

# MINUTES

## WATERTOWN TOWN COUNCIL SPECIAL TOWN MEETING

### WATERTOWN HIGH SCHOOL TECHNOLOGY ROOM

(MOVED TO CAFETERIA DUE TO AMOUNT OF PEOPLE IN ATTENDANCE)

**MONDAY, APRIL 20, 2009, 7:00 P.M.**

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

**ABSENT:** None

**OTHERS PRESENT:** Charles Frigon, Town Manager  
Frank Nardelli, Assistant Town Manager/Finance Director

#### 1. Convene Special Town Meeting

Ms. Adams, Chairman, Called the Special Town Meeting to Order at 7:25 p.m.  
(Meeting started late because Registrars were checking to ensure everyone who voted was a resident, and also the location had to be changed to accommodate the participants.)

**MOTION:** (Ms. Denise Russ, sec. Mr. Paul Rinaldi) to nominate Elaine Adams for Moderator of the Special Town Meeting.

**Discussion:** **Ms. Adams:** Are there any other nominations? Are there any other nominations? Are there any other nominations?

MOTION PASSED UNANIMOUSLY

**MOTION:** (Mr. Carl Mancini, sec. Ms. Denise Russ) to nominate Lynn LaForme for Secretary of the Special Town Meeting.

**Discussion:** **Ms. Adams:** Are there any other nominations? Are there any other nominations? Are there any other nominations?

MOTION PASSED UNANIMOUSLY

Ms. Adams, Moderator, read aloud the Call of the Meeting as follows:

**WARNING AND NOTICE**  
**TOWN OF WATERTOWN, CONNECTICUT**  
**SPECIAL TOWN MEETING**  
April 20, 2009

The legal voters of the Town of Watertown and those entitled to vote in Town Meetings are hereby WARNED AND NOTIFIED of a Special Town Meeting to be held on Monday, April 20, 2009 at 7:00 p.m. at the Watertown High School Technology Room, 324 French Street, Watertown, Connecticut to consider an appropriation of \$36,463.58 from the General Fund for legal fees.

Dated in Watertown, Connecticut this 13th day of April, 2009.

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Charles Frigon, Town Manager

**RETURN OF**  
**WARNING AND NOTICE**  
**TOWN OF WATERTOWN, CONNECTICUT**  
**SPECIAL TOWN MEETING**  
April 20, 2009

I hereby certify that on April 13, 2009, I left a duplicate copy of the attached WARNING AND NOTICE of a Special Town Meeting of the Town of Watertown, Connecticut, to be held on April 20, 2009 with Virginia Russo, Assistant Town Clerk.

I further certify that on April 13, 2009 I caused a copy of said Warning and Notice to be published in the REPUBLICAN AMERICAN Newspaper, which has a substantial circulation in said Town.

I further certify that on April 13, 2009, I caused to be set upon the signpost nearest the office of the Town Clerk and all other places with signposts designated by the Town, a written copy of said Warning and Notice signed by me as Town Manager.

I further certify that all the above acts were done at least five (5) days before the holding of the Special Town Meeting on April 20, 2009.

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Charles Frigon, Town Manager

**TOWN CLERK'S CERTIFICATION**  
**AS TO WARNING AND RETURN OF WARNING**

I hereby certify that the attached WARNING AND NOTICE of the foregoing RETURN OF WARNING are duly recorded in the records of the Town of Watertown, Connecticut and that Charles Frigon. was the Town Manager of the Town of Watertown on the date the WARNING and RETURN OF WARNING were signed.

Dated at Watertown, Connecticut this 20<sup>th</sup> day of April, 2009.

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Virginia Russo, Assistant Town Clerk

**Ms. Adams:** I need to explain a housekeeping item. In about 3 minutes I'm going to call a short recess of this meeting, so I can call the Town Council Regular Meeting to order, then Recess that Regular Meeting, and reconvene this Special Town Meeting.

At this time I'm just going to give a brief overview. We are here tonight to appropriate \$36,000 in change to pay legal fees. This is something the Town does not have the money for, it is up to the voters and electorates here to decide whether or not we will appropriate these dollars. At this time I'll accept a motion to appropriate the money.

**MOTION:** (Ms. Trish Kropp, sec. Mr. Mike Genovese) I make a motion that the Town appropriate \$36,463.58 from the General Fund for legal fees.

**Discussion:** **Judy Wick, 1051 Northfield Road, Watertown, CT 06795**

**Ms. Wick:** I wish to make some points this evening that although I made the last time we had a Town Meeting to do this, since we're getting to do it again I thought I'd make some of these points again.

First this amount is to pay the legal fees for David Minnich, Chairman of the Planning and Zoning Commission for an attorney that he hired as a result of a complaint that was filed with the Town Council. Mr. Minnich at the time did not follow the Town policy by going through the Town Manager and hiring his attorney. This is a policy that has been in effect in Town since 1985 and a policy with which I know that he was aware. The attorney he hired charged \$275.00 an hour as opposed to the Town Attorney who charges \$150.00 an hour. I requested and received from the Town Manager a copy of his attorney's bill which by the way was sent to Paul Jessell, it was not sent to the Town Manager, it was not sent to the Finance Director or to the Town Council. Among the items in the bill was a reference to a need to review and respond to 72 emails from Mr. Minnich to Mr. Fitzpatrick, his attorney. At \$275.00 an hour that was over \$2,600.00 just to respond to emails. In reviewing this bill it seemed to me that there was a mindset of spending O.P.M., other people's money, our money, with no regard to the cost.

I am again requesting that since we are being asked to pay this bill, that there be an independent audit of these charges to make sure that they were necessary charges. I also request that the Town Meeting vote to authorize the Council through its representative to negotiate a reasonable figure for submission to this Town Meeting. However because of the way this is set up, I think first we have to vote no in paying this bill as it is presented.

Ms. Adams, Moderator, called a Recess at 7:30 p.m.

Ms. Adams, Moderator, Reconvened the Special Town Meeting at 7:31 p.m.

**MaryAnn Rosa, 206 Northfield Road, Watertown, CT 06795**

**Ms. Rosa:** I am speaking to two issues this evening. #1 I think is the issue of discrimination that this Town Council has pulled out one legal bill for one person for us to come here and vote on. I don't believe that's legal, and I believe when it's checked by the Town Attorney he'll find #1 that we're in error and you can't do this. The second thing I'm sure many of you know, there's been a lot of robo calls in the last few days telling you to come up here tonight and vote no. Well guess what? If you do you're voting against a State Statute. State Statute says whether I like it or you like it, we are obligated to pay this bill of a town official. All right? Now, we have different opinions, that's America, we are entitled to those different opinions, but this is a different issue and obviously the issue involving the Planning and Zoning Commission has been a very controversial one. And I can support those people who are opposed to what Planning and Zoning did, but you know years ago I was opposed to their actions when they tried to put Stop & Shop out the back door and all those legal bills that came in we never came up here and said well, Planning and Zoning has to pay their own bills because we don't agree with them. These people were appointed by the Council and it's not just one person, the commission as a whole took the action they did on Route 262. And let's not kid ourselves, that's what this is all about. This issue with 262 and who's for it and who's against it, and it's not fair to take that out on one town official, one person that was appointed. Elaine is a public official and there's a lot of others here tonight. I was for more than 15 years. None of us ever took on the obligation to pay our own legal fees if somebody didn't like how we voted. That's why the State Statute is written the way it is. The next time around they don't get appointed or they don't elected, but you have no right to say to them, well you gave your time and you gave your effort to represent us, I don't like how you did the job so now it's going to cost you \$20,000 or \$30,000 or \$40,000. What you'll do as a body of people if you do that to Mr. Minnich or to the Planning and Zoning officials as a whole, is to have another lawsuit against the Town and more legal fees and a discrimination act and by the time those legal fees are done, we will have paid the salaries of 5 or 6 teachers in this Town that are going to lose their job. So you better stop and think before you vote.

**Donna Masi, 33 Pleasantview Street, Oakville, CT 06779**

**Ms. Masi:** I'm President of the Concerned Citizens. I think Mrs. Rosa is trying to misinform us. The issue that's before us tonight that was an investigation into Chairman Minnich's abuse of power on something totally different to Route 262 and is not related at all. One of the other things is his abuse of power. Now several years ago there was an issue with the Planning and Zoning Officer, Mary Barton. They had a public hearing, she had an attorney to represent herself and she paid for that attorney out of pocket. Just recently the current P & Z Officer hired an attorney to represent herself at a meeting and she paid that out of pocket. I don't see where this is any different. If you choose to hire an attorney to represent you for whatever matter, it is then your responsibility to pay for it. This was not a lawsuit, it was not a legal issue, it was a hearing on the performance of the P & Z Chairman, so I think people are trying to misinform you saying it's going to cost us more money. They performed their job improperly and that's what the hearing was about. It was not a legal issue and the Statute only speaks to a legal issue, so don't be fooled by what these people are saying.

**Doreen DeSorbo, 73 Franklin Avenue, Oakville, CT 06779**

**Ms. DeSorbo:** I actually have a couple of questions that I would like to clarify after the last two speakers, I hope that someone can actually answer them.

Was this a legal proceeding that this bill has come from? Was Mr. Minnich being sued legally, was he going to have a legal liability if he lost whatever was going on?

**Mr. Killeen:** It was a Hearing, correct?

**Ms. Adams:** It was a Hearing.

**Mr. Killeen:** (Inaudible) and #2 his property rights as Chairman of that board. So his property rights were in danger.

**Ms. DeSorbo:** His property rights?

**Mr. Killeen:** His property rights (inaudible).

**Unidentified Man:** Who is that person giving out legal advice?

**Ms. Adams:** What we have here is the Town Council had a Hearing on whether or not to remove him, yes. As far as definition was it legal or not, I could not answer that.

**Ms. DeSorbo:** Okay this was on whether or not he should be removed as head of Planning and Zoning. Well we might as well all know what we're talking about here. It seems as though we're talking about whether he needed a lawyer on one hand, did he maybe need a lawyer, did he want a lawyer, was the process correct, and that I think needs to be explained and understood by everyone. If it's a matter of wanting a lawyer to hold your hand while you go in and say I wasn't a bad boy, I'm sorry, you pay for that yourself. If it was a matter of oh my gosh, if I am removed from this then legally there is something wrong, then somebody can maybe haul me off to jail, then he needs a lawyer and that's another situation. So I think that we all really sort of have to figure out here which situation this is. Is it a want, or was it a need, and was the process followed? Now it's my understanding, and this is my next question, when a Town official believes that they need a lawyer, do they need to request that okay from the Town Manager or the Town Council?

**Ms. Adams:** That would be done through the Town Manager. Chuck, what's the policy regarding Town attorneys?

**Mr. Frigon:** Specifically?

**Ms. DeSorbo:** Specifically if a member of a board feels that they need an attorney, is the process to then see the Town Manager and get that okayed by the Town Manager to pay the attorney fees?

**Mr. Frigon:** That depends. If an employee of the Town or a Commissioner is requesting a legal opinion, yes they would come to my office and ask for permission or the Town Council. That's not the case here. This is a case where by State Statute, again it's my understanding, I am not an attorney, by State Statute . . .

**Ms. Adams:** Chuck, I have Paul's opinion, do you want me to read it?

**Mr. Frigon:** If you want to, but I'll give it very briefly if you want. This is a claim, this is not somebody asking, nor should they have asked for a particular Town attorney. The Chairman of the Planning and Zoning Commission has a privilege, if you will, according to State Statute, for defense, it's due process, and if this person is found guilty of those charges, then the Town has no liability in reimbursing for those legal fees. If the person is found innocent of those charges or is cleared of those charges, then the Town has an obligation under State Statute to reimburse for those legal fees, so there's a little bit of a difference. If they're looking for an opinion, that's one thing, and in this particular case it's a different instance.

**Ms. DeSorbo:** Okay, so the reading by you, the reading by the Town Attorney is that we are absolutely liable for this despite the fact that this lawyer is charging so much more than even our Town Attorney charges and there seems to be a whole lot of extra billable hours in there.

**Mr. Frigon:** That is incorrect. That is what our Town Attorney is saying. I'm not giving an opinion one way or the other. I'm just clarifying the policy for, the process of policy (inaudible).

**Ms. DeSorbo:** So was I right in what I just said, it's with the attorney there, in other words, this was, if you wanted to because someone was saying, if you wish to, you could go out and hire an attorney for \$500.00 an hour and it would make no difference? In other words Mr. Minnich, you know the \$275.00 that's meaningless, it could have been \$500.00, \$1,000.00, we would still be liable for these bills?

**Ms. Adams:** I can't . . . .

**Ms. DeSorbo:** In terms of fiscal responsibility, the only other comment I wanted to make was to MaryAnn there. From my understanding is, our 1,400 street lights cost us about \$14,000.00 a year. How many years could we have paid for our street lights that are being yanked up all over Town? We need for all of our boards to take a new look at their responsibilities and their attitude. I wish that that had happened before Mr. Minnich had booked a \$250.00 an hour lawyer instead of our Town attorney's fees. That would have been reasonable and maybe we all wouldn't be so upset about it.

**Rosalie Loughran, 319 Thomaston Road, Watertown, CT 06795**

**Ms. Loughran:** First of all Donna Masi quoted Planning and Zoning Officers who were paid employees of the Town hiring their own attorneys. They have the right to do that. If you don't pay this bill tonight, think of all the people who are in this room who are on boards and commissions, on the Town Council, on the Board of Education, we are all volunteers, and if you make us liable for any kind of lawsuit that anyone who doesn't like a decision you made can bring against you and you have to pay your own attorney bill, for me, I will never serve on anything in this Town again.

**Denise Russ, 135 Porter Street, Watertown, CT 06795**

**Ms. Russ:** I just want to bring up a couple of points. At the first Town Meeting we had two weeks ago, it was brought up whether or not Dave had the right to a legal attorney or not and there was a memo sent, I believe to the Town Council, Carl Mancini had it on him, sent to Dave Minnich saying he should get legal representation because the Town Council was investigating him. So on that point he did have a right to hire an attorney. Carl read it.

**Ms. Adams:** You mean this one here?

**Ms. Russ:** I don't know which one.

**Ms. Adams:** Does that look familiar?

**Ms. Russ:** I didn't see it. Carl read it.

**Mr. Mancini:** October 5<sup>th</sup>, Elaine.

**Ms. Adams:** No, this is January 7<sup>th</sup>. Go ahead, Denise, I'm sorry.

**Ms. Russ:** So therefore, I do believe, I could be wrong, but if Dave went to the Town Manager and hired Atty. Jessell, there would be a conflict because Atty. Jessell represents the Town. He can't represent Dave on one side and the Town on the other and it's still a conflict if you have someone else from his attorney's office representing him so you need outside counsel. This amount that they're appropriating tonight is \$36,000 and change. The original bill was \$40,000 so Dave is working, his attorney is working with the Town also to reduce the expense. What Judy Wick said tonight she wants a study. A study is going to cost us money. If this isn't approved tonight, this is going to go to court, because we legally have to pay him, according to Paul Jessell the attorney at the last meeting he stated we need to pay this, he is entitled to his money. So if it goes down tonight, we're going to go to court, just like we have a lawsuit going now with another Town official, it's going to cost us triple in legal fees, and he is going to win because by State Statute that was stated earlier, it's a no win, we're going to lose, we're going to lose money on the legal side, our budget is in turmoil, we're losing teachers, so by spending more money to go to court for this \$36,000, just get it over with tonight, take that extra money that was spent, and give it to the Board of Education so we can keep our teachers and our children.

**Ms. Wasnitynski:** Point of order, can you kindly read that legal opinion for us?

**Ms. Adams:** What Attorney Jessell had referred to was 7-101a, Protection of municipal officers and municipal employees from damage suits. Reimbursement of defense expenses . . . . provides in pertinent part:

“(a) Each municipality shall protect and save harmless any municipal officer, whether elected or appointed, of any board, committee . . . or any municipal employee, of such municipality from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence, or for alleged infringement of any person’s civil rights, on the part of such officer or such employee while acting in the discharge of his duties . . . . (b) In addition to the protection provided under subsection (a) of this section, each municipality shall protect and save harmless any such municipal officer or municipal employee from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand or suit instituted against such officer or employee by reason of alleged malicious, wanton or willful act or ultra vires act, on the part of such officer or employee while acting in the discharge of his duties. In the event such officer or employee has a judgment entered against him for a malicious, wanton or willful act in a court of law, such municipality shall be reimbursed by such officer or employee for expenses it incurred in provided such defense and shall not be held liable to such officer and employee for any financial loss or expense resulting from such act.”

**Carl Mancini, 74 Regency Hill Drive, Watertown, CT 06795**

**Mr. Mancini:** Denise, thanks, you took a lot of wind out of my sail already but first of all ladies and gentlemen we’re not here tonight to discuss the complaints, those are over and done with. What we’re here to discuss is did Mr. Minnich have a right to an attorney or not.

**Ms. Adams:** To pay for it.

**Mr. Mancini:** To be paid for by the Town. I wish Attorney Jessell was here because he did say at the last meeting that he did have a right to an attorney and that he believed in his best opinion as an attorney that this should be paid for by the Town. That’s one.

Ms. Wick stated that Dave Minnich didn’t go through the proper channels to obtain an attorney. Well Dave Minnich was notified by mail from our Town Attorney, Paul Jessell, about the complaint. When he was notified about the complaint he was told that he a right to an attorney. There is a letter here from Paul Jessell to Elaine Adams about the Town Council may remove regular members and all that, it says here that hearing requirements, “at the hearing the respondent has the right to be represented by counsel”. Okay? That’s one letter.

Another letter of January 7, 2009 from our Town Attorney, not just mine or the Council's, Democrats and Republicans, he represents everybody, the Town Attorney for everyone, it says here he quoted a case from C.G.S. § 7-101 that Elaine just read, "if we apply the Spatola case to the complaints filed against Mr. Minnich, the complaints against Mr. Minnich, while not lawsuits, and not seeking monetary relief are governed by C.G.S. § 7-101a as the complaints are akin to an ethics complaint. Under Spatola, the Town is not required to provide a defense for Mr. Minnich. However, if Mr. Minnich is successful in defending the complaints, it will be the Town's obligation to reimburse Mr. Minnich for his expenses incurred in defending the complaints." Okay?

Another thing that he mentioned that the price of the attorney. The attorney's price was \$40,000. Atty. Jessell, our Town Attorney, went and negotiated with Mr. Minnich's attorney to see if he could come down on the price a little bit, he knocked off 10%, \$4,000. So just letting you know we have an opinion from our Town Attorney stating right here in his own handwriting, Elaine you received those, that we are responsible, the Town is responsible for the attorney's fees. That's all I'm going to say. Thank you.

**Ms. Adams:** I want to add to that that the Town Council did dismiss the complaints by a vote of the Council against David Minnich.

**Unidentified Man:** (Inaudible)?

**Ms. Adams:** When we get t the vote I'll explain it.

**Unidentified Man:** Well I want to leave.

**Ms. Adams:** I think we all want to leave. If somebody wants to move the question, then we can do it.

**Norman Marcoux, 72 Jason Avenue, Watertown, CT 06795**

**Mr. Marcoux:** I guess I'm not the only one confused. I've been away all Winter and I come back in March and I find out (Tape #1, Side A ended – may have missed some.) Years ago one commission member, the Town wanted to save money, so they decided they would not defend commission members if they were sued, so we all threatened to quit. So the Town relented and we do have, I guess it's a regulation or something that we would always defend commission members if they were sued. I never heard of the fact that we were supposed to defend the person who was instigating the suit. That was never involved in this Town. That's double jeopardy. We have to pay for the defense and we have to pay for someone who initiated the suit or the equivalent of the suite. That doesn't make sense. So what are we going to do?

I realize it may cost the Town a lot of money because the United States Constitution says we have the right to speak against the Government. It doesn't say they can't sue us, well it can cost us money, but what are we going to do? We can't let anyone who wants to decide to sue another commission member any time he wants, we open a Pandora's box, and this can go on forever. If someone ever read about what's happening in the northwest part of our Town they do sue each other. That can cost us just as much money. We have to put our foot down. And I say we'll defend commission members, that's our responsibility, but we don't have to pay for anyone to sue somebody on the commission. That's all.

**Kevin Killeen, 430 Northfield Road, Watertown, CT 06795**

**Mr. Killeen:** Just want to take a moment to say that it's kind of interesting that some of us are here because of the recommendation of a friend, and some of us are here by recommendation of a phone call. For those of you who haven't yet decided how all this plays out, I'm glad the gentleman brought up who was attempting to initiate the suit, it seems that the proponents of not paying for the legal fees are the same people who attempted to have the individual removed, so we need to clarify specifically that the thrust of removal of Mr. Minnich was in fact by the people that you got the phone call from. Now so many people have aptly stated what the current State Statute is. You want to go against the tide, it's going to be up to those of you who are in this room. If you're here at the recommendation of a friend and you're not going to be persuaded by what seems to be correct according to State Statute, then vote your conscience but bear with this, it will end up costing more money in litigation. Let's wash this thing out and focus on what's real. Rosalie Loughran brought it up first, if, as an appointed board or commission member or an elected board person, I'm going to jeopardize my family's well being to the tune of whatever thousand it may take for a legal defense, guess what? I'm not going to do it, and I think I have a whole bunch of people who are out there with me who have served 30 hours a month easily in trying to do what's good for the Town, listening to everybody, I don't care if you're a Republican or a Democrat, if we have good ideas we are going to bring them to the table. But vote your conscience on this, but realize that the issue doesn't die at \$36,000 tonight if we go the other way. Thank you very much.

**John Mailloux, 1258 Guernseytown Road, Watertown, CT 06795**

**Mr. Mailloux:** The gentleman just stated here that the gentleman here that Mr. Minnich is working for the Town. I've been to all of these meetings. It's a joke. You're not working for the Town, cause any time we had a meeting, the meeting for the \$95,000 that we were supposed to have on the property, see if we wanted to have the studies done, 95% of the people stood up and said they didn't want it. The following week we went ahead and changed it anyway because you decided you wanted to do that. All of the meetings that I've gone to, 95% of the people in the crowd tell you they don't want this project, that was being done, you sat there like you were taking a nap, but the 4 people that actually stood up and said we want this project you listened to.

Many people talking at once (inaudible).

**Mr. Mailloux:** I don't care, you know something, if I have to pay \$36,000, I'm going to speak.

Many people talking at once (inaudible).

**Mr. Mailloux:** You guys are all corrupt.

**Gary Martin, 271 Bella Vista Drive, Watertown, CT 06795**

**Mr. Martin:** There's a loss here that's happening here. There's a complete forgetting of what this suit really was about. It was about this position that was taken. It was about two issues. It was about two issues that came before the Planning and Zoning Commission. Two issues that were before us and I'm part of the Planning and Zoning Commission, and they wanted certain things and we questioned them on it as we're supposed to as Planning and Zoning Commission members. We asked them questions about the two projects that were before us, we brought issues up from rules and regulations that we had before us that were given to us by members who were well before us on the Planning and Zoning Commission. They came before us and asked for certain things. They didn't follow the rules and regulations that we were mandated to follow so we said no to them, and because we said no they brought this lawsuit against our commissioner. That's the truth about what's happening here. That's exactly what happened.

Many people talking at once (inaudible).

**Mr. Martin:** Let me read what's here. Nicola Perugini . . . .

Many people talking at once (inaudible).

**Ms. Adams:** Order. Order. Regardless of whether or not you agree with what the speaker is saying, he has been recognized, he has the floor, so please let him speak.

**Mr. Masi:** This gentleman over here was not allowed to finish what he was saying.

**Ms. Adams:** No, he walked away.

**Mr. Masi:** (Inaudible) finish his statement without interruption just as Mr. Martin is allowed to finish his statement.

**Mr. Martin:** May I read the lawsuit?

Many people talking at once (inaudible).

**Ms. Adams:** The gentleman did walk away from the front. This is the determined area to speak, so Gary does have the floor. I will allow the gentleman to come back if he'd like to speak to say his piece, but please stay away from the personal attacks, that's all I ask.

**Mr. Martin:** I'm not attacking anyone. Lawsuit is the wrong term. What do you call this? A complaint. It's a complaint. Can I just finish, please? All I'm saying is it's a complaint, let me read you what the complaint says. Nicola Perugini, Hard Rock Development, LLC Tedesco Versus Dave Minnich. You all know what that is. You know what the information was behind that. I'll tell you what it was.

**Mr. Perugini:** I'll tell you what it was, I know better than you what it was.

**Mr. Martin:** What happened before was they didn't like the rules and regulations that were placed in front of us. We had discussions on what the topics were about. We had discussions on what steps had been taken in the past on a particular item. We discussed it, things were brought up and a decision was made and it was made to the liking of the person who filed this. He got what he wanted, but because he didn't like the way it went, he filed a lawsuit. This is insanity.

Many people talking at once (inaudible).

**Mr. Martin:** Complaint, the complaint, excuse me, he field the complaint because he didn't like the tone that the meeting took, he didn't like, he got what he wanted, but yet he files a lawsuit, costs the community money, filed a complaint because he didn't like the way it was presented.

**Unidentified Man:** And that's his right.

**Mr. Martin:** I'd like to ask one more question, does the Town have a right to counter sue those who sue us, if the lawsuits are found frivolous?

**Ms. Adams:** I did have a conversation one time with Paul Jessell and I think we kind of in the position we're at that we have to have our tolerance is a lot higher. I do not believe that we have the right to initiate lawsuits as officials. At this time, did you want to come back and finish what you wanted to say?

**John Mailloux, 1258 Guernseytown Road, Watertown, CT 06795**

**Mr. Mailloux:** I'm not telling anyone how to vote, but think about this. All the meetings we have gone to, though, I'm not telling you guys how to vote, but for God's sakes, if you believe, if you guys have gone to these meetings that things were done right and he's working for us, then you're a fool then. Because I went to these meetings, this guy was not working for us, that's the reason why we are here. I believe what he just said, this gentleman over here, we should fight this, because this will happen again. We have to sit here, go to these meetings, give our opinion and say we don't want this, whatever it may be in the future, he just has to sit there and say, nah, I don't care what they say, you're supposed to be working for us, you're supposed to say what we have to say and take it, but you didn't want that for some reason, you wanted what the 4 other people who wanted this project and that's what this whole thing is about right here, this is the reason why someone is suing you because you know what? You don't listen to the people. The people told you what they wanted and you did not listen to them. And this is why I'm frustrated because I went to these meetings. I wasted my time and this is all for nothing. I knew it would be for nothing because you showed it at these meetings, sleeping almost up there because you had no idea, you didn't care, and this is why we're here right now and it's going to happen again. It's going to happen again.

**MOTION:** (Ms. Denise Russ, sec. Ms. Rosalie Loughran) I make a Motion to Move the Question.

**Discussion:** **Ms. Adams:** We have two motions on the floor. Of course we have the motion whether or not to appropriate the money, but the motion to move the question is non-debatable and will be by a show of hands. What this means is if this Town Meeting chooses to move the question, we go to a vote. This is not the green ballots you were handed, this is whether or not we go to the vote. So all those in favor of moving the question raise your hand. Okay, all those opposed? Just a few, okay the question has been moved.

**MOTION CARRIED** (by show of hands)

**Watertown Town Council**  
**Special Town Meeting**  
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**Ms. Adams:** At this time you have green ballots in your hand. Those in favor of the motion for the Town Meeting to appropriate \$36,463.58 circle yes. Those who are opposed circle no. The ballot box is up here and I'm going to appoint Dave Dalton and Elaine Ayotte to count the ballots. Now the Town Meeting is going to be kept open until the ballots are counted so we have an answer.

**Ms. Adams:** The Registrars have counted the ballots. The Motion carries 86 to 80.

In Favor: 86 People

Opposed: 80 People

Abstained: 0 People

MOTION CARRIED (86-80-0)

Ms. Adams, Moderator, Adjourned the Special Town Meeting at 8:23 p.m.

Respectfully submitted,

Elaine H. Adams, Moderator

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