE PRIOR YEAR SHIFT DIFFERENTIAL 0121051-511141	\$	5,020
FY 2024 FIRE FULL TIME SALARIES 0122051-510111	\$	6,650
FY 2024 FIRE PRIOR YEAR FULL TIME SALARIES 0122051-511111	\$	3,000
FY 2024 DPW FULL TIME SALARIES-ADMINISTRATION 0140151-510111	\$	7,000
FY 2024 DPW OVERTIME-ADMINISTRATION 0140151-510130	\$	6,500
FY 2024 DPW LICENSES CERTIFICATIONS-ADMINISTRATION 0140151-510145	\$	2,500
FY 2024 DPW PRIOR YR. FULL TIME SALARIES-ADMINISTRATION 0140151-511111	\$	3,200
FY 2024 DPW PRIOR YEAR OVERTIME-ADMINISTRATION 0140151-511130	\$	1,000
FY 2024 DPW FULL TIME SALARIES-CENTRAL MOTORS 0140551-510111	\$	5,250
FY 2024 DPW OVERTIME -CENTRAL MOTORS 0140551-510130	\$	2,625
FY 2024 DPW PRIOR YR FULL TIME SALARIES-CENT. MOTORS 0140551-511111	\$	2,400
FY 2024 DPW PRIOR YEAR OVERTIME -CENTRAL MOTORS 0140551-511130	\$	1,200
FY 2024 DPW FULL TIME SALARIES-HIGHWAY 0142251-510111	\$	5,475
FY 2024 DPW OVERTIME-HIGHWAY 0142251-510130	\$	1,275
FY 2024 DPW PRIOR YEAR FULL TIME SALARIES-HIGHWAY 0142251-511111	\$	2,550
FY 2024 DPW PRIOR YEAR OVERTIME-HIGHWAY 0142251-511130	\$	525
FY 2024 DPW FULL TIME SALARIES-TRAFFIC CONTROL 0149251-510111	\$	6,800
FY 2024 DPW OVERTIME-TRAFFIC CONTROL 0149251-510130	\$	1,350
FY 2024 DPW PRIOR YEAR FULL TIME SALARIES-TRAFFIC CONTR 0149251-511111	\$	3,000
FY 2024 DPW FULL TIME SALARIES-FORESTRY 0149451-510111	\$	4,900
FY 2024 DPW OVERTIME-FORESTRY 0149451-510130	\$	800

FY 2024 DPW PRIOR YEAR FULL TIME SALARIES-FORESTRY 0149451-511111	\$	2,050
FY 2024 DPW PRIOR YEAR OVERTIME-FORESTRY 0149451-511130	\$	215
FY 2024 DPW FULL TIME SALARIES-PARKS 0149551-510111	\$	5,300
FY 2024 DPW OVERTIME-PARKS 0149551-510130	\$	5,200
FY 2024 DPW PRIOR YEAR FULL TIME SALARIES-PARKS 0149551-511111	\$	2,425
FY 2024 DPW PRIOR YEAR OVERTIME-PARKS 0149551-511130	\$	2,000
FY 2024 HEALTH FULL TIME SALARIES 0151051-510111	\$	16,575
FY 2024 HEALTH PRIOR YEAR FULL TIME SALARIES 0151051-511111	\$	6,200
FY 2024 HEALTH OVERTIME 0151051-510130	\$	300
FY 2024 COUNCIL ON AGING FULL TIME SALARIES 0154151-510111	\$	7,550
FY 2024 COUNCIL ON AGING PRIOR YEAR FULL TIME SALARIES 0154151-511111	\$	4,100
FY 2024 LIBRARY FULL TIME SALARIES 0161051-510111	\$	12,950
FY 2024 LIBRARY OVERTIME 0161051-510130	\$	300
FY 2024 LIBRARY SHIFT DIFFERENTIAL 0161051-510141	\$	4,200
FY 2024 LIBRARY PRIOR YEAR FULL TIME SALARIES 0161051-511111	\$	5,725
FY 2024 LIBRARY PRIOR YEAR 0161051-511130	\$	425
FY 2024 LIBRARY PRIOR YEAR SHIFT DIFFERENTIAL 0161051-511141	\$	1,875
FY 2024 RECREATION FULL TIME SALARIES 0163051-510111	\$	6,600
FY 2024 RECREATION OVERTIME 0163051-510130	\$	350
FY 2024 RECREATION PRIOR YEAR FULL TIME SALARIES 0163051-511111	\$	4,150

FY 2024 RECREATION PRIOR YEAR OVERTIME 0163051-511130	\$	225
FY 2024 SKATING FULL TIME SALARIES 0163151-510111	\$	3,200
FY 2024 SKATING OVERTIME 0163151-510130	\$	130
FY 2024 SKATING PRIOR YEAR FULL TIME SALARIES 0163151-511111	\$	1,450
FY 2024 SKATING PRIOR YEAR OVERTIME 0163151-511130	\$	85
FY 2024 MEDICARE TAX 0191200-510178	\$	6,373

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

DATE

4/18/24

ACTING CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 18, 2024

RE: Agenda Item – Transfer of Funds Request

I respectfully request a transfer of funds be placed on the April 23, 2024 City Council Agenda in order to fund the first year (FY2023) and the second year (FY2024) of the three year collective bargaining agreement between the City and the Teamsters, Local 25 (DPW Unit) for the period July 1, 2022 to June 30, 2025.

I respectfully request the attached transfer be placed on the April 23, 2024 City Council Agenda.

Thank you for your consideration in this matter.

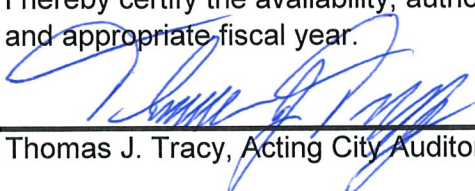
TRANSFER AMOUNT \$137,910

FROM FY 2024 CITY COUNCIL RESERVE 0111152-570780	\$ 137,910
TO: FY 2024 DPW ADMIN FULLTIME SALARIES 0140151-510111	\$ 429
FY 2024 DPW ADMIN ONE TIME PAYMENT 0140151-510195	\$ 9,748
PRIOR YEAR DPW ADMIN FULL TIME SALARIES 0140151-511111	\$ 108
FY 2024 DPW CENTRAL MOTORS FULL TIME SALARIES 0140551-510111	\$ 11,000
FY 2024 DPW CENTRAL MOTORS OVERTIME 0140551-510130	\$ 4,500
FY 2024 DPW CENT. MOTORS LICENSES/CERTIFICATIONS 0140551-510145	\$ 300
FY 2024 DPW CENTRAL MOTORS CLOTHING 0140551-510190	\$ 300
PRIOR YEAR DPW CENTRAL MOTORS FULL TIME SALARIES 0140551-511111	\$ 4,924
PRIOR YEAR DPW CENTRAL MOTORS OVERTIME 0140551-511130	\$ 2,025
PRIOR YEAR DPW CENT. MOTORS LICENSES/CERTIFICATIONS 0140551-511145	\$ 250
PRIOR YEAR DPW CENTRAL MOTORS CLOTHING 0140551-511190	\$ 150
FY 2024 DPW HIGHWAY FULL TIME SALARIES 0142251-510111	\$ 23,700
FY 2024 DPW HIGHWAY OVERTIME 0142251-510130	\$ 8,800
FY 2024 DPW HIGHWAY SHIFT DIFFERENTIAL 0142251-510141	\$ 2,160
FY 2024 DPW HIGHWAY LICENSES/CERTIFICATIONS 0142251-510145	\$ 200
FY 2024 DPW HIGHWAY CLOTHING 0142251-510190	\$ 700

PRIOR YEAR DPW HIGHWAY FULL TIME SALARIES 0142251-511111	\$ 11,271
PRIOR YEAR DPW HIGHWAY OVERTIME 0142251-511130	\$ 4,399
PRIOR YEAR DPW HIGHWAY SHIFT DIFFERENTIAL 0142251-511141	\$ 1,040
PRIOR YEAR DPW HIGHWAY LICENSES/CERTIFICATIONS 0142251-511145	\$ 100
PRIOR YEAR DPW HIGHWAY CLOTHING 0142251-511190	\$ 350
FY 2024 DPW CEMETERY FULL TIME SALARIES 0149151-510111	\$ 7,250
FY 2024 DPW CEMETERY OVERTIME 0149151-510130	\$ 2,100
FY 2024 DPW CEMETERY CLOTHING 0149151-510190	\$ 200
PRIOR YEAR DPW CEMETERY FULL TIME SALARIES 0149151-511111	\$ 3,238
PRIOR YEAR DPW CEMETERY OVERTIME 0149151-511130	\$ 1,059
PRIOR YEAR DPW CEMETERY CLOTHING 0149151-511190	\$ 100
FY 2024 DPW TRAFFIC CONTROL FULL TIME SALARIES 0149251-510111	\$ 3,050
FY 2024 DPW TRAFFIC CONTROL OVERTIME 0149251-510130	\$ 1,110
FY 2024 DPW TRAFFIC CONTROL CLOTHING 0149251-510190	\$ 100
PRIOR YEAR DPW TRAFFIC CONTROL FULL TIME SALARIES 0149251-511111	\$ 1,513
PRIOR YEAR DPW TRAFFIC CONTROL OVERTIME 0149251-511130	\$ 763
PRIOR YEAR DPW TRAFFIC CONTROL CLOTHING 0149251-511190	\$ 50
FY 2024 DPW FORESTRY FULL TIME SALARIES 0149451-510111	\$ 6,606

FY 2024 DPW FORESTRY OVERTIME 0149451-510130	\$	610
FY 2024 DPW FORESTRY LICENSES/CERTIFICATIONS 0149451-510145	\$	100
FY 2024 DPW FORESTRY CLOTHING 0149451-510190	\$	200
PRIOR YEAR DPW FORESTRY FULL TIME SALARIES 0149451-511111	\$	2,713
PRIOR YEAR DPW FORESTRY OVERTIME 0149451-511130	\$	136
PRIOR YEAR DPW FORESTRY LICENSES/CERTIFICATIONS 0149451-511145	\$	100
PRIOR YEAR DPW FORESTRY CLOTHING 0149451-511190	\$	100
FY 2024 DPW PARKS FULL TIME SALARIES 0149551-510111	\$	7,580
FY 2024 DPW PARKS OVERTIME 0149551-510130	\$	3,500
FY 2024 DPW PARKS SHIFT DIFFERENTIAL 0149551-510141	\$	225
FY 2024 DPW PARKS CLOTHING 0149551-510190	\$	300
PRIOR YEAR DPW PARKS FULL TIME SALARIES 0149551-511111	\$	4,133
PRIOR YEAR DPW PARKS OVERTIME 0149551-511130	\$	1,554
PRIOR YEAR DPW PARKS SHIFT DIFFERENTIAL 0149551-511141	\$	200
PRIOR YEAR DPW PARKS CLOTHING 0149551-511190	\$	150
FY 2024 MEDICARE TAX 0191200-510178	\$	2,716

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


Thomas J. Tracy, Acting City Auditor


Date



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 18, 2024

RE: Agenda Item – Transfer of Funds Request

Enclosed please find correspondence from Steve Magoon, Assistant City Manager for Community Development & Planning regarding the need for additional funding of the Commander's Mansion Account for the remainder of the Fiscal Year.

Therefore, I respectfully request the attached transfer be placed on the April 23, 2024 City Council Agenda.

Thank you for your consideration in this matter.

Hand, JoAnna

From: Magoon, Steve
Sent: Wednesday, April 17, 2024 5:18 PM
To: Hand, JoAnna; Osmond, Marsha
Cc: Proakis, George; Tracy, Tom; Marchesano, Ingrid
Subject: Budget Transfer

I am asking to transfer \$40,000 from the Community Development and Planning Full Time Salary account to the Commanders Mansion account.

The staff of the Commanders mansion has been working very hard to bring back the event business to pre pandemic level. At the same time, we have tasked to staff with supporting a number of community events. So while our revenues have lagged, we have increased staff hours and their responsibilities. The result is a gap between the revenues generated and the operational costs of the Commanders Mansion.

While the Council and City Manager have approved a number of new positions for the Department to reflect the needs of the community, we have found it difficult to quickly fill some of these positions. The implementation of the Class and Compensation study will hopefully recharge our hiring efforts and help us to fill some positions. As a result, we have significant surplus in our full time salary account.

I would therefore respectfully request that the City Manager and City Council approve a budget amendment to move \$40,000 to offset this revenue shortfall.

Steve Magoon
Assistant City Manager for Community Development and Planning
Watertown Administration Building
149 Main Street
Watertown, MA 02472
Office 617 972-6417
Direct 617 715-8661
Cell 617 987-1136



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 19, 2024

RE: Proposed Amendment to the Fiscal Year 2024 Budget

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

The Proposed Amendment is related to the Memorandum of Agreement Between the City of Watertown and Watertown Police Association for Successor Collective Bargaining Agreement.

I respectfully request this Amendment be placed on the April 23, 2024 City Council Agenda as a First Reading amending the Fiscal Year 2024 Budget.

Thank you for your favorable consideration in this matter.

FISCAL YEAR 2024 BUDGET AMENDMENT

REVENUE	INCREASE (DECREASE)	TO READ
OTHER FINANCING SOURCES - TRANSFER FROM COLLECTIVE BARGAINING STAB. 00100970-497100	170,000	\$ 810,550
TOTAL REVENUE ADJUSTMENT	<u>\$ 170,000</u>	

EXPENDITURES	INCREASE (DECREASE)	TO READ
CITY COUNCIL RESERVE 0111152-570780	\$ 170,000	\$ 4,866,385
TOTAL EXPENDITURE ADJUSTMENT	<u>\$ 170,000</u>	



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

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

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 19, 2024

RE: Proposed Amendment to the Fiscal Year 2024 Budget

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

The Proposed Amendment is related to the Memorandum of Agreement Between the City of Watertown and AFSCME, Council 93 (Library Union) for Successor Collective Bargaining Agreement.

I respectfully request this Amendment be placed on the April 23, 2024 City Council Agenda as a First Reading amending the Fiscal Year 2024 Budget.

Thank you for your favorable consideration in this matter.

**FISCAL YEAR 2024
BUDGET AMENDMENT**

REVENUE	INCREASE (DECREASE)	TO READ
OTHER FINANCING SOURCES - TRANSFER FROM COLLECTIVE BARGAINING STAB. \$	50,000	\$ 690,550
00100970-497100		
TOTAL REVENUE ADJUSTMENT	<u>\$ 50,000</u>	
EXPENDITURES	INCREASE (DECREASE)	TO READ
CITY COUNCIL RESERVE	\$ 50,000	\$ 4,746,385
0111152-570780		
TOTAL EXPENDITURE ADJUSTMENT	<u>\$ 50,000</u>	



FY 2024 CPA FUNDING RECOMMENDATION

Submitted to the City Council
by the Community Preservation Committee

April 8, 2024

TABLE OF CONTENTS

CPA FY 2024 PROJECT RECOMMENDATION SUMMARY	2
Walker Pond Conceptual Design.....	3
Saltonstall Park Rehabilitation	6
Browne House Structural Engineering.....	9
Scots Charitable Fence Restoration	11



CITY OF WATERTOWN

Community Preservation Committee

Mark Krackiewicz, Chair
Jonathan Bockian, Vice Chair
Bob DiRico
Dennis J. Duff
Allen Gallagher
Abigail Hammett
Jamie O'Connell
Elodia Thomas
Matthew Walter

Date: April 8, 2024

To: The Honorable City Council

At its March 28, 2024, meeting, the CPC voted to recommend to the City Council a total expenditure of \$2,365,995 in CPA funds for four (4) projects. The CPC determined that the recommended projects would meet the goals expressed in the Community Preservation Plan, provide a public benefit, address a need, are ready to commence, and demonstrate ability to leverage non-CPA funds, among other factors.

If approved by the City Council, private organizations must enter into a Grant Agreement with the City and City Departments must comply with the terms of a Memorandum of Agreement with the CPC. All entities are required to submit regular progress and budget reports. Additional specific conditions are listed as applicable to each project.

CPA FY 2024 PROJECT RECOMMENDATION SUMMARY					
CPA CATEGORY	NUMBER OF PROJECTS	TOTAL CATEGORY RESERVE AMOUNT	UNDESIGNATED RESERVE AMOUNT	CATEGORY RESERVE BALANCE	UNDESIGNATED RESERVE BALANCE *
Open Space/ Outdoor Recreation	2	\$1,623,561	\$535,184	\$0	\$14,227,510
Historic Preservation	2	\$207,250	\$0	\$1,434,832	*as of 12/28/23

OPEN SPACE/OUTDOOR RECREATION		
Walker Pond Conceptual Design and Ecological Study	Open Space/Outdoor Recreation Reserve	\$145,000
Saltonstall Park Rehabilitation	Open Space/Outdoor Recreation Reserve and Undesignated Reserve	\$2,013,745
TOTAL OPEN SPACE/OUTDOOR RECREATION FUNDING		\$2,158,745

HISTORIC PRESERVATION		
Browne House Structural Engineering Study	Historic Preservation Recreation Reserve	\$7,250
Scots Charitable Society Plot Fence Restoration	Historic Preservation Recreation Reserve	\$200,000
TOTAL HISTORIC PRESERVATION FUNDING		\$207,250

The following project summaries describe the project proposals recommended for CPA funding in FY 2024. Full project applications are posted on the City of Watertown website for review at: [CPA Project Applications | Watertown, MA - Official Website \(watertown-ma.gov\)](https://www.watertown-ma.gov/CPA-Project-Applications)

PROJECT TITLE:	Walker Pond Conceptual Design
PROJECT LOCATION:	Walker Pond, Parcel 807 1B 1A
APPLICANT/ORGANIZATION:	Department of Community Development & Planning
PROJECT MANAGER:	Steve Magoon
CPA CATEGORY:	Open Space and Outdoor Recreation
CPC RECOMMENDED FUNDING AMOUNT:	\$145,000
CPC RECOMMENDED FUNDING SOURCE:	Open Space and Outdoor Recreation

PROJECT DESCRIPTION

The Department of Community Development and Planning requests \$145,000 to develop a final conceptual design plan for the Walker Pond property. Walker Pond and the adjacent property, roughly seven acres in size, is in west Watertown. It includes the largest pond in the city, associated uplands, and a large, paved area used by a former owner, Raytheon. The purchase of Walker Pond fulfilled goals specified in the Open Space Plan and CPA 5-Year Plan 2021-2025 for acquisition of open space.

Warner Larson Landscape Architects will be the lead for organizing public input and developing conceptual designs; Normandeau Associates will be responsible for the ecological studies, while other firms will assist in regulatory and site conditions investigations, surveys, and cost estimating.

The design plan resulting from this project would guide the improvement of the Walker Pond property as a natural open space for passive and active recreation based on input from a community planning process. CPA funds would be used to:

- Hire a Licensed Site Professional to ensure the proposed development will not disturb soils related to the wetland and pond area as the property has an Activity and Use Limitation (AUL) imposed by the Department of Environmental Protection.
- Perform a land/civil topographic, utilities, and boundary survey.
- Conduct an ecological study including wetland delineation; invasive species mapping; investigation of water quality; tree inventory; survey of wildlife specified in the consultant's (Normandeau Associates) proposal; and recommendations for further steps to improve pond health, terrestrial ecological function, and wildlife habitat.
- Conduct a community engagement process to secure input and review two to three conceptual designs.
- Create a final conceptual design plan and cost estimate.



Aerial View of Walker Pond (Source: Nearmap GIS)

RECOMMENDED FUNDING

On February 15, 2024, by a vote of 8-0, the Community Preservation Committee recommended appropriation of \$145,000 from the CPA Open Space/Outdoor Reserve for the Walker Pond Conceptual Design and Ecological Study project in accordance with the terms and conditions of a Memorandum of Agreement and the overall purposes summarized in this document.

ALIGNMENT WITH COMMUNITY PRESERVATION PLAN 2021-2025

The Walker Pond Conceptual Design and Ecological Study project would align with the guiding principles and priorities outlined in the Community Preservation Plan as well as the following open space and outdoor recreation goals:

- Expand, preserve, and restore existing open space for improved benefit and use, particularly along...ponds.
- Preserve or restore wild and natural areas, native species, and wildlife habitats.
- Improve connectivity, access, safety, and function of recreational resources...that serve residents of all ages, interests, and needs.

PROJECT OUTCOME

The acquisition and improvement of Walker Pond was an impetus for enacting the Community Preservation Act in Watertown. This project provides the opportunity to engage in a public dialogue that would determine how to maintain the delicate balance between preserving this important natural resource/wildlife habitat area and improving the property for public enjoyment.



Western side of pond facing northwest.



Western side of Pond (photos taken by Katie Swan)

SPECIFIC FUNDING CONDITIONS

- Provide a revised timeline and budget.
- Provide additional information about the water quality analysis, including cost of external lab analysis and sampling locations in writing.
- Perform an extra round of sampling in July through September.
- Develop recommendations for further steps to address pond health, terrestrial ecological function, and wildlife habitat. Include how the wildlife, habitat, and plant communities discovered during the ecological study may inform the design plan, construction schedule, and public use or programming.
- Schedule public input after the ecological studies have been completed.

STANDARD FUNDING CONDITIONS

- Notification of Community Preservation Coordinator about key events of project implementation such as project kick-off events, initial site meetings with contractors, initial plan reviews, and site visits when construction milestones are reached.
- No disbursements of funds may occur until the project has received all necessary governmental and third-party approvals, the project budget has been approved by the CPC, and all other sources of funds have been committed, as necessary, to complete the project.
- Any CPA funds appropriated but not used for the stated purposes of this project must be returned to the Watertown Community Preservation Fund.
- Other conditions as deemed necessary and defined within the Agreement.

APPLICANT'S PROPOSED TIMELINE (to be revised)

Date	Task
May 2024	Kick-off Meeting
July/August 2024	Community Engagement – Plan Options
May-August	Ecological Study
September/October 2024	Community Surveys and Plan Revisions
November/December 2024	Conservation Commission and Planning Board Review

PROJECT BUDGET

Item	Total
Feasibility	
Warner Larson - Contractor Supervision and management of deliverable preparation and quality	15,000
VHB-Site constraints, regulatory requirements, and input on proposed site plans	7,500
Feldman Geospatial-topographic, utilities and property boundary survey	15,000
McPhail Associates-management of environmental limitations of site and subsurface explorations based on proposed plans	4,000
PM&C-cost estimations	1,500
Design Schematics	43,000
Ecological Study (Normandeau Associates)	55,000
TOTAL	\$145,000

The full proposal is available at: <https://content.civicplus.com/api/assets/69e9e797-d656-4836-96f5-0948e428ffc5?cache=1800>

PROJECT TITLE:	Saltonstall Park Rehabilitation
PROJECT LOCATION:	25 Whites Avenue
APPLICANT/ORGANIZATION:	Department of Public Works
PROJECT MANAGER:	Michael Cookson
CPA CATEGORY:	Outdoor Recreation
CPC RECOMMENDED FUNDING AMOUNT:	\$2,013,745
CPC RECOMMENDED FUNDING SOURCE:	Open Space/Outdoor Recreation Reserve

PROJECT DESCRIPTION

Saltonstall Park is a city park adjacent to City Hall where several events take place annually or seasonally, including Faire on the Square, the Summer Concert Series, and the Farmer's Market. The Department of Public Works requests \$2,013,745 to enhance the upper area of Saltonstall Park and beautify the park space. This project would involve planting the understory area of the established tree canopy, installing realigned pedestrian accessible walkways, adding a permanent covered performance structure, and improving the streetscape with new benches and lighting. Michael D'Angelo Landscape Architecture, the firm that designed and oversaw the CPA funded restoration of Irving Park, would oversee construction of Saltonstall Park.

The design plan was based on four public meetings at which alternative pathway configurations and four different performance structures were presented. In the end, a flash vote was used to select the preferred design for the performance structure. Design improvements call for:

- reconfiguration of plaza stair and the inclusion of an accessible ramp
- addition of benches at the ends of the path bisecting the park
- installation of dark sky compliant pole and bollard lighting
- reduction of stairs and walls along Main Street
- new concrete seat wall with a granite cap
- planting of shade and flowering trees
- planting of flowering shrubs and non-invasive pollinator supporting plants, as well as other perennials, grasses, and groundcover plants
- fabrication and installation of permanent performance structure with a curvilinear canopy, flood lights, accent lights, and an electrical box

RECOMMENDED FUNDING

On March 21, 2024, by a vote of 9-0, the Community Preservation Committee recommended appropriation of \$1,478,561 from the CPA Open Space/Outdoor Recreation Reserve and \$535,184 from the Undesignated Reserve for the Saltonstall Park Rehabilitation project in accordance with the terms and conditions of a Memorandum of Agreement and the overall purposes summarized in this document.

ALIGNMENT WITH COMMUNITY PRESERVATION PLAN 2021-2025

The Saltonstall Park project would align with the guiding principles and priorities outlined in the Community Preservation Plan as a highly visible space that would provide broad benefit for the community. The project would also align with following outdoor recreation goals:

- Improve access and function of a recreational resource that serves residents of all ages, interests, and needs.
- Upgrade parks to promote accessibility.

PROJECT OUTCOME

Watertown residents and visitors would benefit from the beautification of the park through an enhanced tree canopy, new understory plantings, better access and spacing for Farmer's Market stalls as well as Americans with Disability Act (ADA) compliant pathway upgrades.

These proposed enhancements would improve the experience for park visitors with better site lines and a signature outdoor performance space.



Saltonstall Park Site Improvements |
Watertown, MA



Performance Structure Rendering

SPECIFIC FUNDING CONDITIONS

- Department of Public Works in maintaining trees and shrubs shall employ naturalistic pruning and avoid shearing.
- Application procedures and approval criteria for use of the performance structure shall be posted on the City of Watertown website.
- Changes from the design due to cost, material availability, or other considerations shall be subject to review by the Community Preservation Committee before implementation.

STANDARD FUNDING CONDITIONS

- Notification of Community Preservation Coordinator about key events of project implementation such as project kick-off events, initial site meetings with contractors, initial plan reviews, and site visits when construction milestones are reached.
- No disbursements of funds may occur until the project has received all necessary governmental and third-party approvals, the project budget has been approved by the CPC, and all other sources of funds have been committed, as necessary, to complete the project.
- Any CPA funds appropriated but not used for the stated purposes of this project must be returned to the Watertown Community Preservation Fund.
- Other conditions as deemed necessary and defined within the Municipal Memorandum of Agreement.

APPLICANT'S PROPOSED TIMELINE

The applicant will submit a revised project timeline based on the scheduling of the public bidding process and anticipates a start date in the fall of 2024 and completion by the end of the spring of 2025.

PROJECT BUDGET

Item	Total
Construction Design/Oversight	50,545
Construction	1,486,000
Contingency (20% to Total Budget)	477,200
TOTAL REQUESTED	\$2,013,745
Non-CPA Funds Construction	900,000
Design	159,511
TOTAL PROJECT BUDGET	\$3,073,256

The full proposal is available at: <https://content.civicplus.com/api/assets/1525de63-910a-4136-8734-d38ba9114ad0?cache=1800>

PROJECT TITLE:	Browne House Structural Engineering
PROJECT LOCATION:	562 Main Street
APPLICANT/ORGANIZATION:	Historic New England
PROJECT MANAGER:	Jodi Black
CPA CATEGORY:	Historic Preservation
CPC RECOMMENDED FUNDING AMOUNT:	\$7,245
CPC RECOMMENDED FUNDING SOURCE:	Historic Preservation

PROJECT DESCRIPTION

Historic New England requests \$7,245 to develop construction drawings and specifications for structural repairs to the Browne House, which was built circa 1698. This house museum, owned and operated by Historic New England is listed on the National and State Register of Historic Places. The building features a rare seventeenth-century framing style in which beams are framed in a “transverse” or “crosswise” direction and not tied into posts or a chimney wall. Currently an attic-supporting beam on the second floor is cracked, and temporary posts are shoring up the building on all levels for stability while the crack is being monitored. Simpson Gumpertz & Heger, a nationally known firm specializing in issues of structural integrity, would assess three alternative repair solutions.

RECOMMENDED FUNDING

On March 21, 2024, by a vote of 9-0, the Community Preservation Committee recommended the appropriation of \$7,245 from the Historic Preservation Reserve for the project: The CPC recommends a grant to Historic New England in accordance with the terms and conditions of a CPA Grant Agreement (between the City of Watertown and Historic New England) and the overall purposes summarized in this document.

ALIGNMENT WITH COMMUNITY PRESERVATION PLAN 2021-2025

- Demonstrates support from Watertown Historical Commission.
- Demonstrates feasibility through project team expertise, an informed budget, and a realistic timeline.
- Supports the preservation of a privately-owned historic resource that demonstrates appropriate public benefit.
- Enhances public access to a historic resource.

PROJECT OUTCOME

This project would produce 100% construction documents and specifications, positioning Historic New England to execute repairs in accordance with the Secretary of Interior Standards for historic preservation and rehabilitation in a timely manner. Ultimately this project will lead to preservation of an irreplaceable historic resource.

Browne House c.1698



STANDARD FUNDING CONDITIONS

- Notification of Community Preservation Coordinator about key events of project implementation such as project kick-off events, initial site meetings with contractors, initial plan reviews, and site visits when construction milestones are reached.
- No disbursements of funds may occur until the project has received all necessary governmental and third-party approvals, the project budget has been approved by the CPC, and all other sources of funds have been committed, as necessary, to complete the project.
- Any CPA funds appropriated but not used for the stated purposes of this project must be returned to the Watertown Community Preservation Fund.
- Other conditions as deemed necessary and defined within the CPA Grant Agreement.



Support and crack monitor

APPLICANT'S PROPOSED TIMELINE

Task	
Notification of CPA funding decisions; grant contracts signed	June 1, 2024
Engage structural engineer	July 1, 2024
50% Construction Level documents for potential repair options	September 30, 2024
Evaluation of each solution and cost estimates	November 30, 2024
Selection of repair option with engineer	December 31, 2024
Engineer submits 100% Construction Documents	February 28, 2025
Final reporting and close-out of CPA grant	March 31, 2025

PROJECT BUDGET

Source	Item	Total
Historic New England	Engineering Services	7,250
CPA Request	Engineering Services	7,250
	TOTAL PROJECT BUDGET	\$14,500

The full proposal is available at: [89c01499-6f08-4980-958b-a097df561339 \(civicplus.com\)](https://civicplus.com/89c01499-6f08-4980-958b-a097df561339)

PROJECT TITLE:	Scots Charitable Fence Restoration
PROJECT LOCATION:	Mt. Auburn Cemetery, Watertown
APPLICANT/ORGANIZATION:	Friends of Mt. Auburn Cemetery
PROJECT MANAGER:	Gus Fraser
CPA CATEGORY:	Historic Preservation
CPC RECOMMENDED FUNDING AMOUNT:	\$200,000
CPC RECOMMENDED FUNDING SOURCE:	Historic Preservation

PROJECT DESCRIPTION

The Friends of Mt Auburn Cemetery requested \$300,000 to restore the cast iron fencing supported by granite bases. Mt. Auburn Cemetery is owned and managed by the Proprietors of Mt. Auburn Cemetery. The property is on the National and State Register of Historic Places.

This project would restore the historic fence that encloses the Scots Charitable Society plot. The fence memorializes 200 Scottish immigrants of modest means and has no headstones or markers. As a part of the project, the ironwork must be dismantled, stripped of lead paint, restored, reassembled, and installed on new granite bases. Additionally, to honor the individuals buried within the plot, plants native to Scotland would be installed within and outside of the plot for horticultural interest.



Foster Architecture has assessed the fence and proposed the restoration described above. Gus Fraser, the Vice President of Preservation and Facilities would supervise the cast iron restoration contractor, Cassidy Bros. Forge and the stone masonry contractor, Phoenix Bay State Construction.

RECOMMENDED FUNDING

On March 21, 2024, by a vote of 7-2, the Community Preservation Committee recommended the appropriation of \$200,000 from the Historic Preservation Reserve for the project. The CPC recommends a grant to the Friends of Mt. Auburn

Cemetery in accordance with the terms and conditions of a CPA Grant Agreement (between the City of Watertown and Friends of Mt. Auburn Cemetery) and the overall purposes summarized in this document.

ALIGNMENT WITH COMMUNITY PRESERVATION PLAN 2021-2025

- Project would be publicly accessible.
- Demonstrates support from Watertown Historical Commission.
- Demonstrates feasibility through project team expertise, an informed budget, and a realistic timeline.

PROJECT OUTCOME

The property and fence are open to the public for viewing. As one of the very few remaining cast-iron fences remaining, preservation of this historic resource would prevent it from further deterioration. The proposed plantings would replace turf and eliminate the need for using power tools to mow and trim.

SPECIFIC FUNDING CONDITIONS

- Prior to the release of CPA funds: provide an updated project cost estimate or budget based on valid bids; and demonstrate the remaining total project budget is committed, evidenced by grant award letters, pledge cards, documentation of other donations, and/or cash on hand.

STANDARD FUNDING CONDITIONS

- Notification of Community Preservation Coordinator about key events of project implementation such as project kick-off events, initial site meetings with contractors, initial plan reviews, and site visits when construction milestones are reached.
- No disbursements of funds may occur until the project has received all necessary governmental and third-party approvals, the project budget has been approved by the CPC, and all other sources of funds have been committed, as necessary, to complete the project.
- Any CPA funds appropriated but not used for the stated purposes of this project must be returned to the Watertown Community Preservation Fund.
- Other conditions as deemed necessary and defined within the CPA Grant Agreement.

APPLICANT'S PROPOSED TIMELINE

The construction phase of the project is anticipated to be approximately 7 months. The start date is contingent on successful fundraising of non-CPA sources of funds. Once funding is secured, a project kick-off meeting will be held to finalize the schedule. Site preparation and fence removal are expected to take one month, while the offsite repairs and painting would take approximately 5 months and the last month of the schedule would involve the reinstallation of the fence.



*Scots Charitable Society Plot Fence
Deterioration of Base*

PROJECT BUDGET

Source	Item	Total
Friends of Mt. Auburn Cemetery	Preservation Design	28,200
	Landscape and Irrigation	24,976
	Fence Restoration and Masonry	529,601
CPA Funds	Fence Restoration	200,000
	TOTAL PROJECT BUDGET	\$782,700

The full proposal is available at: [87763297-0e5a-4327-b4c1-b85604f1f0ff \(civicplus.com\)](https://civicplus.com/87763297-0e5a-4327-b4c1-b85604f1f0ff)



Watertown City Council

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

ELECTED OFFICIALS:

Mark S. Sideris,
Council President

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

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

Report of the Committee on Economic Development & Planning Meeting Date: April 16, 2024

The Committee convened on Tuesday April 16, 2024 at 5:45 pm in the City Council Office, as a hybrid meeting with remote participation by zoom. Present were Lisa Feltner, chair; John Gannon, vice chair; and Vincent Piccirilli, secretary. Gregory Girard participated by zoom.

The purpose of the meeting was to conduct Planning Board and Zoning Board of Appeals interviews.

Gregory Girard is seeking reappointment to the ZBA as an Alternate Member, having served since 2022. He has a degree in urban planning. He is happy to continue to serve on the ZBA, playing an important role in the responsible transitioning of Watertown to the future, applying both the rule and the spirit of the Zoning Ordinance to projects that come before them. He is very interested in traffic mitigation, as well as adding conditions to projects that are appropriate for Watertown. He also expressed interest in serving on ZBA as a full member.

Jason Cohen is seeking reappointment to the Planning Board, having served since 2018. He was a member of the ZBA for three years prior to that, and previously served as the Planning Board's appointee to the Community Preservation Committee. As an architect, he appreciates the opportunity to mold the city for the future, and to improve the quality of life. He tempers public input with his professional experience, and tries to balance the needs of all constituencies. He reiterated that the Board does listen to all voices, but cannot agree with everyone when reaching a decision. He feels each project is an opportunity to make a site better than what it was before, understanding that we can only shape the forces of development, we can't direct development.

David Ferris is seeking reappointment to the ZBA, having served since 2009. He is an architect specializing in multi-unit housing. He feels the ZBA has a large knowledge base, an excellent chair, and great staff support. He is happy with the Watertown Square study process and the good public input. He is concerned about becoming too reliant on lab development and what it means for the fabric of the city. He is concerned about the height and step-backs of buildings in relationship to the width of the road, particularly on a 2-lane road like Pleasant St. He also believes that the PSCD and RMUD districts would be better served by having the ZBA involved, although he understands the need to make the process less burdensome on developers to drive economic development. He expressed support for potentially having some kind of design review board for Watertown Square projects.

- ➔ **Action Item:** Councilor Piccirilli made a motion, seconded by Councilor Gannon, to recommend that the City Council confirm Jason Cohen for reappointment as a full member of the Planning Board to a term expiring February 15, 2027. Voted 3-0.
- ➔ **Action Item:** Councilor Piccirilli made a motion, seconded by Councilor Gannon, to recommend that the City Council confirm Gregory Girard for reappointment as an alternate member of the Zoning Board of Appeals to a term expiring February 15, 2026. Voted 3-0.
- ➔ **Action Item:** Councilor Piccirilli made a motion, seconded by Councilor Gannon, to recommend that the City Council confirm David Ferris for reappointment as a full member to the Zoning Board of Appeals to a term expiring February 15, 2029. Voted 3-0.

The meeting adjourned at 7:18 pm.

Report prepared by Vincent Piccirilli



REPORT TO COUNCIL: Rules & Ordinances Committee Meeting

Minutes of Tuesday, April 2, 2024 at 6:30 p.m.

Louis P. Andrews Upper Conference Room, 3rd Floor
149 Main Street, Watertown, MA 02472

AGENDA: Continue Discussion of City Council Rules for the 2024-2025 Term.

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

Also present: President Sideris, Councilors Piccirilli and Gardner; Municipal Policy Analyst Doug Newton; Rita Colafella, and via Zoom were Councilors Palomba and Bays.

Chair Gannon convened this third meeting on the topic of Council Rules at 6:33 p.m; previous committee meetings were held on February 20 and March 5, 2024. Councilor Feltner moved to accept the draft minutes of March 5 with related attachments; seconded by Councilor Airasian; approved 3-0. The chair suggested we save discussion of proposed Definitions for later.

The committee discussed whether to create a new rule 8.8 that would also include a chart for referrals in order to support the newer City Charter section 3-2 (3A) which describes that the manager will meet with the council to discuss priorities for a department and desirable qualifications and qualities of candidates prior to posting and beginning searches for certain positions. It was noted that we have been following this Charter requirement in practice, but given the ongoing transition in our administrative reorganization, the lack of proposed chart text to accompany this proposed addition, and since Council doesn't make confirmations in these instances, the committee decided to instead record its interest in addressing this process and its inclusion under a future review of Council Rules.

The discussion continued with a review of referrals to City Council committees, using a new chart for completeness and to help clarify related matters per Rule 11 and related confirmations. **See attached proposed chart.** Some text changes were made to Rule 11.1 for clarity and better inclusion of currently appointed boards and newer Council committees. It was noted that this doesn't remove the power to send matters to which committees or to refer to joint committees. It was also recognized that whether to retain a standing committee on Education and School System Matters should be discussed in the future; no changes are proposed for this term. During the committee's review, it was also noted that there are some inconsistencies in appointments and their confirmation, due to how ordinances were written over time and as additional appointed boards were created. Therefore, the following action item for Council was proposed:

Action Item: Motion by Feltner to recommend City Council refer to Rules and Ordinances as New Business to review the appointment process and ordinances for those boards/committees/commissions that do not currently require Council Confirmation, and which are not solely controlled by state statute, such as the Bicycle & Pedestrian Committee, the Commission on Disability, the Historical Commission, and potentially others; seconded by Airasian; approved 3-0.

At 7:55 the discussion moved to consider adding a list of definitions to accompany Council Rules as proposed by Councilor Palomba. Chair Gannon read aloud an email received from the city attorney (below) who confirmed we may include these to help provide clarity of some terms in our rules. The committee proceeded to review each proposed definition (see amended list below). During a discussion of understanding differences between Public Forum and Public Hearing, the committee decided to correct text in the first sentence of both Rules 15.5 and 15.6.

At 8:35 the committee finished reviewing the proposed definitions, and Feltner made a Motion to adopt Definitions as amended to accompany updated Council Rules; seconded by Airasian; approved 3-0.

Chair Gannon moved the committee discussion to consider creating new rules for Individual Councilor Meetings referenced in Charter Section 2-10 (adopted November 2021). He read guidelines previously received by the manager suggesting these meetings should not be held between September 1st and election day in the second year of a term. It was noted that Councilors may try to avoid "bunching" and spread them through the year, but nine officials are each trying to fit them in within twelve months -or approx. eight months of the term's second year-

since we cannot hold joint meetings. Feltner suggested it would be helpful if the city or Council had a meeting reservation and/or space request calendar or process -the Library is one example- so we could have a better idea of availability for scheduling in general, but in the end, people have to do what works for them. The Charter lays out a basic framework and during its review, the public emphasized the desire for informal two-way discussions; the use of City buildings and resources are as a portion of Council duties regardless of the time of year and not as an individual running for elected office. It was also noted that there is very limited public space and few suitable locations available for community meetings, particularly in Districts A and B. It seems cost-prohibitive, \$5K or more, to rent private space (which must be ADA compliant) for this public conversation meeting with each Councilor, and the feeling was this is not the best use of tax dollars with a tally that would not be strongly supported by voters. Virtual/remote meetings are possible but without staff support. The committee decided to highlight these concerns in the minutes for future public consideration, including perhaps with the next Charter Review in 2026, and doesn't propose new rules for these meetings for this term.

Action Item: Motion by Feltner to Recommend City Council adopt amended Council Rules with supporting Referrals Chart and Definitions as described in committee meetings and as attached herein to the Rules and Ordinances report; seconded by Airasian; approved 3-0.

Motion to Adjourn at 9:02 p.m. by Feltner; seconded by Airasian; approved 3-0.

Respectfully submitted, Lisa Feltner

Encs: Email from City Attorney; amended City Council Rules with Definitions; Chart for Referrals to Committees; and accepted Minutes of March 5 (related attachments may be found with the posted March 5th meeting).

----- Forwarded message -----

From: **Mark R. Reich** <MReich@k-plaw.com>

Date: Wed, Mar 20, 2024 at 9:29 AM

Subject: RE: [Watertown] Rules & Ordinances Committee Seeking Opinion from KP Law

To: Mark Sideris <siderismark9@gmail.com>

Sir –

As we have discussed, and as indicated below, in my opinion the Rules and Ordinances Committee may establish definitions for the use of the City Council as part of the Council's rules. These definitions may be helpful in addressing matters not otherwise defined in the City Charter or Ordinances. However, it must be remembered that statutory definitions shall have precedence over these locally adopted definitions. For example, while the Council rules may include a definition for a "public hearing", that term may be otherwise defined in state law and that state law definition would be applicable when undertaking hearings required by statute. Therefore, caution should be exercised in broadly applying a definition beyond use in interpreting internal requirements.

Please contact me with any further questions.

Thank you.

Mark

Mark R. Reich, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 556 0007

F: (617) 654 1735

mreich@k-plaw.com

www.k-plaw.com

Amended at Rules & Ordinances Committee April 2, 2024 Meeting

CITY OF WATERTOWN, MASSACHUSETTS RULES OF THE CITY COUNCIL

Previously Approved by the City Council on July 12, 2022

Table of Contents

RULE 1. ORGANIZATION1

RULE 2. MEETINGS OF THE COUNCIL2

RULE 3. PRESIDING OFFICER3

RULE 4. VOTING4

RULE 5. DEBATE4

RULE 6. PRECEDENCE OF MOTIONS5

RULE 7. CLERK OF THE COUNCIL5

RULE 8. ORDER OF BUSINESS8

RULE 9. ENACTING STYLE9

RULE 10. ORDINANCES10

RULE 11. COMMITTEES10

RULE 12. COMMUNICATIONS TO THE COUNCIL12

RULE 13. ADMISSION WITHIN THE RAIL12

RULE 14. RECORDING OF MEETINGS13

RULE 15. PUBLIC PARTICIPATION13

RULE 16. PARLIAMENTARY AUTHORITY14

RULE 17. AMENDMENT OR SUSPENSION OF THE RULES14

RULE 18. DISPUTE RESOLUTION PROCESS14

RULE 19. SANCTIONS FOR VIOLATION OF RULES15

DEFINITIONS - TBD-See proposed amended list16

Rule 1. ORGANIZATION

- 1.1** The City Council shall meet for the purpose of organization on the first secular day of January following the municipal election and the members shall severally, before the City Clerk, take their respective oaths of office to perform faithfully the duties of such office, provided that any member-elect who shall not be present at such organizational meeting shall take said oath at the first regular or special meeting of the City Council which such Councilor-elect shall attend.
- 1.2** The City Council shall, by majority vote of all members elected, elect a Vice President and such other officers as it shall from time-to-time deem appropriate.

- 1.3 Seating of the Council at the organizational meeting or at its first regular meeting thereafter, the order of seating of the members shall be determined by drawing of lots, provided however that the President of the Council shall occupy the center seat and the Vice President of the Council shall occupy the seat to the immediate right of the President. Members shall draw for such purpose in order of seniority of service, provided however, that in the event that two or more members shall have similar seniority in service, then the member who shall be senior in both service and age shall have precedence.
- 1.4 As soon as practical after the start of each new term, the Rules and Ordinances Committee shall review the Council Rules per referral of the City Council and strive to make recommendation/s to the full Council by March 15.
- 1.5 Each new City Council that is seated following the November municipal election shall, as soon as practical, place on the agenda of a Council meeting a referral to the Personnel and City Organization Committee to review Council compensation and make a recommendation to the full Council pursuant to Section 2-3(a) of the Charter.

Rule 2. MEETINGS OF THE COUNCIL

- 2.1 Regular meetings of the City Council shall be held in the Richard E. Mastrangelo Chamber of the Watertown Administration Building or, if agreed upon by a majority of the members any other suitable location within the City of Watertown, at 7:00 p.m. of the second and fourth Tuesday of each month, provided however, that the members may, by two-thirds vote, agree to hold any regular meeting on such other date as may be convenient.
- 2.2 The City Council shall be required to meet only once during the months of July, August and December, said meeting to be held on the second Tuesday of said months, and may meet a second time upon prior approval by vote of the members.
- 2.3 In the event any holiday or primary or general election shall fall on the regular meeting date, the City Council shall meet on the business day next following.
- 2.4 No board, commission or committee of the City shall meet concurrently with the time of any regular or special meeting of the City Council, provided however that this rule may be waived by the Council President, and provided further that a copy of any waiver granted under this rule shall be filed with the City Clerk.
- 2.5 No agenda item at a regular meeting of the City Council, except Executive Session and Public Forum, may be brought forward for consideration after 10:30 p.m. A regular meeting of the City Council shall adjourn after action is taken on the agenda item being considered at 10:30 p.m. An adjourned meeting of the Council shall not and may not be reconvened.
- 2.6 Special meetings of the City Council shall be held at the call of the Council President, or at the call of any three or more members, with such call to be by written notice to each member or by email; any such notice shall contain a listing of the specific matters to be acted upon. Except in the case of emergency, of which the Council President shall be sole judge of the time set for such meeting, a copy of any such notice shall be delivered not less than forty-eight hours in advance of the time set for such

meeting, and a copy of any such notice to the members shall forthwith, be posted upon the City bulletin board and all other sites where meeting notices are regularly posted.

- 2.7** All special meetings of the City Council shall be held in the Richard E. Mastrangelo Chamber unless an emergency, of which the Council President shall be sole judge, shall require such meeting to be held elsewhere, in which case the nature of the emergency and the location of such special meeting shall be clearly stated in the notice required by these rules.
- 2.8** The City Manager or designee shall be expected to attend all regular and special meetings of the City Council, unless otherwise specified by the Council President.
- 2.9** Except as otherwise authorized or provided by General Law, all sessions of the City Council and every committee or subcommittee thereof shall be open to the public and the media.
- 2.10** At the discretion of the Council President, an executive session may be called. Executive sessions shall be convened as allowed under Massachusetts General Law. All matters discussed in an executive session shall remain confidential until a vote is taken by the Council to release the minutes of the meeting or report publicly said discussions.
- 2.11** The presence of five members shall constitute a quorum for the transaction of business. Except as provided by General Law, the City Charter or these rules, the affirmative approval of not fewer than five members shall be required to adopt any ordinance or appropriation order.
- 2.12** The minutes of regular and special meetings of the City Council shall consist of the proceedings of the Council's order of business, including motions and second, votes, and questions of order along with the decisions thereon; said minutes shall list those members of the Council or of the public speaking on a given issue and shall provide only in summary form the major points raised by speakers. The minutes shall also include:
- a) a copy of all items that were linked to the meeting agenda, including all items that were presented at the meeting;
 - b) a copy of all Committee reports presented during the meeting;
 - c) a copy of any statement presented by a member during a meeting which has been delivered in written form prior to the end of the meeting;
 - d) a copy of the tally sheets for each roll call vote of the Council indicating the vote of each member; and
 - e) a copy of any other written document submitted during the meeting by any person.
- 2.13** No subcommittee or committee of the City Council may schedule or hold any meeting before 5:00 p.m. during the week or at any time on weekend days. The only exception being when the City Council President has deemed the matter being discussed time sensitive and/or determines that the meeting time would not be a detriment to public discourse.

Rule 3. PRESIDING OFFICER

- 3.1** The President of the City Council, if present, shall preside at all meetings. In the absence of the President, the Vice President shall preside. In the absence of both the President and the Vice President, a temporary chair shall preside who shall be the senior member in length of service, provided however,

that in the event that two or more members shall have similar seniority in service, then the member who shall be senior in both service and age shall have precedence and serve during the absence of both the President and the Vice President.

- 3.2** It is the duty of the presiding officer to preserve the decorum and order of a council meeting. ~~He or she~~ **They** may speak to questions of order in preference to other members. ~~He or she~~ **They** shall decide all questions of order, subject to an appeal of the ~~entire~~ City Council, which appeal shall be seconded; and no other business shall be in order until the question on the appeal from the ruling of the chair shall be decided by the members by a call of the roll, and the ruling of the chair shall stand unless a majority of members shall vote to the contrary. The chair shall be permitted to vote on any question of appeal.
- 3.3** The presiding officer shall declare all votes or other action of the members and, if the result shall be in doubt, may call for a roll call vote. Such declarations by the presiding officer shall stand unless reversed by a call of the roll.

Rule 4. VOTING

- 4.1** All final votes of the City Council on matters involving appropriations, expenditures, transfers of monies and/or bonding, shall be taken by a call of the roll and the result of such call of the roll shall be entered into the records. Additionally, the roll shall be called upon any other pending matter at the request of any member. In the calling of the roll, the order in which the names of the members are called shall be rotated following each such call of the roll.
- 4.2** When a question is put by the presiding officer, every member shall be entitled to vote yes, no, or present.
- 4.3** Prior to any vote, the Council Clerk shall record and may be asked to read aloud the exact language of the measure or motion to be voted on.
- 4.4** Members shall not participate in the consideration of, nor vote on, any question, nor serve on any committee in which their private interest shall be immediately considered distinct from that of the City or the public.
- 4.5** Prior to the announcement of the result of a call of the roll by the presiding officer, any member may ask to have their name called again for the purpose of confirming their vote or being recorded differently.
- 4.6** Any use of Charter Privilege shall follow Charter Section 2-8(b) of the Watertown Home Rule Charter.
- 4.7** A member who invoked the Charter Privilege may present a motion to withdraw the Charter Privilege. The motion will be treated according to Rules of the Council. If the members vote in favor of the motion, the presiding officer shall place the original measure before the Council.

Rule 5. DEBATE

- 5.1** Every member, when about to speak, shall respectfully address the presiding officer and await recognition. Once recognized, such member shall avoid personalities and confine themselves to the question under debate.
- 5.2** No member shall speak more than twice to the same question without leave of the presiding officer, nor more than once until all other members desiring to do so shall have spoken. No member shall have or hold the floor for more than ten consecutive minutes of debate, unless such time shall be extended by the affirmative vote of two-thirds of the members.
- 5.3** Once stated or read by the presiding officer, a matter shall be deemed to be in the possession of the City Council and shall be disposed of by vote or other appropriate action, provided however, that the mover may withdraw the motion or other matter at any time prior to amendment or other action by the members.

Rule 6. PRECEDENCE OF MOTIONS

- 6.1** During consideration of any matter properly before the members, the presiding officer shall receive no motion except those listed herein, which motions shall have precedence in the order listed: To adjourn
To recess
To lay on the table
To take from the table
To move the previous question
To limit or extend the limits of debate
To postpone to a date and/or time certain
To refer
To amend
To postpone indefinitely
- 6.2** Following a vote of the City Council, it shall be in order for any member who shall have voted with the prevailing side to move reconsideration thereof at the same meeting at which said vote was taken, or to file with the Council Clerk not later than noon on the next business day following such meeting, a written motion for reconsideration. Following receipt of such a written motion for reconsideration, the Council Clerk shall place said motion on the calendar for the next regular or special meeting of the City Council, and cause the same to be included in the call thereof, and the Council Clerk shall also notify each member in writing of the filing of any such written motion for reconsideration. If any matter shall have been decided by a tie vote, the prevailing side shall be considered to be that side in whose favor the question was decided. Not more than one motion for reconsideration shall be entertained for any one vote, and no vote upon any motion to adjourn, to lay upon the table, to take from the table or to move the previous question shall be subject to reconsideration.

Rule 7. CLERK OF THE COUNCIL

- 7.1** The Council Clerk shall attend and keep records for all regular and special meetings of the City Council, shall record the names of member present, and shall have the care and custody of all records, documents, maps, plans, papers and other records and materials pertaining to the business of the City Council, including a compilation of voting records which can also be found in Council Minutes.

- 7.2 Matters to be placed on the agenda for the City Council, including but not limited to reports and communications from the City Manager and other city officials, boards, departments and commissions, and any ordinance, order, resolution, proclamation or other matter of business to be presented to the members for action at a regular meeting of the City Council shall be submitted to the Council Clerk not later than 5:00 p.m. on the Thursday preceding the regular meeting at which such matter is to be considered by the City Council, or not later than 5:00 p.m. on the Wednesday preceding the regular meeting when it follows a Monday holiday. With concurrence of the Council President, an item may be added to the Council agenda up to noon Friday, or up to noon Thursday preceding a Monday holiday. Items for placement on the agenda of upcoming Council meetings shall, in the absence of the Council Clerk, be submitted to the office of the City Manager. Every effort shall be made to have all matters that are submitted for placement on the agenda accompanied by materials sufficient to inform Council members of the nature and purpose of the agenda item.
- 7.3 If the timing of an event does not allow a proclamation to be submitted in accordance with Rule 7.2, any member shall notify the Council President and the Council Clerk as soon as possible. Any proclamation issued in this manner shall be subject to ratification by the City Council at its next meeting, at which time the proclamation shall be recorded in the minutes of the meeting.
- 7.4 Items submitted by members shall be placed on the agenda if they have a direct bearing on the business of the City Council, unless the Council President removes an item and informs the sponsoring member why such action was taken. In the instance that an item is removed from the agenda by the Council President, said item shall may be placed on the agenda of the subsequent meeting, at the request of the sponsoring member.
- 7.5 The agenda for each regular meeting of the City Council, together with copies of matters to be considered shall be delivered by the Council Clerk to the members not later than 5:00 p.m. on the Friday preceding such regular meeting.
- 7.6 The Council Clerk is authorized and directed by these rules to order and publish notice of hearings on petitions presented which require such public hearing by the City Council. Such petition/s and supporting materials, including signatures shall be forwarded to Council members prior to the public hearing.
- 7.7 The Council Clerk shall prepare the draft minutes of each regular City Council meeting and shall provide a copy to each member ideally no later than 5:00 p.m. on the Monday following the meeting, or by 5:00 p.m. on Tuesday following a Monday holiday, or by 5:00 p.m. on the third business day following a special meeting. If necessary, exceptions to this timetable may be made by the Council President.
1. The draft minutes shall include a copy of Council Clerk's summary of the meeting, including motions and seconds, votes, and major points raised by Council members and members of the public. The names of the public speakers will be included as possible.
 2. The Council Clerk shall note in the official minutes of all regular and special meetings of the City Council the names of all elected officials and invited guests as possible.
 3. Members shall provide the Council Clerk all agenda submissions in electronic form.

4. Members may propose corrections of factual errors/or additional comments. Corrections of factual errors shall identify the specific information in the draft minutes that is in error and, if approved by the Council, shall result in a change in the body of the minutes. Additional comments shall elaborate upon remarks and comments made by the member at the Council meeting if approved by the Council, shall be appended to the final minutes. Additional comments shall be limited to one page. Corrections or additions shall be delivered to the Council Clerk no later than 5:00 p.m. of the Thursday, or 5:00 p.m. on Wednesday when there is a Monday holiday preceding the next regular Council meeting. In the case of a special meeting, such submission deadline shall be at noon on the fifth business day following the day of delivery of the draft minutes. In voting on the acceptance of the minutes at the following City Council meeting, the City Council shall take a single vote on the draft minutes including corrections and additions, unless any single member requests separate votes.
5. In the event that a member submits a written request for a correction or addition on the publication of the agenda prior to a regular City Council meeting, the minutes shall be automatically laid on the Table at the City Council meeting, and not taken up until the subsequent Council meeting so as to allow members the opportunity to consider fully such corrections or additions prior to the vote for the acceptance of the minutes.
6. If a motion is made to table the draft minutes for the purpose of amending or modifying the minutes, and this motion is approved by the City Council, the councilor who made this motion shall provide to the Council Clerk such amendments/modifications in writing within 5 business days of the action to table the minutes. All amendments/modifications will be provided to the Council Clerk and included in materials forwarded to councilors for the next meeting of the City Council.
7. Other than typing errors, any correction or addition to the draft minutes must be approved by a majority vote of the City Council.
8. Upon acceptance of the draft minutes by a vote of the City Council, the Council Clerk shall revise the draft minutes to incorporate corrections and append additions accepted by the City Council, and shall file the final minutes with the City Clerk within one week of the City Council's vote of acceptance.
9. Typing errors, whether in the draft or final minutes, should be reported to the Council Clerk who will be responsible for correcting the errors. The correction of typing errors in the draft or final minutes will not require a Council vote.

7.8 The Council Clerk shall distribute all Council-related documents electronically. Paper copies of any Council-related document can be provided upon request.

7.9 Pursuant to release of Executive Session minutes, every three months the Council President shall consult with the City Attorney to determine whether the purpose of keeping Executive Session meeting minutes and accompanying material withheld from the public is still met. Once it has been agreed that

such records are no longer exempt from the Public Records Law, the City Council shall vote to release such minutes and other materials in the same manner as with meeting minutes of open meetings.

- 7.10** Requests for Information and questions raised by Council members and accompanying responses and answers will be posted to the Council web page within a 14-day period.

Rule 8. ORDER OF BUSINESS

- 8.1** The Order of Business for regular meetings of the City Council, which order shall not be departed from except by the affirmative vote of a majority of the members present, shall be as follows: Call of the Roll

- Pledge of Allegiance
- Public Forum
- Examination of records of previous meetings
- President's Report
- Presentations of petitions, proclamations, and similar papers and matters
- Motions for reconsideration
- Unfinished business from prior meetings
- Public Hearings
- Informational Presentations
- Motions, Ordinances, Order, and Resolutions
- Reports of Committees
- ~~New Business~~
- Communications from the City Manager
- Consideration of nomination for appointments
- Requests for Information/Review of List of Pending Matters
- Announcements
- Public Forum
- Recess or adjournment

- 8.2** The posted notice of the Agenda for the City Council shall state this order of business.

- 8.3** All matters and items of business appearing on the agenda of the City Council shall be taken up in the order in which they appear on said agenda, shall be subject to full and open debate, and shall be disposed of by vote or other action of the City Council prior to consideration of any other item of business. ~~The City Council President may alter the order of the Council Agenda.~~

- 8.4** ~~To comply with the Open Meeting Law, no item shall be brought up for a discussion or vote under New Business, unless it was not reasonably anticipated more than 48 hours before the meeting and is of a time-sensitive nature such that it would be detrimental to wait until it could be placed as a motion on the agenda of the next Council meeting.~~ *Re-number remaining rules if deleted.*

- 8.5** To comply with the Open Meeting Law, each Committee report on the agenda shall specify the action items, if any, that the City Council will be asked to vote on during the meeting.

8.6 No matter or item of business shall be referred to committee except for one or more of the following purposes:

- a) for study and report to a subsequent meeting;
- b) for the purpose of drafting an ordinance, order, or resolution;
- c) for the purpose of gathering information from persons with knowledge of or interest in matters of importance to the Council, or
- d) for any other purpose by an affirmative vote of the members.

8.7 Action by the City Council regarding appointments by the City Manager or other persons, which appointments shall require confirmation by the City Council, shall be received and automatically referred to the appropriate committee for hearing, review, and recommendation. If within thirty days of the City Council meeting where the appointment was presented, the committee takes no action to schedule a meeting for interviews; or if subsequent meetings are required and the committee takes no action to schedule subsequent meetings, then the Council Clerk shall automatically place a motion for a confirmation vote on the agenda of the next scheduled City Council meeting.

8.8 Each committee shall provide a report to the City Council on any meetings it held ideally within thirty days. The report will subsequently be included on the next regularly-scheduled City Council meeting agenda in compliance with all applicable Council rules.

8.9 A member who makes a request for information shall, no later than the next business day, provide a written summary of their request to the City Manager and a copy to the Council Clerk for inclusion in the minutes of the meeting when the request was made. A member who considers the response to their request for information to be inadequate or incomplete may repeat or supplement the request at one subsequent meeting. If, after the second request, the member feels that the response is inadequate or incomplete and wishes to request further information on the same or substantially the same matter, they must make a motion seeking a vote of the majority of the Council for their request.

8.10 No ordinance, order, resolution, or proclamation shall be received or acted upon unless submitted by a member of the City Council or the City Manager.

8.11 A petition or other matter which shall have been rejected by the members shall not be presented to the City Council for consideration in the same form or in a petition or other matter embodying substantially the same subject matter until the expiration of six months following said rejection, unless reintroduced shall have received prior approval in writing by not less than two-thirds of the entire City Council.

Rule 9. ENACTING STYLE

9.1 All laws enacted by the City Council shall be entitled ordinances and the enacting style shall be: "Be It Ordained by the Watertown City Council". All actions by which the City Council expresses its will shall be entitled orders and the enacting style shall be: "Be it Ordered by the Watertown City Council". In all actions by which the City Council expresses its opinions, principles, or purposes shall be entitled resolutions and the enacting style shall be: "Be it Resolved by the Watertown City Council". In all actions by which the City Council congratulates or thanks an individual(s) or organization(s), or marks a

holiday, occasion, or event shall be entitled proclamations and the enacting style shall be: “Be it Proclaimed by the Watertown City Council”.

- 9.2** All ordinances, orders, resolutions, and proclamations approved by the City Council, and other matters in the discretion of the Council, shall be signed by the Council President and the Council Clerk. Ordinances, orders, and resolutions shall also be signed after each meeting by an additional individual councilor (other than the Council President) on a rotating basis according to seniority. For proclamations, the additional councilor may be the sponsoring councilor. If no documents requiring signature are approved at a meeting, the councilor with signature responsibility at that meeting continues in that role until such time as a meeting requires their signature. If a councilor misses their turn in the rotation due to absence or other reason, the signature responsibility rotates to the next councilor.

Rule 10. ORDINANCES

- 10.1** Upon introduction, every proposed ordinance shall receive its first reading and shall then be referred for hearing and consideration to the Committee on Rules and Ordinances singly or jointly with such committee that shall be appropriate with such recommendation by a vote of the full Council.
- 10.2** Except in the instance of a special emergency involving the health and safety of the people or their property, no ordinance, loan order, borrowing or bond authorization shall be passed finally on the date of its first introduction. Any such emergency shall first be defined and declared in a preamble to the vote of the City Council, said preamble to be adopted upon a separate call of the roll and receive the affirmative votes of not less than two-thirds of all the members.
- 10.3** When a proposed ordinance is reported out of a committee, it is subject to debate and amendment by the City Council. The proposed ordinance shall be published in accordance with Section 2-8 (c) of the Watertown City Charter prior to a public hearing.
- 10.4** Every ordinance, or order involving a bond issue or other action pledging the credit of the City shall, before final action and passage by the City Council, be referred to the City Attorney or Bond Counsel, who shall forthwith examine same and advise the members regarding legality and notify the City Council of their findings in writing.

Rule 11. COMMITTEES -see new chart which aligns referrals to committees for confirmations

- 11.1** As soon as practicable following the organization of the City Council, the President shall appoint chairs, vice-chairs, secretaries, and members of the following standing committees:

Committee of the Whole: To consist of all members of the Council with the President as Chair, to deal with all matters referred to it by the Council.

Committee on Budget and Fiscal Oversight: To consist of three members of the Council, to consider matters pertaining to the City Budget and any other fiscal matters referred to it by the Council.

Committee on Climate and Energy: To consist of three members of the Council, to monitor and consider policy guidance on the implementation of the Watertown Climate and Energy Plan, and matters pertaining to the Environment and Energy Efficiency Committee.

Committee on Economic Development and Planning: To consist of three members of the Council, to consider matters pertaining to planning, development, redevelopment, zoning, land use, transportation networks, marketing, and promotion of current and prospective businesses in Watertown, and the Planning Board, Zoning Board of Appeals, Historic District Commission, Community Preservation Committee, Public Arts and Culture Committee.

Committee on Education and School System Matters: To consist of three members of the Council, to consider matters involving the School Department and education generally, and pertaining to the Watertown Cable Access Corp. Board.

Committee on Human Services: To consist of three members of the Council, to consider matters pertaining to Senior Services and the Council on Aging, Social Service programs, Veterans Services, Public Health, Affordable Housing, and the Board of Health, the Watertown Housing Authority, the Affordable Housing Trust, and the Human Rights Commission. and the Library

Committee on Parks and Recreation: To consist of three members of the Council, to consider matters pertaining to Parks, Recreation, the John A. Ryan Skating Arena, and the Conservation Commission. Community Preservation Committee.

Committee on Personnel and City Organization: To consist of three members of the Council, to consider matters involving City personnel, including Civil Service and proposals for organization or reorganization of the City's departments and agencies, and the Board of Assessors. and Licensing Board

Committee on Public Safety: To consist of three members of the Council, to consider matters pertaining to Emergency Management, Police, and Fire Civil Defense departments of the City, and the Traffic Commission.

Committee on Public Works: To consist of three members of the Council, to consider matters pertaining to the Department of Public Works, and the Stormwater Advisory Committee, and the Solid Waste & Recycling Advisory Committee. Conservation Commission.

Committee on Rules and Ordinances: To consist of three members of the Council, to consider the advisability and merit of proposed new ordinances or amendments to current ordinances, including the form and legality thereof; and all related legal matters, together with the City Attorney; and the Licensing Board.

Committee on State, Federal, and Regional Government: To consist of three members of the Council, to consider matters involving the Election Commission and City Clerk, and to serve as a liaison between the City and Federal Government and the Commonwealth of Massachusetts and its authorities, regional bodies, and political subdivisions.

- 11.2** City Council may from time to time establish other special or standing committees as it shall deem necessary or appropriate, which special or standing committees shall be appointed by the President as soon as practicable following the establishment thereof.
- 11.3** The terms of membership on committees shall be the same as the terms of the City Council.
- 11.4** Following the President's appointment of all committee members, the Council shall determine whether matters referred to committee but not acted upon by the prior Council shall be referred to a committee of the current Council. No matters referred to committee by a prior Council which have not been acted upon shall be taken up by a committee of the current Council unless referred by vote of the current Council. Referrals for matters that have been acted upon by a Council committee shall be considered ongoing.
- 11.5** Every committee to which a matter has been referred shall meet within a reasonable time to consider such matter. If the chair of the committee fails to call a meeting within 30 days of a referral, a majority of the committee may call a meeting. The Council may at any time vote to revoke a referral and take up a matter previously referred to committee or refer the matter to a different committee.
- 11.6** Each committee shall cause records to be kept of its proceedings.
- 11.7** It is the goal of the City Council to actively involve citizens in the work of city government through Council committees. All committees are encouraged to work with community and neighborhood groups and committees on issues that relate to these groups' mandates and interests.
- 11.8** If appropriate, City Council members shall make referral(s) to standing Committee(s) after first having communicated the essence of said referral(s) to the appropriate Department Head(s) or equivalent and received a response from said Department Head(s) or equivalent, regarding said referral. Referrals customarily made to Committee on an annual or otherwise regular basis, for example as required by City Charter, or deemed an emergency or time sensitive by the Council President, are exempt from this provision.

Rule 12. COMMUNICATIONS TO THE COUNCIL

- 12.1** The Council Clerk shall provide each member with a copy of all communications addressed to the City Council as a body or to the President or Clerk on matters of interest to the entire City Council, which would not in the course of regular business of the City Council be referred thereto for appropriate action.

Rule 13. ADMISSION WITHIN THE RAIL

- 13.1** No person shall approach the Council table in the Richard E. Mastrangelo Chamber or enter the Council Office, except upon permission of the President or other presiding officer.
- 13.2** No member of the City Council shall take the podium without the permission of the Council President or other presiding officer.

Rule 14. RECORDING OF MEETINGS

- 14.1 Except as otherwise authorized by General Law, any member or member of the public shall be permitted to make an audio or video recording of any regular or special meeting of the City Council, provided however, that such member or member of the public, shall have given notice of ~~his/her~~ **their** intent to make such a recording to the presiding officer prior to the start of any such meeting to be so recorded and that the presiding officer shall announce at the start of each meeting that it is being recorded.

Rule 15. PUBLIC PARTICIPATION

- 15.1 All members of the public are invited to speak at the first Public Forum at the beginning of a City Council meeting. A member of the public wishing to speak at the first Public Forum must place ~~his or her~~ **their** name on a list that the Council Clerk will make available at the meeting location prior to the scheduled start of the meeting. The presiding officer shall recognize speakers at the first Public Forum in the order in which their names appear on the list. All members of the public are also invited to speak at the second Public Forum at the end of a City Council meeting.
- 15.2 At the first Public Forum, a member of the public shall state ~~his or her~~ **their** name and address before making any remarks or asking any questions, shall limit ~~his or her~~ **their** remarks or questions to matters of City business or to items that are on the posted agenda for the meeting but are not scheduled for a public hearing, and shall speak for no more than two minutes.
- 15.3 At the second Public Forum, a member of the public shall state ~~his or her~~ **their** name and address before making any remarks or asking any questions and shall speak for no more than two minutes.
- 15.4 During any public forum, there shall be no direct reply to the speaker or comment from Council members. Should the topic be a policy matter, the City Council President shall provide a response, which shall also be provided to the full City Council and posted on the Council web page. Should the topic be an administrative matter, the City Manager shall provide a response, which shall also be provided to the full City Council and posted on the City website.
- 15.5 All members of the public are also invited to speak at any Public Hearing ~~and,~~ at the presiding officer's recognition ~~discretion,~~ **during or following the Council's discussion of** on the topic of the Public Hearing. The presiding officer shall recognize those wishing to speak in the order they raise their hand.
- 15.6 All members of the public recognized by the presiding officer to speak during a Public Hearing ~~or during or following the Council's discussion of~~ on the topic of the Public Hearing shall state ~~his or her~~ **their** name and address before making any remarks or asking any questions, shall limit ~~his or her~~ **their** remarks or questions to matter of the Public Hearing, and shall speak for no more than two minutes. ~~He or she~~ **They** may be recognized by the presiding officer to speak a second time on the topic of the Public Hearing for no more than two minutes but only after all other members of the public wishing to speak have spoken once.
- 15.7 Copies of Rule 15 shall be made available to the public at all meetings of the Council.

Rule 16. PARLIAMENTARY AUTHORITY

- 16.1** In all matters of parliamentary procedure not provided for in General Law, the City Charter, City bylaws, or ordinances, or these rules, the City Council shall be governed by “Robert’s Rules of Order, Newly Revised”.

Rule 17. AMENDMENT OR SUSPENSION OF THE RULES

- 17.1** In so far as these rules are not statutory in source or origin, the same may be amended, suspended or repealed at any meeting by two-thirds vote of all the members. In the event that action taken by the City Council shall be inconsistent with these rules, such action shall be deemed to have been taken in suspension thereof, provided however, that the members concur in such action.

Rule 18. DISPUTE RESOLUTION PROCESS

- 18.1** This dispute resolution process is intended to provide a framework to resolve disputes pertaining to work-related matters and the professional manner in which Councilors and employees of the City Council interact. Disputes may arise from a variety of issues. This process may be used to resolve disputes arising between Council employees as well as between Council employees and Councilors. This process is not intended for use in resolving disputes between Councilors. This process does not replace any rights that City Councilors or Council employees have under any applicable Federal or State Laws.

It is hoped that most disputes will be resolved fairly and amicably among the parties without having to utilize this formal process. It is further hoped that matters not resolved informally between the parties can be resolved working with the Council President.

The process consists of three steps as follows:

Step 1: Council President

To initiate the Dispute Resolution Process the employee(s) or Councilor(s) shall file a written complaint with the Council President outlining the matter under dispute. After receiving a complaint, the Council President must meet with both parties to the dispute within fifteen days (or by the date of the next regularly scheduled full City Council meeting, whichever is later) to attempt to resolve the matter. After meeting with the parties, the Council President must make a decision on the matter within seven days. If either party disagrees with the Council President’s decision, they may appeal the decision in writing within seven days. If the decision is not appealed within seven days, the decision is considered final.

Appeals involving the City Council employees, except the City Manager, must be made in writing to the Chair of the Personnel and City Organization Committee for an appeal hearing at Step 2. Appeals involving the City Manager must be made in writing to the Council President for an appeal hearing at Step 3.

The Dispute Resolution Process begins at Step 1 except in the following instances:

- (a) In the event that the Council President is a part to the dispute, the City Council employee(s), except the City Manager, must file their written complaint with the Chair of Personnel and City Organization Committee and proceed directly to Step 2.
- (b) In the case of a dispute between the Council President and the City Manager, the written complaint must be filed with the Vice President of the City Council for a hearing before the full City Council at Step 3.

Step 2: Personnel and City Organization Committee

Upon receipt of a complaint or appeal, the Chair of Personnel and City Organization Committee must schedule a hearing on the dispute within fifteen days (or by the date of the next regularly scheduled full City Council meeting, whichever is later). The hearing will be held in Executive Session unless the employee requests an open session in writing. After hearing the dispute, the Committee will meet in Executive Session to make their decision on the matter by simple majority. The Chair of Personnel and City Organization Committee must then issue the Committee's decision within seven days. If either party disagrees with the Personnel and City Organization Committee's decision, they may appeal the ruling in writing within seven days. If the decision is not appealed within seven days, the decision is considered final. Appeals must be filed in writing with the Council President (or Vice President if the Council President is a party to the dispute).

Step 3: Full City Council

Upon receipt of a complaint or appeal, the Council President (or Vice President if the Council President is a party to the dispute) must schedule a hearing on the dispute before the full City Council within fifteen days (or at the next regularly scheduled full City Council meeting, whichever is later). The hearing will be held in Executive Session unless the employee requests an open session in writing. After hearing the dispute, the Council will meet in Executive Session to make a decision on the dispute by simple majority. The Council President (or Vice President if the Council President is a party to the dispute) must then issue the City Council's decision on the matter within seven days. The decision of the full City Council shall be final.

Rule 19. SANCTIONS FOR VIOLATION OF RULES

- 19.1** The Council may, by a majority vote, approve a motion to sanction any member who, after being given a warning by the presiding officer, again violates the Rules of the Council or the City Charter. Sanctions that the Council may impose include a reprimand, censure, and loss of committee chair or membership. All proceedings and actions related to this motion shall be conducted in executive session and shall comply with provisions of the Massachusetts Open Meeting Law, including but not limited to the provision that the subject member shall be given written notice at least forty-eight hours prior to consideration of any such action by the Council. If the Council chooses to consider such action in open session or the subject member exercises their right under the Open Meeting Law to require that the action be considered in open session, the subject member may speak on their own behalf and may have counsel or a representative present to advise them. However, the counsel or representative may not speak in the meeting.

Definitions

Amended April 2, 2024 at the Council Rules and Ordinances Committee Meeting

Order – an enactment that expresses the will of the City Council and is adopted by a vote. The enacting style of an Order shall be: “Be it Ordered by the Watertown City Council”.

Ordinance – any City Council enactment that regulates or governs people and provides a penalty for its violation and is adopted by a vote. Ordinances have the effect of law. The enacting style of an Ordinance shall be: “Be It Ordained by the Watertown City Council”.

Proclamation – an enactment of the City Council only for the purpose of congratulating or thanking individuals or organizations for their accomplishments or contributions to the community or marking important holidays, occasions, or events and is adopted by a vote. The enacting style shall be: “Be it Proclaimed by the Watertown City Council”.

Public Forum – an opportunity for a member of the public to address the City Council for no longer than two minutes and limit his or her remarks or questions to matters of City business or to items that are on the posted agenda for the meeting but are not scheduled for a public hearing. The member of the public must give their name and address before speaking. Public Forum will take place at the beginning and the end of the City Council meeting.

Public Hearing – a discussion that takes place before action is taken by the City Council on a particular matter before it and during which members of the public are invited to speak. The member of the public must give his or her name, address and limit their comments and questions to the matter of the public hearing and speak for only two minutes. Upon the presiding officer’s discretion, a member of the public may speak during or following the Council’s discussion of the topic. A member of the public **can may be recognized by the presiding officer to speak** for a second time after all other members of the public wishing to speak have spoken once.

Request for Information – a formal action by a member of the City Council to the City Manager or Council President for administrative, operational, or financial information related to the City of Watertown.

Resolution – an enactment of the City Council that formally expresses its opinions, **principles, directives** or principles and is adopted by a vote. The enacting style shall be: Be it Resolved by the Watertown City Council. A resolution differs from an ordinance in that a resolution provides direction, while an ordinance permanently amends the code of the city and enforcement of that code.

Referrals Chart for Rules, aligned to related boards/commissions/committees per April 2, 2024

WATERTOWN COUNCIL COMMITTEE	BOARD/COMMITTEE/COMMISSION CONFIRMATIONS
<i>Budget & Fiscal Oversight:</i> City Budget and any other fiscal matters referred to it by City Council	
<i>Climate & Energy:</i> Monitor and consider policy guidance on the implementation of Watertown's Climate & Energy Plan (see "Resilient Watertown")	Environment & Energy Efficiency Committee
<i>Economic Development & Planning:</i> Planning, development, redevelopment, zoning, land use, transportation networks, marketing, and promotion of current and prospective businesses in Watertown	Planning Board; Zoning Board of Appeals; Historic District Commission; Community Preservation Committee; Public Arts & Culture Committee
<i>Education & School System Matters:</i> involving the School Department and education generally	Watertown Cable Access Corp. Board
<i>Human Services:</i> Senior Services, Council on Aging, Social Services, Veterans Services, Public Health, Affordable Housing	Board of Health; Watertown Housing Authority; Affordable Housing Trust; Human Rights Commission
<i>Parks & Recreation:</i> Recreation, Parks, and the John A. Ryan Skating Arena	Conservation Commission
<i>Personnel & City Organization:</i> involving City personnel, including Civil Service, and proposals for organization or reorganization of the city's departments and agencies	Board of Assessors
<i>Public Safety:</i> Police, Fire, Emergency Management	Traffic Commission
<i>Public Works:</i> Public Works	Solid Waste & Recycling Advisory Committee; Stormwater Advisory Committee
<i>Rules & Ordinances:</i> considers the advisability and merit of proposed new ordinances or amendments to current ordinances, including the form and legality thereof, and all related matters, together with the City Attorney	Licensing Board
<i>State, Federal, and Regional Government:</i> involving the Election Commission and City Clerk, and to serve as a liaison between the city and federal government and the Commonwealth of Massachusetts and its authorities, regional bodies, and political subdivisions	Election Commissioners

Minutes of Council Rules & Ordinances Committee Meeting
Tuesday, March 5, 2024 at 6:00 p.m. in Louis P. Andrews Conference Room, 3rd Floor

AGENDA: Continue Discussion of City Council Rules for the 2024-2025 Term.

Present: John Gannon, chair; Lisa Feltner, secretary; (John Airasian, vice chair was absent).

Also present: Municipal Policy Analyst Doug Newton; Councilors Palomba, Piccirilli, Bays, Gardner; Linda Scott, Clyde Younger; and via zoom: Councilor Izzo, Michael Albano, Rita Colafella, Joan Gumbleton, lucinda505's iPad, Carolyn Gritter, Josh Rosmarin.

Chair Gannon convened this second committee meeting on Council Rules at 6:03 p.m. and announced his intention adjourn about 7:30 due to the election. Councilor Feltner moved to accept the draft minutes of February 20th, approved 2-0. She then shared the City of Taunton website (with CivicPlus) as one example for requesting a proclamation or honorary citation <https://www.taunton-ma.gov/365/Request-a-Proclamation-Citation>. The committee agreed that the Council President and City Manager could work with staff to enhance our website to provide a public process and tool to request a Proclamation or honorary citation, rather than including a new rule for this.

At 6:14 Chair Gannon stated the committee had not finalized Council Rules yet, so he opened the floor to attendees to hear comments about Rule 15 Public Participation. Clyde Younger spoke to the recent Mass. SJC Barron v. Kolenda case involving Southborough; he feels a two-minute time limit for Public Forum conflicts with the constitutionally protected right to assemble and petition town leaders. The committee reflected that the SJC opinion addressed restricting the content of speech; we do have the ability to adopt time, place, and manner for public comment as “neutral” restrictions. It was also noted that it is commonplace for local government meetings to have only one public forum with a two-minute limit, although some may allow three minutes or offer none. Regular Watertown City Council agendas have two public forums and although the rules state a two-minute limit, the presiding chair (Council President) is empowered with flexibility. Also, Council Committee meetings are usually open to frequent public comment, at the discretion of the chair; other communities restrict or even prohibit public comments at their working committee meetings. Generally, the committee and most attendees felt the two-minute limit seems to work well as a standard, and the chair manages the clock and has discretion. Of course, public comment is also accepted during public hearing items. It was acknowledged that public forums can be affected by different things, such as the number of people who wish to speak, the ability of the speaker's main points to be heard and understood due to language or disability, connection issues, etc. and the President offers people the opportunity to speak more than once. Emails and written comments are read aloud at meetings as requested (within a two-minute timeframe) and they are attached to subsequent Council Minutes. Linda Scott submitted a resident petition with over 125 signatures requesting three minutes at both public forums for City Council meetings, and she expressed that public speakers are frequently nervous, may feel intimidated and are worried about feeling more pressured by seeing a new “countdown clock” and are often left feeling more frustrated than heard. Clyde Younger has also collected some signatures on the same concerns. Councilor Palomba favors changing Council Rules to automatically allowing three-minute comments at Council public forums. The committee did not propose changes to Rule 15.

At 6:52 Chair Gannon recognized Rita Colafella on zoom; she supports allowing two-minute comments during public forum as it is respectful of people's time and seems fair. Councilor Feltner read aloud some recently received emails and acknowledged that others would be attached to committee minutes. Via zoom, Joan Gumbleton referenced her email in support of allowing three-minutes during public forum as some people need more time than others to express their concerns. Chair Gannon shared that proposed new Definitions by Councilor Palomba are under review by the city attorney, but he has not heard back from KP yet; definitions were not discussed by the committee.

At 7:06 the committee moved to discuss Rule 8.7, as it is somewhat related in process with the latest change to Charter section 3-2 concerning appointments and the task of determining desirable qualifications for positions. Feltner suggested borrowing language from the Charter (see section 3-2, 3A); these appointments don't require Council confirmation. There was some concern about stipulating Council “take action” within 30 days, as this meeting calendar also needs to be coordinated with the manager concerning department heads or other employees under his supervision; time limits for action are not imposed by Charter for any confirmations. It was recognized that action as defined in Rule 8.7 reads “...action to schedule a meeting for interviews...” thus it doesn't mean you have to meet within 30 days but to start the process of responding to a referral. Gannon suggested analyst Doug Newton could work on draft language with Councilor Piccirilli for addressing process on appointments; Feltner will include her sample in meeting notes.

After discussing Rule 8.8 and the various reasons why committee minutes and reports to Council may take longer than 30 days, it was decided to insert “ideally”; this recognizes the desired goal of reporting on meetings held within 30 days, while acknowledging this may not always be attainable.

Councilor Feltner introduced a chart and summarized some proposed changes, to align each council committee with Request for Confirmation to the various city appointed committees, commission, and boards. The committee will continue discussion on Rules 8.7 -on, at the next meeting, TBD.

At 7:33 PM Feltner made a Motion to Adjourn, seconded by Gannon, accepted 2-0.

Respectfully submitted, Lisa Feltner

Attached: updated Rules chart as of Mar 6; draft Rules text as of Mar 6; proposed referral for confirmation chart; emails received; resident signature sheets (12) requesting change to Rule 15.

Emails received by Rules and Ordinances Committee for the March 5, 2024 Meeting

Carolyn Gritter <cagri@me.com>

To: Feltner, Lisa

Tue 3/5/2024 4:13 PM

Rule 15

Councilor Feltner:

I respectfully request to be recorded in favor of amending Rule 15 to allow members of the public to speak for three minutes instead of two minutes in Public Forum at the beginning and at the conclusion of City Council meetings.

Respectfully submitted,

Carolyn A. Gritter

20 Watertown St.

Joan Gumbleton gumbletonj@aol.com

To: Gannon, John; John Airasian; Feltner, Lisa

Tue 3/5/2024 3:07 PM

Comment on Rules and Regulation of Two-Minute Rule

Dear Councilors,

I can't attend the Rules and Ordinances Meeting tonight, but I do want to express my thoughts on the two-minute rule that is in existence for commenting at city meetings. I would like to see the time extended to three minutes.

As I have spoken on a number of issues in the last few years, most times I can conclude my comments within the two-minute rule. However, we have had some issues that require investigation of details that take more time to explain. By going through the presentation in too fast a manner, the key points can be missed by many people, especially those who are not familiar with the topic. (I can remember a time when Councilor Piccirilli read my comments for me and it was a challenge for him to keep it under two minutes.)

In some cases, people are not comfortable with public speaking and may not be as organized with their thoughts and may need a little more time. In other cases people attending the meeting aren't planning to speak but find themselves wanting to comment without prepared notes.

To be sure all of our residents feel comfortable with presenting their thoughts, increasing the time from two to three minutes would be extremely helpful without adding that much time to the meetings. It may actually shorten them if people don't have to come back at the end of the meetings with additional comments on the same subject. Some residents take less time and it probably balances out in the end.

Your consideration of extending the rule to three minutes would be truly appreciated. Perhaps people could be encouraged to try to keep their comments around the two-minute mark, but that if they needed three minutes, it would be allowed. Thank you.

Sincerely,

Joan Gumbleton

32 Falmouth Rd.

McCarthy, Brendan

To: **City Councilors**

Tue 3/5/2024 2:24 PM

Comments Submitted for Tonight's Rules and Ordinance Meeting

Clyde Younger 2 Minute Comments.pdf **408 KB**

FYI

Attached is a document prepared by Clyde Younger in anticipation for tonight's meeting regarding Council Rules - specifically the two minutes rule.

Thanks,

Brendan

March 4, 2024

Barron v. Kolenda

Justia Opinion Summary

The Supreme Judicial Court reversed the judgment of the superior court against Plaintiffs and directed the court to enter a judgment declaring the "public comment policy" of the town of Southborough unconstitutional, holding that the town's public comment policy violated rights protected by articles nineteen and sixteen of the Massachusetts Declaration of Rights.

At issue was the policy of the board of selectmen of Southborough that outlines the public comment portion of its meetings where town residents may address the board ("public comment policy"). Plaintiffs argued, among other claims, that the policy violated their constitutionally-protected right under article nineteen "to assemble, speak in a peaceable manner, and petition ... town leaders for redress." The Supreme Judicial Court reversed the superior court's decision rejecting the argument that the town's public comment policy was unconstitutional, in violation of articles nineteen and sixteen, holding that the town's civil restraints on the content of speech at a public comment session in a public meeting were forbidden under both articles nineteen and sixteen.

Ms Colafella made reference to this case cited above in her February 18, 2024 email. The email was read aloud by Councilor Feltner. Ms Colafella's argument in support of the continuance of the two-minute rule rested on Barron v. Kolanda. I quote a certain portion of her email that reads as follows: "Additionally, I strongly recommend this because of the Barron v. Kolanda case from Southborough in which the state Supreme Court decided that government officials can no longer request civil commentary from the public.

The Court did not say government officials can no longer request civil commentary from the public. The decision stated it cannot "RESTRICT" and apparently agreed with the plaintiffs that article nineteen constitutionally-protected the right to assemble, speak in a peaceable manner, and petitiontown leaders for redress.

At issue, as you address updating your policies, is whether all issues can be expressed in a cogent manner in two minutes. Cutting one's comments midstream is not in keeping or in conformance with conducting city business. Likewise, a twenty-five minute dissertation is not warranted. Even if you were to speak for twenty-five minutes, people would stop listening.

Karin Rosenthal <krosenthal45@gmail.com>

To: **City Councilors**

Mon 3/4/2024 11:48 PM

Please extend 2 minutes to 3!

Clyde Younger had it right:

"The old two minute rule was for simpler times. As we embark upon the bustle of a metropolis it is logical issues are more complex. Thus operating under old rules is nonsensical."

I support extending the old two minute rule to 3 minutes.

Thank you,
Karin Rosenthal
150 Irving Street

Joseph Levendusky <jlevendusky@earthlink.net>

To: **City Councilors**

Mon 3/4/2024 9:33 AM

Revise Two Minute Rule

Councillors—

I am writing in favor of raising the two minute limit to three minutes.

Doing so would be an important gesture toward proving the Council's respect for citizen's thoughts. It would be an affirmation of the values of democratic participation.

I believe that the impact in terms of lengthening meetings would be minor, as more folks would finish their comments in the first round.

Thank you for your consideration.

Joe

Joseph Levendusky

13 Templeton Parkway

Watertown, MA 02472

617.515.8597

jlevendusky@earthlink.net

Kathi Breen <kathi1229@hotmail.com>

To: **City Councilors**

Thu 2/29/2024 5:28 AM

I Support the 2-Minute Limit for Public Comments

Just want to let you know that.

Kathi Breen

186 Boylston St.

Watertown, MA

Christopher Tattrie <ctattrie@locusrobotics.com>

To: **City Councilors**

Mon 2/26/2024 11:49 AM

I support 2 minutes

The City Council has a lot of work to do and many issues to cover.

Victory Field Phase II, ADU's, Noise Ordinances, etc, etc..

Thanks,

Chris Tattrie

21 Theurer Park



Watertown City Council Committee on Public Works

Councilor Piccirilli, Chair, Councilor Feltner, Vice Chair, Councilor Palomba, Secretary

Committee Report

April 16, 2024

The Committee on Public Works met on Tuesday, April 16, 2024 in the City Council Room at 5:00 PM to interview Ms. Jill Ayers for appointment to the Conservation Commission for a term ending February 15, 2025. All the members of the Committee were present as well as Ms. Ayers.

Councilor Piccirilli introduced the Committee members to Ms. Ayers. He gave a brief overview of the role of the Conservation Commission. He also reviewed the existing ponds, wetlands, and open space in Watertown that are overseen by the Commission. Ms. Ayers noted that she had spoken to a member of the Commission and attended one meeting before applying which gave her some idea of what the Commission's responsibilities are.

In response to the question of "Why do you want to serve on the Conservation Commission?", Ms. Ayers explained that she wanted to get more involved in Watertown and while at a visit to the Farmers' Market she saw material about the City needing volunteers to serve on various committees, boards, and commissions. The Conservation Commission was particularly interesting to her because she has always had an interest in the environment and felt working with like-minded people would be rewarding. She also noted her strong belief in giving back to her community and in making a difference as a volunteer. Presently she fosters animals and is a member of Sea Shepherds, a New England non-profit focused on education and advocacy around water resources.

Councilor Palomba made the following motion –

That the Committee recommend to the full City Council to approve the appointment of Ms. Jill Ayers to the Conservation Commission for a term ending February 15, 2025.

Councilor Feltner seconded the motion and it passed 3 -0.

Councilor Feltner made a motion to adjourn which was seconded by Councilor Palomba and passed 3 – 0. The meeting adjourned at 5:15 PM. The minutes were prepared by Councilor Palomba.

Vincent J. Piccirilli, Jr., Chair	Lisa J. Feltner, Vice Chair	Anthony Palomba, Secretary
--------------------------------------	--------------------------------	-------------------------------