

# MINUTES

## WATERTOWN TOWN COUNCIL REGULAR MEETING

WATERTOWN HIGH SCHOOL  
TECHNOLOGY CENTER  
MONDAY, MARCH 16, 2009, 7:30 P.M.

**PRESENT:** Elaine Adams, Chairman  
Gary Bernier  
Mr. Demirs  
Richard DiFederico  
Richard Fusco  
Carl Mancini  
Raymond Primini, Vice Chairman  
Paul Rinaldi

**ABSENT:** Scott Marotta

**OTHERS PRESENT:** Karen Baldwin, Superintendent of Schools  
Marilyn Clements, Commerce Bank  
Chuck Frigon, Town Manager  
Gary Miller, Interim Director of Operations, Board of Education  
Frank Nardelli, Assistant Town Manager/Finance Director  
Audio Technician

**OTHERS ABSENT:** None

### 1. Call Meeting To Order

Ms. Adams, Chairman, Called the Regular Meeting to Order at 7:35 p.m.

Ms. Adams, Chairman, Called a Recess at 7:35 p.m. (in order to finish the Special Town Meeting already in progress).

Ms. Adams, Chairman, Reconvened the Regular Meeting at 7:43 p.m.

### 2. Roll Call

Ms. LaForme, Board Clerk, executed the Roll Call.

### 3. Pledge of Allegiance

Ms. Adams, Chairman, led the Pledge of Allegiance.

**4. Public Participation**

**Rick Mastroianni, 22 Elm Street, Oakville, CT 06779**

**Mr. Mastroianni:** Good Evening Madam Chair, Members of the Town Council, and everyone gathered with us this evening. Before I begin I would like to introduce myself, I'm Rick Mastroianni, a Senior at Watertown High School, planning to attend Columbia College, Chicago's Film and Video Program. I'm an advocate of extracurricular activities, not limited to Student Council in Watertown and the musical theater program. I believe it's important for students to not only do well in class, but to better themselves outside of the school as well. As a matter of fact, that's what brings me here tonight.

As a Senior at the High School, I was given the option at the beginning of the year to design my own course. If you are not familiar with this, it's called an Independent Study. It was back in September that I sat down with the given packet that was mandatory to fill out. It asked questions such as "what is the title of your course", "what is the course", and "who will aid you in this process", and most importantly "what you hope to accomplish". As (inaudible) thinking I had the idea to create my course based on the current economy, not (inaudible) or in the United States, but locally. The economic situation of Watertown and Oakville is dear to all of us in this room, whether it be house values, teacher salaries, new business, or just being able to provide a meal for your children, or living on a fixed income. Therefore, I designed a documentary, "Budget", which aims to delve into parts of this Town's budget process, the main focus being education. For a decade members of Watertown and Oakville have disagreed on this aspect of the Town budget, and essentially I feel that this sentiment can easily bring us together rather than tear us apart. "Budget" will give an unbiased perspective in order to destroy that horrible boundary between those who vote yes and those who vote no. We have to remember, either decision is not right or wrong. Every person in this room, in Watertown, and in this Country has the right to vote however they please.

The independent study itself has long been approved and plans for the actual distribution are currently being finalized. So far I have scheduled interviews with members of the Board of Education, concerned senior citizens, several parents of my peers, many of whom are actually against the education budget. In the past few months I have already interviewed the Superintendent of Schools, Karen Baldwin, the faculty at Watertown High School, I have been to speak with local business owners, members of VOICE, WOTA, and finally I will sit down with Townspeople who honestly have no opinion on what they're going to vote. My advisor on this project is David Hoffman, who could not be here this evening. We both agreed that the best way for me to be graded on the final video is on how unbiased it is. Unfortunately with the amount of help I have willingly received from the Board of Education, I am afraid that this project will turn out slanted if I do not receive your help. I guarantee you "Budget" will be a learning experience for everyone, including myself.

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Members of the Town Council, I am putting forth the opportunity for you to help me in a difficult process, and I am requesting the chance for me to merely take a few minutes with 1, 2, or 3 of you within the next month. I will give you questions in advance. In fact I have them with me this evening. I will allow you as much time as you require to look them over before you answer. For instance, I gave Superintendent Baldwin her questions two weeks ahead of time. In order to make this an effective documentary, I need everything to be represented from all perspectives, and for that, again, I need your help. Thank you.

**Ms. Adams:** Well thank you. I really have to commend your willingness to go forward and do something along these lines. I know there's been times when Council members have gone and tried to (inaudible) and stuff like that but I love the idea so I don't have any problem doing it. I think probably the best way is if you can talk to some of us after the meeting.

**Mr. Mastroianni:** Absolutely, thank you very much.

**Ms. Adams:** Obviously there's no (inaudible) to do this, but if anyone would like to do that.

**Mr. Bernier:** By the way, you spoke very eloquently. He came before the Budget Subcommittee and my recommendation was for him to come and speak to all of us. Thank you and (inaudible).

**Judy Wick, Northfield Road, Watertown, CT 06795**

**Ms. Wick:** I would like to speak to Item 9H on the Agenda, it concerns an ordinance and I guess the first question I have to ask is when did it become part of Planning and Zoning's charge to write other than zoning regulations? Did this Council agree to abrogate its responsibility to the Planning and Zoning Commission? Did this Council approve the hiring of an attorney to write this Ordinance? Wouldn't the normal course be, if Planning and Zoning felt the need for such an ordinance, that they would come to the Council or the Ordinance Subcommittee to request this? What's going on here? Has Planning and Zoning become a government unto itself? I read this proposed ordinance and in a nutshell it says you, the public, cannot challenge anything we do, and if any citizen does, then we, Planning and Zoning, can and will run up legal bills that will bankrupt the Town. We just had a Town Meeting to decide whether the taxpayers are responsible for unauthorized legal bills and now this Council is being asked to make sure that there will be no question about that in the future. We will pay. The Council has the authority, I believe, that this proposal goes no further. I hope you will do that, and by the way, not approve the payment of the unauthorized (inaudible) to write it. We have had Planning and Zoning in this Town for 50 years and have never had need for this kind of an ordinance. That should tell you all you need to know about what's happening with Planning and Zoning right there. Thank you.

**Al Mickel, 95 Woodland Avenue, Watertown, CT 06795**

**Mr. Mickel:** I'm going to speak about the same topic. I got the Charter out and read Section 306-31, it's pretty straightforward. It says "the Council shall appoint, and may remove for cause a regular or alternate member of the Planning and Zoning Commission. The Town Council may remove any regular member or proportionate member for cause by majority vote, by (inaudible) vote (inaudible) should be notified and afforded the opportunity for a Hearing." That's pretty straightforward, pretty (inaudible), pretty simple. I don't see any need to change it. Thank you.

Ms. Adams, Chairman, closed Public Participation at 7:51 p.m.

**5. Minutes**

A. Regular Meeting Minutes – March 2, 2009

MOTION: (Mr. Fusco, sec. Mr. Primini) to Approve the Regular Meeting Minutes dated March 2, 2009 as presented.

Discussion: None

MOTION PASSED UNANIMOUSLY

B. Special Meeting Minutes – February 23, 2009

MOTION: (Mr. Fusco, sec. Mr. Primini) to Approve the Special Meeting Minutes dated February 23, 2009 as presented.

Discussion: None

MOTION PASSED UNANIMOUSLY

C. Special Town Meeting Minutes – February 17, 2009

MOTION: (Mr. Fusco, sec. Mr. Primini) to Approve the Special Town Meeting Minutes dated February 17, 2009 as presented.

Discussion: None

MOTION PASSED UNANIMOUSLY

**6. Chairman's Report**

A. Correspondence

**Ms. Adams:** I have none.

**7. Subcommittee Reports**

**A. Public Works Subcommittee – Raymond Primini**

**Mr. Primini:** We met last Monday and we reviewed our snow budget. So far sand and salt, we're running about 95%. As far as the overtime account, we're really not sure because . . . .

**Mr. Nardelli:** They accumulate comp time instead of getting paid during the snowstorms, so at the end of the year, per contract, we have to pay them out either comp time that they've accumulated, so once that hits we'll be (inaudible). So we don't know, because they can use that as time off as opposed to getting paid, so between now and the end of June . . . .

**Mr. Primini:** We're looking, we're teetering right on our budget, maybe we might be a little over right now.

**Mr. Nardelli:** That's correct.

**Mr. Primini:** But compared to other towns, so we're running probably, it could be about 100% or 105% of the budget right now, we're looking at a ball park, we couldn't come up with an exact figure, so we are (inaudible).

**Mr. Nardelli:** That's correct.

**Mr. Primini:** We had a large public participation over the street light program and as some of you may have noticed, the street lights have started to come down. We actually added about 80 street lights, part of our program is there is no guideline from CL&P. The only guidelines we have are from the Department of Transportation which requires street lights at every intersection or illumination of every intersection so we've actually removed about 80 lights to come into compliance with that. So far it's been going pretty good. We had one week where a couple of people came that their lights were out, but we did not remove the light, it was just a faulty light fixture so we encourage people if they do have that problem, by all means contact the Public Works Department so it can be taken care of. There were about 5 streets that we were reviewing as of last week and we're going to send them back to the Police Commission. If they are considered a high crime area or anything like that, there's a process we have since we've taken on this program, the Public Works Subcommittee met with the Police Commission and the areas they feel are high crime areas we will leave alone. We might be putting some back, but it's really getting down to the wire right now, and so people are starting to notice (inaudible) that's why this program has been going on for a year and a half and both newspapers have been very cooperative to report it and I think (inaudible) but it has been reported extensively like that. We're getting down to the wire right now and (inaudible) mandate from the Town Council to cut down by \$15,000 to \$20,000 and we're getting down to that figure right now.

- B. Finance Subcommittee – Gary Bernier

**Mr. Bernier:** We continue to meet. Our next meeting is tomorrow night and then again on Thursday. We're almost done with all of the department heads and (inaudible) we'll come back with recommendations to the Town Council.

- C. Public Buildings Subcommittee – David Demirs

**Mr. Demirs:** We did a walk through last Saturday at Judson School. The classrooms are starting to be sheet rocked, the concrete is poured in the front, and they have it sealed up pretty good for the weather, and everything is starting to move along pretty quickly. Hopefully it will be done by August 1<sup>st</sup>. Everything is going great. I have a meeting and a walk through of the High School Wednesday night.

## **8. Town Manager's Report**

### Shovel Ready Projects

The Council of Governments, Central Naugatuck Valley, prioritized their list of shovel ready projects and handed them into the State. Watertown ranked 3<sup>rd</sup> for the repaving of French Street, 5<sup>th</sup> for Main Street sidewalks, 16<sup>th</sup> for Davis Street site line improvements, 19<sup>th</sup> for Bunker Hill Road, 22<sup>nd</sup> for Bunker Hill Road spot improvements, and 23<sup>rd</sup> for Echo Lake Road sidewalks, so all 5 project did make it on the final prioritized list.

**Mr. Primini:** The question that came up about that was why French Street, or those streets, but as part of the program it had to be a major road.

**Mr. Frigon:** It had to be an arterial or a major thoroughfare.

**Ms. Adams:** I'm trying to remember the last time French Street was done, probably the early 80's and it is starting to deteriorate and it is our only east/west road.

**Mr. Frigon:** It's in decent shape now, (inaudible) the base is in good shape and repaving it now certainly would give us longevity.

**Mr. Demirs:** Are they going to do Bunker Hill Avenue?

**Mr. Primini:** From Straits Turnpike to Waterbury. (Inaudible) w wanted to put for, our side streets were really getting bad, but we had to limit it to major roads so we're getting whatever we can.

**Ms. Adams:** We do know how to apply for grants.

**Mr. Demirs:** I drive in from Waterbury on Bunker Hill Avenue, and it's nice and smooth in Waterbury, but once you get to the top of the hill, it's a little rough.

**9. New Business**

- A. Consider a Resolution as well as Authorize the Town Manager to enter into and execute an Agreement with Commerce Bank for a Accounts Payable Agreement to allow the Town of Watertown to Obtain a Credit Card Account

“RESOLUTION

RESOLVED, that any one of the following:

Charles Frigon

he and each hereby is authorized, directed, and empowered to establish credit card accounts (“Accounts”) with the Commerce Bank, N.A. (Omaha, NE) (herein called “Commerce”) and to execute all documents to effectuate this purpose which he/she may deem necessary and proper, including without limitation any application and agreement to open the Accounts.

FURTHER RESOLVED, that any one of the foregoing named officers of this Corporation may from time to time request Commerce to issue bank cards to any person in connection with any of the Accounts.

FURTHER RESOLVED, that any of the foregoing named officers of this Corporation may from time to time appoint an Administrator to assist Commerce in the administration of the credit card program as provided in the Commerce Bank Commercial Card Agreement.

FURTHER RESOLVED, Commerce is authorized to act upon these resolutions until written notice of revocation is delivered to Commerce, and that the authority hereby granted shall apply with equal force and effect to the successors in office of the officers named herein.”

**Marilyn Clements, Commerce Bank**

**Ms. Clements:** Basically it’s a completely free accounts payable program. We ride on a Visa route, so each time you go to pay a bill, what we’d like to see you do is have you pay with a Visa Card. It’s not a card per say, it’s a ghost card, but each time you pay a bill with that Visa program, you’re going to generate revenue. So the revenue comes from the vendors. On the vendors side they know accepting the card, they have to pay a percentage, 1.5% to 2%, and they’re okay with that. We know we’re not going to catch 100% of your vendors, we’ll get a percentage of your vendors and actually I’ve run your vendors through Visa and it came out quite nice. If I had to compare it to something, I’ve got my debit card, so each time I go to use my debit card, I try to even use it now for a cup of coffee cause I gain points from it. Well this is better cause it’s cash and it’s a monthly check given to the Town. That’s pretty much it in a nutshell.

**Mr. Nardelli:** We'd be paying our bill electronically and again when we pay these, Sprint and CL&P accept Visa or MasterCard so we should get 1% to 2% back on our money every time we do that and again we have a list of vendors who are currently participating by using either Visa or MasterCard and we would get hard dollars back. Again it's like using your personal charge card when you buy something so the Town would be doing the same thing. We anticipate generating between \$50,000 and \$100,000 by doing that, but again this program, we have the software, they give us the software to implement it. We've had our IT person look at the software and he doesn't see a problem with it. I had Paul Jessell look at the agreement and he didn't have a problem with the agreement either. I think it's something we should be doing obviously to generate some revenue.

**Ms. Adams:** I know myself with the credit cards and there are certain ones that give you "x" amount of points back, this is actually cash, they just give a gift card thing. I love it.

**Mr. Primini:** You mentioned CL&P. Now I pay my bills on line and I know a phone company it goes on the credit card, but CL&P charges a fee for using a credit card.

**Ms. Clements:** We've got a (inaudible) so I actually went in and I sent all of your vendors off to the (inaudible). They tell me who is going to accept the Visa Card, so we got that list and then we sent it to Commerce Bank to find out what vendors we have (inaudible) that's who we're going to start with. We have an enrollment team that that is what they do for a living, that each time they enroll a vendor on this program they get paid, so I mean I would love it if, CL&P is on the list, if they're going to charge the Town we're not going to use them.

**Mr. Primini:** I know I pay CL&P with my checking account because they'll charge me about \$3.50 to use a credit card, cause they don't directly accept credit cards. The only question I'm going to have is that yea, I use a Visa/MasterCard where I get, well it used to be 5% cash back and then 3% cash back in certain areas, but I know somebody else is paying for that. Usually the vendor (inaudible) so is that going to bump up the (inaudible) later on? They're going to make their money one way or the other. I'm just wondering if this is going to add more onto the price that they're charging us?

**Ms. Clements:** Absolutely not. That's another thing that our enrollment team does and the account manager that will be assigned to this account, the way we're earning money is through our customers, so if you're not making money and there's absolutely no binding contract here, so if the Town isn't making money, Commerce Bank isn't making money so we want to do the best we can for you.

**Mr. Primini:** We're not locked into this?

**Ms. Clements:** No. All you basically have to do is stop paying on our (inaudible). There is no binding contract.

**Mr. Nardelli:** Like Home Depot, there are exceptions, credit cards, I mean we'd be crazy not to do it. Again we have a whole list of vendors that are currently accepting that that we should be really taking advantage of and I don't see Home Depot upping their prices to try and recoup what Watertown is buying, you know what I'm saying?

**Mr. Frigon:** And again Ray, this isn't credit, this is an electronic transfer.

**Mr. Primini:** I understand that, but (inaudible).

**Mr. Bernier:** Between (inaudible) hundred thousand dollars in revenue, I like it.

**MOTION:** (Mr. Fusco, sec. Mr. Primini) I move to approve a Resolution as well as authorize the Town Manager to enter into and execute an Agreement with Commerce Bank for an Accounts Payable Agreement to allow the Town of Watertown to obtain a Credit Card Account.

**Discussion:** None

**MOTION PASSED UNANIMOUSLY**

- B. Consider an Appropriation in the Amount of \$19,376.64 from the General Fund to the Board of Education budget for the Reimbursement of Special Education Fees. Funds have been deposited into the General Fund from New Hope Manor due to a Refund

**MOTION:** (Mr. Fusco, sec. Mr. Primini) I move to approve an appropriation in the Amount of \$19,376.64 from the General Fund to the Board of Education budget for the Reimbursement of Special Education Fees.

**Discussion:** None

**MOTION PASSED UNANIMOUSLY**

- C. Consider a Bid Waiver for the Purchase of Follett Destiny Resource Management Solution Program for the Swift Middle School for an amount not to exceed \$36,426.70 (postponed from 03/02/09)

**Ms. Adams:** The Council had questions regarding this system and the FF&E and I believe Chuck spoke to Karen and relayed the concerns of the Council.

**Mr. Miller:** I believe you've all been given the documents that were sent to the Board of Education at their last meeting. I put together a one page sheet that describes the Follett System and also accompanying it is the request for waiver you also got the sole source document for Follett. There used to be a number of different vendors that provided this level of software, Follett now owns all of them so going out to bid, there would only be one bidder, Follett.

This system takes advantage of a number of features that I think are very advantageous not only to the Board of Education but to the Town of Watertown. Besides managing the circulation and inventory of the library, and with the investment the Town is making in the schools for new libraries at Swift, Watertown High School, Judson, and eventually Polk, and the library you already have at Trumbull, you'll have a modern, up to date system that can handle the circulation of materials in those libraries, keep track of them throughout the year, determine age, keep track of costs. Along with this system we gain two additional features, one is asset management which currently the Board of Education at least does not have. They've done some inventory control in the past but this system has the ability to track whatever inventory we want to add to the system, so we'll be able to bar code things like computers, digital cameras, laptops, all of that movable equipment and that fixed equipment that we might like to track, and also this system makes it readily available for anyone who needs that information from a management or budget point of view. The third piece is textbook management, it controls the inventory of textbooks which students have which version of which textbook, what the age of that textbook is, what the historical cost of those items are, which will greatly help us with inventory. Anytime anyone on this Board or the Board of Education is interested to know where we stand with textbooks within the district we'll know that immediately. Control all the flow of all the novels that are in and out (inaudible) English courses throughout the year so we'll always know which students have which books. At the end of the year when we're getting students to check things back in, we'll know exactly who has what, what is checked in, what is outstanding, and who may not get their diploma on time. It's a great piece of software at a reasonable cost.

When we put this program together, this is for Swift, the capacity of the system will handle Watertown High School, so we will not need any additional expense as we bring the Watertown High School library system on board. The server will handle (inaudible) with the only additional cost in the future to have as Judson comes on line, we'll have a cost of adding the library materials for Judson on line, the hardware that they will need for scanning and managing the library circulation, later Polk, and then at some point the Board of Education will have to budget for Trumbull. But relatively small costs. This has a 3 year licensing and maintenance built in, so if you agree to approve this, there will be no budgetary costs for the Town at Watertown High School and Swift for 3 years. I built that all in.

Because it's a related topic, I just want to mention that next item on the list, the server, the software, Follett has actually offered to give us that server for free so I no longer need approval on that item. I think (inaudible).

**Ms. Adams:** I apologize. I just think if we wait another 2 weeks, will they come down on the price? I'm sorry, I apologize, that was my fault.

**Mr. Bernier:** I apologize.

**Mr. Miller:** It sounds like they're giving us a brand new server for free but they're not. They were going to give us a loaner server so that we could get up and running thoroughly and keep to the timelines we'd like to keep, and because there were (inaudible) delays going on getting all the approvals they said they'll be happy to sell us that server for \$200. It's off warranty, assuming we get the approvals tonight, we will contract with Dell to put it back onto a warranty maintenance contract which is fairly reasonable. That's what we do with our other servers that comes off line (inaudible) service contract.

I believe you were also given information on the status of the costs for Swift. You should be able to tell from that that we are right in line with the budget for technology that was approved by the Public Buildings Committee back in June of 2006, \$400,000, and the same would be true for the, I know there were some questions about the furniture and fixtures, we are right inside that budget and in total we are looking to, as of today, this was based on (inaudible) Buildings Committee on Wednesday, we're looking at a balance of \$323,000 left remaining in the Swift project for which there are no additional cost requirements.

**Ms. Adams:** \$323,000 out of the . . . .

**Mr. Miller:** That is the original budget . . . right the original budget was \$33,983,484. Actually the original was \$33,758,130, you then increased the budget for the turf field.

**Ms. Adams:** (Inaudible.)

**Mr. Miller:** The budget for the construction went up because you gave \$254,000 additional to O & G to prepare the field, which brought the project costs to \$33,983,484. So with that as the budget and the expenses and encumbrances to date, that's everything that's been brought before the Public Buildings Committee, and one item that will come before them on Wednesday night, that leaves a balance of \$323,000 remaining, uncommitted in the project, and at this point we see no additional reason to spend any of those dollars.

**Mr. Bernier:** I'm going to be a minute. I just want to make sure, Mr. Miller, that I understand, so as we add more schools, these numbers (inaudible)?

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**Mr. Miller:** Right, the cost to add schools are the licensing, the maintenance agreement, the cost of putting the bar record on all the volumes in the library, some of which come, most come marked, it's the books that we currently have that aren't marked that will need the mark records added and then the cost of the digital, of the scanning devices, given the cost of the entire system, relatively small amount, \$5,000 or so per site.

**Mr. Bernier:** So that is the cost for license on the right side? Again I do have to apologize for the snicker. I think we all understand that nothing is free.

**Mr. Miller:** Absolutely.

**Mr. Bernier:** That leads me to believe that this was overpriced to begin with, hopefully this helps to bring it in line. What I must do is commend you, this looks to be (Tape #1, Side A ended – may have missed some) increase proficiency, software so that we can reduce our costs. Thank you.

**Mr. Mancini:** I don't know where to start. Maybe I don't understand it as well as I should.

**Ms. Adams:** That's why we have Gary here.

**Mr. Mancini:** This is all part of the FF&E budget line item I would assume, right?

**Mr. Miller:** Yes.

**Mr. Mancini:** Was this equipment part of the original technology?

**Mr. Miller:** I don't know if it was actually part of the original technology budget (inaudible) the ability to add the quality of service to take advantage of the beautiful new library you're going to have.

**Mr. Mancini:** So I hate to say it, but does this \$323,000 left over, you feel well we can spend it (inaudible)?

**Mr. Miller:** There was \$400,000 approved for technology with the understanding that the Buildings Committee had the opportunity to purchase additional equipment and furniture and technology if there were funds remaining in the project without exceeding the bond authorization. We are (inaudible) under the bond authorization.

**Mr. Mancini:** This chart that you gave us, that's including the \$36,000 in there already?

**Mr. Miller:** Yes, everything, that's in the encumbered line.

**Mr. Mancini:** Well it says technology and equipment is \$400,000, we expended \$349,000 . . . . encumbrances of \$51,000, is it in that number?

**Mr. Miller:** Yes, it's in the \$53,000.

**Mr. Mancini:** So then you're going to be over budget by (inaudible)?

**Mr. Miller:** (Inaudible) small amount remaining in the furniture and fixtures.

**Ms. Adams:** Wait a minute, don't you take off the \$5,617?

**Mr. Miller:** I already removed that.

**Ms. Adams:** So we didn't get that information to remove it from our agenda.

**Mr. Miller:** Well it did, but it didn't get to the Town Hall, your agenda had already been . . . .

**Mr. Mancini:** Okay, so the \$37,000 is within that open \$151,700?

**Mr. Primini:** I just wanted to get (inaudible). You're telling me that we're going to account for every book that's in the building basically?

**Mr. Miller:** Yes, every library book, it will take some time, but every textbook, ever novel, I mean the ultimate plan is with the new student information system that we just implemented this past month, everything gets bar coded including the students. You buy a book, you buy a lunch, you buy pretty much anything, your bar code gets swiped.

**Mr. Primini:** We know where it's been, who has it?

**Mr. Miller:** We'll know where they are, and because the scanners are portable, we don't necessarily have to group all the books into one place. As a matter of fact I proposed the idea to Matt Geary that at Watertown High School we ought to really consider, with the space that's being incorporated into this building, is to look at doing something similar to a college bookstore, kind of a set up, where at the beginning of the semesters the students get their booklets and we set the books up in the cafeteria and they can come in with their booklet, if they need a new ID we'll get them an ID, they'll go down through the line, pick up all their books and get them all checked out at the end of the line and get them used to the way things are going to be when they go on to their next level of education.

**Mr. Primini:** So this isn't going to be limited just to books, it will account for every computer in the building?

**Mr. Miller:** We would be able to do that.

**Mr. Primini:** Right now we don't know how many computers we have?

**Mr. Miller:** We do know, but there are companies, (inaudible) for a very reasonable cost will come in and bar code everything that you tell them to bar code, and we would ask the auditors what specifically also within there dollar parameters that you need to keep for the Town audit and then those items that we would want to keep track of like the technology that moves around and so basically if you needed to borrow a digital camera for a student project, you'd essentially go to the library and check out a camera, just the same as they do a book. Many school systems have been doing this for years.

**Mr. Primini:** The last question under fixtures, furniture and equipment, the (inaudible) on the Town Council here originally was we thought Swift was done, and then we found out about this FF&E. When is the (inaudible)?

**Mr. Miller:** There are a couple of items, \$15,000 of items we're just waiting for the bills to come in and we're ready to close out the project.

**Ms. Adams:** That was my question too, and I think a lot of us here is when. What happened is we found out that we needed to do some short term bonding to pay this, and we thought we'd have the money coming back from the State and (inaudible) so now we have to short term bond which kind of . . . .

**Mr. Miller:** Assuming you agree with this purchase tonight, and there's one other item going before the Public Buildings Committee on Wednesday night, that will be the last of the purchases. I met with O & G and Lynn last week and we've gone over all of their bills and we know what's remaining on that. We're now looking at change orders where the State had disallowed some reimbursement to see if there is any way to recover those. When we're complete with that process we'll be ready to meet with Frank to look at the total funding for the project and file the final paperwork to the State and it may take about 30 days for their review process and they may come back for additional information. Once that is complete the internal audit at the State Department of Education and they are running 6 to 8 weeks before they get out to audit so I would say within 6 months you'll have the final report approved and whatever monies that are being retained by the State, which is typically about 5% of the project, you would get your remaining share of the State money I would say within (inaudible) months.

**Ms. Adams:** So you're going to be ready to get everything together in what? A month?

**Mr. Miller:** I would think so because once we're in agreement with the finances and where everything is then the Public Buildings Committee would recommend that the Board of Education accept the project as complete. That kicks off the final paperwork to the State and I mean I did a complete audit of the Swift project, I went back to day one from beginning to end based on the information that's in the system, with all the bills that we had paid to date, so I am very confident of the numbers that are here, so it's just a matter of balancing that up against what Frank and Chuck have from a bonding point of view as to how the project was financed because we'll need to report that to the State as well in the final paperwork.

**Mr. Demirs:** I'm going to ask the \$323,000 question, (inaudible), is this money been left over at the end of the project and nothing else is needed where does this money go? Can it be used to pay off construction that's going on now?

**Mr. Miller:** I'm not sure that it actually represents dollars. It depends on the difference between the budget, this is a budget surplus and what you have bonded to date. That difference represents potential cash which . . . .

**Ms. Adams:** My understanding is we needed to bond \$1,200,000 on short term?

**Mr. Nardelli:** That's right, we need the \$1,200,000 until we get the money back from the State (inaudible).

**Ms. Adams:** Well they're saying that the \$300,000 under that, do we still need the \$1,200,000? Or is it instead of \$1,500,000 we only need the \$1,200,000?

**Mr. Nardelli:** We need the \$1,200,000 for cash flow purposes. And as Gary said, 5% of the project hopefully will come back to us and when we get that money we'll be able to pay off the BAN and then have surplus left over (inaudible).

**Ms. Adams:** And the surplus left over goes to pay down the bond?

**Mr. Nardelli:** We can, that's what we usually do, we transfer the money (inaudible) bond, correct.

**Mr. Miller:** You have cash flow coming in from the State on Watertown High School and Judson, I've been filing every two months.

**Ms. Adams:** No, but that's a separate project, they need to have their own little accounts if you will.

**Mr. Miller:** Right, (inaudible) how you fund them on the Town is very different than (inaudible).

**Ms. Adams:** Unfortunately the way, what with the 3 school project being 3 separate questions it has to be separate accounts, it can't just be one account.

**Mr. Miller:** No, it has to be 3 distinctly different projects as far as the State is concerned and as far as you're concerned.

**Mr. Bernier:** I just wanted to make sure (inaudible) made myself clear, this software meets all the criteria that we have used in the Finance Subcommittee for the last couple of years and appears to be a very positive addition and should ultimately cause some budget, it's very efficient, proficient and we should be able to get a lot of bang for the buck.

**MOTION:** (Mr. Fusco, sec. Mr. Primini) I move to approve a Bid Waiver for the Purchase of Follett Destiny Resource Management Solution Program for the Swift Middle School for an amount not to exceed \$36,426.70.

**Discussion:** None

**MOTION PASSED UNANIMOUSLY**

- D. Consider a Bid Waiver for an HP ProLiant Rack-Mounted Services to be purchased through the Western States Contracting Alliance for an amount not to exceed \$5,617

**Ms. Adams:** This is not needed.

- E. Consider a Resolution authorizing a Memorandum of Understanding between the Town of Watertown and the State of Connecticut Internet Crimes Against Children Task Force to deter, prevent, investigate and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers, electronic media and the Internet. The Town Manager, Charles Frigon is hereby authorized to execute any and all documents necessary to finalize said Memorandum of Understanding

**“RESOLUTION**

To authorize the Town Manager, Charles Frigon, to enter into a Memorandum of Understanding between the Town of Watertown and the State of Connecticut Internet Crimes Against Children Task Force to deter, prevent, investigate, and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers, electronic media, and the Internet. The Town Manager, Charles Frigon, is hereby authorized to execute any and all documents necessary to finalize said Memorandum of Understanding.”

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to approve a Resolution authorizing a Memorandum of Understanding between the Town of Watertown and the State of Connecticut Internet Crimes Against Children Task Force to deter, prevent, investigate and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers, electronic media, and the Internet. The Town Manager, Charles Frigon, is hereby authorized to execute any and all documents necessary to finalize said Memorandum of Understanding.

Discussion: None

MOTION PASSED UNANIMOUSLY

- F. Consider a Bid Waiver for Emergency Repairs for Tower 1 Aerial Ladder to be performed by the Gowans-Knight Company for an amount not to exceed \$10,559.18

MOTION: (Mr. Fusco, sec. Mr. Mancini) I move to approve a Bid Waiver for Emergency Repairs for Tower 1 Aerial Ladder to be performed by the Gowans-Knight Company for an amount not to exceed \$10,559.18.

Discussion: None

MOTION PASSED UNANIMOUSLY

- G. Consider a Resolution authorizing the Application to the State of Connecticut for a \$300,000 Town-Wide Housing Rehabilitation Revolving Loan Program and to execute an Assistance Agreement for same

#### RESOLUTION

WHEREAS, pursuant to Chapter 127c and Part VI of Chapter 130 of Connecticut General the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Watertown make an application to the State for \$300,000 in order to undertake the Town-Wide Housing Rehabilitation Revolving Loan Program and to execute an Assistant Agreement.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL:

1. That it is cognizant of the conditions and prerequisites for the State financial assistance imposed by Chapter 127c and Part VI of Chapter 130 of Connecticut General.

2. That the filing of an application for State financial assistance by Town of Watertown in an amount not to exceed \$300,000 is hereby approved and that Town Manager, Charles Frigon, is directed to execute and file such application including a Program Income Reuse Plan, if applicable, with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of Town of Watertown.
  
3. That it hereby adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties required under subsection (a)(1) of Connecticut General Statutes sections 41-60 and 4a-60a, respectively, as amended by Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142 and, and for which purposes the “contractor” is Town of Watertown and “contract” is said Assistant Agreement:

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation.

**MOTION:** (Mr. Fusco, sec. Mr. Primini) I move to approve a Resolution authorizing the application to the State of Connecticut for a \$300,000 Town-Wide Housing Rehabilitation Revolving Loan Program and to execute an Assistance Agreement for same.

**Discussion:** None

**MOTION PASSED UNANIMOUSLY**

- H. Consider Charging the Ordinance Subcommittee with the Review and Recommendation of the proposed Ordinance Creating the Membership and Terms of Office for the Planning and Zoning Commission

**MOTION:** (Mr. Fusco, sec. Mr. Primini) I move to Charge the Ordinance Subcommittee with the Review and Recommendation of the proposed Ordinance Creating the Membership and Terms of Office for the Planning and Zoning Commission.

**Discussion:** **Mr. DiFederico:** Can you explain exactly what this is?

**Ms. Adams:** I have questions myself. I think this is a good idea, however I think that it should not only be for the Planning and Zoning Commission to set up procedures and complaints, investigation or anything else. I think it needs to be done for all boards and commissions, instead of just a special ordinance for the Planning and Zoning Commission. We should do one that will cover all. If we do one for Planning and Zoning, we need one for Zoning Board of Appeals, we need one for this one or that one. We are (inaudible) it, what? 20 boards and commissions anyway, 20 public hearings, 20 legal fee reviews, I mean the list just goes on and on. I think that you could take it as a basis. I know in the past, I know Chuck and others have written ordinances (inaudible) subcommittee and to come up with something, review it with legal after you have it, I think there are a lot of good ideas in here, I think there are some that do bother me somewhat, but we've just got to talk and do something for everybody. (Inaudible) 20 public hearings, 20 legal fees, so that's where I'm coming from. They're looking for one just for them, but to take it a step farther and do it for all boards and commissions.

**Mr. DiFederico:** (Inaudible) start here.

**Ms. Adams:** Yea, but there's more, not just one special for Planning and Zoning, one for all.

**Mr. Fusco:** Ordinance Subcommittee would investigate the whole thing?

**Ms. Adams:** Yes.

**Mr. Bernier:** I tend to agree. We most certainly do not want to do what we could well do reasonably all over again. I see the possibility of that happening regardless of what it is. I tend to agree that we need to review that ordinance, but I also agree it needs to be for all boards and commissions.

**Mr. Mancini:** I wholeheartedly agree. Being on the Planning and Zoning Commission, I agree this should not be only for Planning and Zoning, it should be for all boards and commissions in Town and I'd like to say that Planning and Zoning did this because of the latest issues against Planning and Zoning and the intent to create this was not to make it harder for anyone to make a complaint against Planning and Zoning. The intent was to simplify the process. For example the complaint process, there is really a complaint or times and deadlines that you have to make a complaint. There was a complaint made against the Planning and Zoning and it's been out in the public already and I'm not going to name any names, but there was a complaint made that was over a year old. Here it says within 90 days. If you know of a complaint, you think somebody did something, you've got 90 days to open your mouth. If you don't, you can't do it 5 years from now. I mean (inaudible) to try and simplify it. It gave you within 10 days you're going to be notified, 10 days you're going to have to get your answer back and forth, we didn't have that, it was really to simplify it, so you understand it. None of us here understood the process, so this is a process that they put in to have your town attorney work on it, and I agree, it shouldn't be only for Planning and Zoning, it should be for all boards and commissions in this Town and I believe it should go to the Ordinance Subcommittee.

**Ms. Adams:** You're making more work, Rich.

**Mr. DiFederico:** I just wanted to hear what everybody was thinking.

**Mr. Primini:** Obviously there's a lot of similarities between the Ethics Ordinance, so I don't understand why this has to deviate from the Ethics Ordinance, why can't it be incorporated with the Ethics Ordinance because we already have that mechanism in place. I thought the whole process should have gone to them to begin with.

**Ms. Adams:** Paul said it wasn't (inaudible). It sounds to me, Paul and Dave, I don't know if you're, okay why don't we do this. Why don't we Withdraw the Motion and the Second?

Mr. Fusco withdrew his Motion.

Mr. Primini Withdrew his Seconding of the Motion.

**Ms. Adams:** Okay, so from what I'm hearing here, we want to charge the Ethics Committee with coming up with an ordinance that would encompass all boards and commissions and to work on that with the Town Manager.

**Mr. Rinaldi:** You want uniform regulations for complaints for all boards and commissions.

**Ms. Adams:** I like that, very good.

MOTION: (Mr. Rinaldi, sec. Mr. Primini) to charge the Ordinance Committee to come up with a set of rules and guidelines for handling complaints for all boards and commissions.

Discussion: None

MOTION PASSED UNANIMOUSLY

- I. Consider an Appropriation in the amount of \$1,200.00 from the General Fund for Police Overtime. Funds have been reimbursed from the State for the Statewide Narcotics Task Force

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to authorize an appropriation in the amount of \$1,200.00 from the General Fund for Police Overtime.

Discussion: **Mr. Bernier:** This is (inaudible).

MOTION PASSED UNANIMOUSLY

- J. Consider a Resolution authorizing an Appropriation in the amount of \$17,990 for Tax Refunds

R E S O L U T I O N

WHEREAS, Taxpayers have applied for Tax Refunds pursuant to Section 12-129, Refund of Excess Payment; and

WHEREAS, the Tax Collector recommended that the refunds be made in accordance with the provisions of Section 12-129; and

WHEREAS, in order to refund taxpayers who have been approved for their refunds, monies must be appropriated into the budget line item to expend the funds.

NOW THEREFORE BE IT RESOLVED, that the Town Council appropriates \$17,790 to line item 010-50341-043-0102 from the General Fund.

Dated at Watertown, Connecticut this 16<sup>th</sup> day of March, 2009.

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Elaine Adams, Chairman  
Watertown Town Council

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to approve a Resolution authorizing an Appropriation in the amount of \$17,990 for Tax Refunds as presented.

Discussion: None

MOTION PASSED UNANIMOUSLY

K. Consider a Resolution authorizing Tax Refunds

**“RESOLUTION**

WHEREAS, Taxpayers have made application for the property tax refunds in accordance with Section 12-129 Refund of Excess Payment; and

WHEREAS, the Tax Collector recommends that the refunds be made in accordance with the provisions of Section 12-129;

NOW THEREFORE BE IT RESOLVED, that the Town Council approves the following tax refunds:

2325	Country Wide Tax Service Refund Dept. – Attn: Toni 1757 Tapo Canyon Road Simi Valley, CA 93063-0000	Amount of Refund: Type R	\$2,164.08
<b>Reason for Refund:</b> Duplicate Payment			

2774	Byrnes, Frances A. 319 Thomaston Road Apt. #51 Watertown, CT 06795-5204	Amount of Refund: Type R	\$276.26
<b>Reason for Refund:</b> Per Assessor, Elderly Credit Applied			

2775	First American Real Estate Tax Refund Dept. 95 Methodist Hill Drive, Suite #100 Rochester, NY 14623-0000	Amount of Refund: Type R	\$1,556.20
<b>Reason for Refund:</b> Duplicate Payment			

2777	Nugai, Todd M. or Jennifer L. 224 Kimberly Lane Watertown, CT 06795-5315	Amount of Refund: Type R	\$3,147.48
<b>Reason for Refund:</b> Duplicate Payment			

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2779	First American Real Estate 3 Refund Dept. 95 Methodist Hill Drive, Suite #100 Rochester, NY 14623-0000 <b>Reason for Refund:</b> Duplicate Payment	Amount of Refund: Type R	\$1,460.07
2781	Flanders, Aaron 887 Bunker Hill Road Watertown, CT 06795-32335315 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type M	\$154.94
2782	GMAC Attn: Semperian Property Tax P.O. Box 33115 Knoxville, TN 37930-0000 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type M	\$168.19
2783	GMAC 1 Attn: Semperian Property Tax P.O. Box 33115 Knoxville, TN 37930-0000 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type M	\$243.06
2784	GMAC 2 Attn: Semperian Property Tax P.O. Box 33115 Knoxville, TN 37930-0000 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type M	\$129.98
2785	Loi, Angelo or Gerardina 195 Neill Drive Watertown, CT 06795-1767 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type M	\$211.06
2786	Toyota Motor Credit Corporation P.O. Box 105386 Atlanta, GA 30348-5386 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type M	\$103.16
2787	VW Credit Leasing Ltd. 1401 Franklin Boulevard Libertyville, IL 60048-4460 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type M	\$102.27

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2788	Grohs William J Aviation, Inc. 288 Christian Street, Suite #12 Oxford, CT 06478-1095 <b>Reason for Refund:</b> Per Assessor; Account Deleted	Amount of Refund: Type S	\$376.28
2789	Kennedy, David and Anita T. 43 Clematis Avenue Waterbury, CT 06708-1041 <b>Reason for Refund:</b> Per Assessor; Account Deleted	Amount of Refund: Type S	\$49.19
2790	Riker, Jay D. or Eleanor Flower 228 Fern Hill Road Bristol, CT 06010-3116 <b>Reason for Refund:</b> Per Assessor; Account Deleted	Amount of Refund: Type S	\$85.20
2791	Sugden, James L. Jr. 199 Beach Avenue Watertown, CT 06795-2000 <b>Reason for Refund:</b> Per Assessor; Account Deleted	Amount of Refund: Type S	\$6.09
2792	GMAC Attn: Semperian-Property Tax P.O. Box 33115 Knoxville, TN 37930-0000 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type: M	\$171.76
2793	GMAC 1 Attn: Semperian-Property Tax P.O. Box 33115 Knoxville, TN 37930-0000 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type: M	\$149.08
2794	Cab East Thompson Property Tax 424 Church Street, Suite #2400 Nashville, TN 37219-0000 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type: M	\$1,363.96
2796	CAMRAC – Refund Dept. P.O. Box 3268 Windsor Locks, CT 06096-0000 <b>Reason for Refund:</b> Per Assessor; Account Prorated	Amount of Refund: Type: M	\$5,872.05
<b>Total for All Refunds</b>			<b>\$17,790.36</b>

Dated at Watertown, CT this 16th day of March, 2009.

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Elaine H. Adams, Chairman  
Watertown Town Council”

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to approve a Resolution authorizing Tax Refunds as presented.

Discussion: None

MOTION PASSED UNANIMOUSLY

L. Consider a Resolution Authorizing the Transfer of Funds between Line Items

“RESOLUTION

WHEREAS, expenses in the 2008-2009 fiscal year require the transfer of funds.

NOW THEREFORE, BE IT RESOLVED, by vote of the Watertown Town Council, that the following actions are taken relative to the transfer of funds:

**GENERAL FUND – SOLID WASTE**

AMOUNT: \$5,946 NO: 1  
FROM: \$5,893 010-50529-033-2146 – Landfill Improvements  
\$ 53 010-50529-033-2216 – Environmental Remediation  
TO: 010-503108-033-2320 – Replace Existing Wells  
REASON: Landfill Groundwater Monitoring

**GENERAL FUND – HIGHWAY DEPARTMENT**

AMOUNT: \$1,359 NO: 2  
FROM: 010-50361-033-1561 – Recycling  
TO: 010-50317-031-0000 – Maintenance Land & Building  
REASON: Diesel Fuel Spill Contaminated Soil; Testing & Disposal of 27 Tons

**GENERAL FUND – POLICE DEPARTMENT**

AMOUNT: \$2,950 NO: 3  
FROM: 010-50332-019-0000 – Maintenance Agreements  
TO: 010-50328-020-0000 – Training – Meetings w/Travel  
REASON: For Computer Forensic Training Class

Dated at Watertown, Connecticut this 16th day of March, 2009.

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Elaine H. Adams, Chairman  
Watertown Town Council”

**MOTION:** (Mr. Fusco, sec. Mr. Primini) I move to approve the Resolution authorizing the Transfer of Funds between line items.

**Discussion:** None

**MOTION PASSED UNANIMOUSLY**

**10. Public Participation**

**Al Mickel, 95 Woodland Avenue, Watertown, CT 06795**

**Mr. Mickel:** Would the Ordinance Subcommittee make a request to the (inaudible) all boards and commissions. I was just curious, is the Planning and Zoning Board authorize to expend town attorney money without prior approval?

**Ms. Adams:** I would have to say that if it came to defending their regulations, yes, but I don't know about spending money (inaudible). I don't have an answer for you.

**Mr. Mickel:** Because of this is the case, all boards and commissions can hire lawyers to do their bidding without the Town's approval., without the financial authority, the Town's approval, and if that's the case they can go get (inaudible) other monies without the highest fiscal authority's approval. I think this is wrong and it shouldn't have been done in the first place.

**Mr. Frigon:** The answer is that back in 1985 the Town did adopt a policy for the hiring or the use of town attorneys (inaudible) and that policy was again reaffirmed in 1992.

**Mr. Mickel:** Was it followed in this case?

**Mr. Frigon:** No, it was not.

**Ms. Adams:** Chuck, I think you need to take that back and (inaudible) department heads.

**Mr. Frigon:** I will.

Ms. Adams, Chairman, Closed Public Participation at 8:40 p.m.

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**11. Adjournment**

MOTION: (Mr. Primini, sec. Mr. Bernier ) to Adjourn the Regular Meeting at 8:40 p.m.

Discussion: None

MOTION PASSED UNANIMOUSLY

Regular Meeting Adjourned at 8:40 p.m.

Respectfully submitted,

Elaine H. Adams, Chairman  
Watertown Town Council

Approved: \_\_\_\_\_  
Lynn M. LaForme, Clerk