



# Watertown Town Council

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ELECTED OFFICIALS:

Mark S. Sideris,  
Council President

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

Caroline Bays  
Councilor At Large

Anthony Donato,  
Councilor At Large

Susan G. Falkoff,  
Councilor At Large

Anthony Palomba,  
Councilor At Large

Angeline B. Kounelis,  
District A Councilor

Lisa J. Feltner,  
District B Councilor

Kenneth M. Woodland,  
District D Councilor

## RESOLUTION #22

2019 – R – 22

### RESOLUTION AUTHORIZING FILING WITH THE GENERAL COURT OF A PETITION FOR A SPECIAL ACT FOR A PUBLIC-PRIVATE PARTNERSHIP TO UNDERTAKE RENOVATIONS AND IMPROVEMENTS AT ARSENAL PARK

**WHEREAS:** The City known as the Town of Watertown owns and controls the property known as Arsenal Park, consisting of approximately 13.7 acres which provides open space and recreational amenities for leisure and sports activities; and

**WHEREAS:** Arsenal Park is under the care, custody, and control of the Town's Conservation Commission; and

**WHEREAS:** The Town has undertaken a planning process for extensive renovation and improvements to Arsenal Park, known as the Arsenal Park Plan; and

**WHEREAS:** Phase 1 of the Arsenal Park will provide final design and construction of the eastern most 240 foot portion of the Park; and

**WHEREAS:** The 25% design for Phase 1 of the Arsenal Park Plan has been approved by the Conservation Commission; and

**WHEREAS:** The Town Council of the City known as the Town of Watertown approved a conceptual recommendation on the Fiscal Year 2020-2024 Capital Investment Program related to the design and construction funding of the Arsenal Park Plan in FY2020; and

**WHEREAS:** Arsenal Park is adjacent to the Arsenal Yards development site, upon which is proposed to be constructed residential, commercial, recreational, and entertainment facilities; and

**WHEREAS:** The Arsenal Yards project will include a significant green space which will adjoin the eastern portion of Arsenal Park; and

**WHEREAS:** The Arsenal Yards project is being undertaken on an accelerated basis to provide an optimal setting for tenants and the public, including the aforementioned green space; and

**WHEREAS:** The Town would benefit from acceleration of Phase 1 of the Arsenal Park Plan; and

**WHEREAS:** It is in the best interest of both the Town and the developer of Arsenal Yards that the development of all green space be coordinated to provide maximum public benefit within the Town; and

**WHEREAS:** An opportunity is presented by the mutual goals of the Town and the developer of Arsenal Yards to coordinate green space and park development including the joint use of landscape and site contractors already working on the Arsenal Yards project to construct the eastern end of Arsenal Park; and

**WHEREAS:** Such coordination would allow for expedited design and construction to coincide with the fall opening of adjacent businesses and residential areas; and

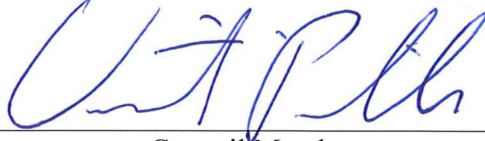
**WHEREAS:** The statutory procurement process associated with the Town's construction of the Arsenal Park Plan improvements would impact the Town's ability to coordinate efforts with the private developer and negate any savings to the taxpayers that may have been achieved through a public-private partnership to the Town; and

**WHEREAS:** Delays in the implementation of improvements to the Eastern portion of Arsenal Park will require an unsightly sectioning-off of that area from the improved Arsenal Yards development green space due to safety, liability, and other concerns; and

**WHEREAS:** A public-private partnership allowing for accelerated development of the eastern portion of Arsenal Park provides significant public benefits to the Town.

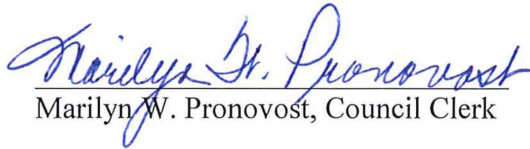
**NOW THEREFORE BE IT RESOLVED:** That the Town Council of the City known as the Town of Watertown hereby authorizes the filing with the General Court of a petition for a Special Act in the form attached hereto authorizing the Town of Watertown to enter into one or more agreements with private parties for the coordination, funding, and construction of renovations, improvements, and upgrades to the property owned and controlled by the Town of Watertown and known as Arsenal Park on such terms and conditions, including the length of their term thereof, as shall be determined by the Town Manager to be in the best interests of the Town, and that any contracts therefor shall be exempted from the provisions of the General Laws related to the construction, reconstruction, alteration, remodeling, repair and maintenance of improvements to public property, such exemption not to include the requirement for the payment of prevailing wages; and

**BE IT FURTHER RESOLVED:** That the General Court may make clerical or editorial changes of form only to the bill, unless the Town Council approves amendments thereto before enactment by the General Court.



\_\_\_\_\_  
Council Member

I hereby certify that at a Meeting of the Town Council for which a quorum was present, the above Resolution was adopted by a vote of 9 for, 0 against, 0 present on April 9, 2019.



\_\_\_\_\_  
Marilyn W. Pronovost, Council Clerk



\_\_\_\_\_  
Mark S. Sideris, Council President

An Act Providing for the Construction of Improvements to  
Arsenal Park in the Town of Watertown

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
and by the authority of the same, as follows:*

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the city known as the town of Watertown is hereby authorized to enter into one or more agreements with private parties for the coordination, funding, and construction of renovations, improvements, and upgrades to the property owned and controlled by the town of Watertown and known as Arsenal Park on such terms and conditions, including the length of the term thereof, as shall be determined by the Town Manager to be in the best interests of the Town.

SECTION 2. The procurement of construction services for such renovations, improvements, and upgrades may be undertaken in cooperation between the town and the private parties utilizing public and private funds, and any contracts therefor shall be exempted from the provisions of the general laws related to the construction, reconstruction, alteration, remodeling, repair and maintenance of improvements to public property, including chapter 30B, sections 44 to 58, inclusive, of chapter 7C, sections 44A to 44H, inclusive, of chapter 149, and section 39M of chapter 30 of the general laws.

SECTION 3. The provisions of sections 26 through 27H, inclusive, of said chapter 149 shall apply to any contracts entered into for the construction of such improvements to said Arsenal Park.

SECTION 3. Prior to the construction of any improvements pursuant to this act, any contractor hired hereunder shall provide the town of Watertown with a performance and labor and materials payment bond in the amount of one hundred percent of the value of the

improvements to be constructed upon the public property, and with certificates of insurance indicating the existence of such coverage as the town manager shall determine to be in the best interests of the town.

SECTION 4. All improvements constructed pursuant to this act shall become and shall remain the property of the town of Watertown.

SECTION 5. This act shall take effect upon its passage.

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