

MINUTES

WATERTOWN TOWN COUNCIL REGULAR MEETING

WATERTOWN HIGH SCHOOL
TECHNOLOGY CENTER
MONDAY, NOVEMBER 17, 2008, 7:30 P.M.

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

ABSENT: None

OTHERS PRESENT: Karen Baldwin, Superintendent of Schools
Gina Calabrese, Chairman, Board of Education
Chuck Frigon, Town Manager
Frank Nardelli, Assistant Town Manager/Finance Director

1. Call Meeting To Order

Ms. Adams, Chairman, Called the Regular Meeting to Order at 7:30 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. Proclamation – Dan Moher

Ms. Adams: I'm just going to read a little bit from the Police Department that was entered by Officer Jeffrey Desena on September 20, 2008. He says "I then spoke to Dan Moher who pulled both parties ashore." This is in regard to the Lake Winnemaug drowning. "Moher stated that at approximately 10:40 hours he heard someone screaming for help a short distance from his residence. Moher stated he then observed the front of a small boat sticking out of the water about 30 feet from shore, with Mr. Knowell, Jr. holding onto it. Moher stated he then told his mother to call 911 and he jumped into the lake and swam out to the boat. Moher stated that Mr. Knowell, Jr. told him that his father had gone under and not come up. Moher stated that when he went under the water and located Knowell, his father was motionless."

This in itself shows that we have heroes in Town and you're another one of them. This could have been a lot worse, we can't thank you enough for taking the opportunity to, for just doing the right thing. I have a proclamation to read:

WHEREAS, on the morning of September 20, 2008 despite fears, Dan Moher responded to faint cries for help. He had seen two people earlier in the day boating on Lake Winnemaug near his home and when he looked towards the direction of the cries, there was only one individual near a capsized boat; and

WHEREAS, Mr. Moher swam to the boat and dove down into the water finding one of the missing persons, bringing him to shore, and despite the fact that the man was not alive, attempted CPR, then returned to the remaining individual bringing him to safety; and

WHEREAS, Mr. Moher acted unselfishly and heroically on September 20, 2008 putting himself in danger to save the lives of others.

NOW BE IT RESOLVED, that the Watertown Town Council, on behalf of the community at large, finds that,

DAN MOHER

Performed a truly heroic deed and expressed profound admiration and gratitude to Dan Moher for his extraordinary actions of the highest order.

Dated at Watertown Connecticut this 17th day of November, 2008.

Elaine H. Adams, Chairman
Watertown Town Council

Mr. Moher: I'm very humbled by this. Didn't really see it coming, didn't think of anything that morning. I just want to say thank you to you all. It was a moving and still is a moving experience for me. Thank you, thank you so much.

5. Public Participation

Anthony Fusco, 192 Bunker Hill Road, Watertown, CT 06795

Mr. Fusco: I'm here not to bore you, but just to straighten the record out. At the last meeting I was here speaking about Bunker Hill Road and I appreciate the thought that went into it and the fellows that came out from Public Works. This is for the record, as Mr. Cavanaugh went ahead and wrote up the estimate for the Bunker Hill Road sidewalk that I (inaudible) since the fellow got killed up there on Bunker Hill. I wrote him a letter and I also wrote the Town Manager a letter and I'd like to present this to you for the record. Last time I was here I talked about a sidewalk from the rest home, which I hope nobody confuses it with the convalescent home at the foot of Bunker Hill. This rest home is on the top side of Bunker Hill, near the Waterbury line. I had suggested that you put a sidewalk in from that rest home to the Waterbury line and I also stated it was about 900 feet. Well it's not 900 feet, it's 800 feet because I did a search on the computer and I got a map and it tells me it's 797 feet, let's just say 800, so that's from the rest home on top of the hill to the Waterbury line. Now it was also suggested that Mr. Cavanaugh got an estimate of putting the sidewalk in from the Waterbury line to Straits Turnpike, that's not what I suggested and that's not what I said. If you do that, I know it would cost the Town a lot of money. I'm not after that, I'm not after glory, I'm not after fame, I'm only looking out for the people who live up in that area and who walk that sidewalk, and if you walk that sidewalk like I said, so the audience will know where I'm coming from, you have to cross the street and it's the worst part of the street that you have to cross in, and there's no crosswalk, no signs, nothing in that area, so I suggested that the sidewalk go from the Waterbury line to the rest home. This would give the people a chance from the rest home to walk towards Waterbury if they wanted to take a walk. As it is now they have to cross the street as you know and a lot of them in that rest home are deathly afraid of crossing the street so they don't go anywhere, so they just hang around the front of the rest home and don't do any exercise as far as walking, so that's why I wanted to straighten the record out. I have pictures here from the computer so you'll know where I'm talking so everybody is on the same page.

Ms. Adams: Ray is going to report on the sidewalk under subcommittee reports.

Mr. Fusco: Okay, I just wanted to straighten the record out that I did not ask for sidewalks that would cost \$228,000. The sidewalk that I referred to would run probably about \$60,000 and not more than that, because it runs 800 feet. If you multiply \$75.00 per foot of sidewalk and 800 feet, it comes out to \$60,000. Thank you. I hope everybody understood what I said and not get confused.

Gary Stewart, 575 Northfield Road, Watertown, CT 06795

Mr. Stewart: Last time I was here I believe it was the end of August or early September, I'm back here on the exact same issue this evening. Basically just to refresh your memory and I won't go into all the details, but I'm referring to the Public Works project that was done back in July on Northfield Road where approximately 6,000 square feet of lawn was installed. You know my opinion, I don't believe that was proper and don't believe it was routine maintenance by any stretch of the imagination. In any event I rise tonight to again request that the Council investigate this matter. Last time I was here there was some answers from the Town Manager at that time which I characterized and still do today as completely inadequate. And so you know we're 3 months probably since I first came to you and complained and asked for an investigation and to my knowledge there has been none thus far. Under the Charter, under Section 311, the Town Council is empowered to do just such an investigation and I'll just read that to you: "the Council shall have the power to investigate any and all departments, offices, and agencies of the Town Council and for such purposes shall have the power to issue subpoenas. At the request of the Council any judge may issue a habeas for the appearance of witnesses and the production of books and papers." Hopefully it doesn't get into orders from a judge, but I mean this is, I'm asking for something very straightforward, very simple, and I don't know if any of you or which ones of the Council may have gone out and taken a look at the subject property, but you know I've not heard from any Council members stating that there was any investigation undertaken. We elected you to watch our dollars. You are the highest fiscal authority in the Town of Watertown and thus far I don't see that happening in this case. Thank you.

Judy Wick, Northfield Road, Watertown, CT 06795

Ms. Wick: Our system of government, whether it's local, state, or federal, depends on people having confidence that the decisions affecting them have been reached fairly. Most of us can accept a decision even if it's not one that we would have reached if we believe that those making that decision did so in an honest and transparent manner. I know that some of you at the public hearings for 262 zoning amendments and the Planning and Zoning Special Meeting. There was nothing about this process that was fair, honest, or transparent. We have members of the Commission who refused to consider the evidence presented to them. When asked for evidence to support their position we were told it came from the heart. Now I have nothing against decisions from the heart, but I think those should be more appropriate for romance and not decisions that can alter the entire future of this community. Was it too much to ask on what evidence these commissioners made their decision? How could 5 members of the Commission vote to approve a regulation change that they had not had the opportunity to reach following revisions? Why did they close the hearing knowing there was going to be changes? What was the hurry? All we have is Chairman Minnich's assertion that the interests of the Town are protected while the professionals who have looked at this amendment disagree. We are left with the unsettling opinion that there was more going on here than meets the eye.

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Section 306 of the Town Charter gives the Council the authority to regulate the internal operations of boards, commissions, and offices it fills by appointment. I think this Council needs to initiate an independent investigation of the Planning and Zoning Commission and whether there was any improprieties in the making of these decisions. This has to be done immediately before an application is presented under this amendment. I request that you add this item to your agenda tonight for further discussion. Thank you.

Nancy Rahuba, 99 Old Farms Road, Watertown, CT 06795

Ms. Rahuba: The Planning and Zoning Commission is not acting in the best interests of Watertown, especially with respect to the Route 262 issue. They were repeatedly told that they had most of their authority when drafting the planned commercial district regulations, but once the regulations were put in place their function was administrative. They were told this by the Council of Governments, the Town Attorney, Attorney Chansi, Town Planner Brian Miller and a former Planning and Zoning Chairman. In spite of this David Minnich said all of these experts were wrong, he said we can change these regulations after the applicant has applied for the overlay zone, but the applicant applies under the existing regulations and the regulation changes don't apply to them. Dave Minnich assumes his procedure will work, when all these experts have told him there are issues with his approach.

Why would he take such a risk with our Town? Without a professional review we are concerned that he has left the Town exposed. Why would he deliberately draft the regulations leaving out critical protections like a cap size, and traffic mitigation, why would he pass regulations without any evidence that there would be any financial benefit to the Town? This is amazing, as he had about 70 reports and studies showing that this type of development would hurt other towns.

During the public hearing each commissioner was asked whether the changes required as a result of this Hearing were substantial. They indicated they were substantial. Substantial changes require them to hold another public hearing on the revised regulations, yet they passed the regulations without holding another public hearing. The Planning and Zoning received the final regulations as they entered the meeting. They did not have time to read them before they voted on them. Dave Minnich said he incorporated most of the comments and they never verified this was done or that it was done accurately before voting to approve them. It was obvious to those attending the meeting that most of the Planning and Zoning commissioners did not understand the issues or the impact of their decision. For example, Jim Blais was asked since no evidence was presented to show that the retail development would provide a financial benefit to the Town, what made him believe there would be a financial benefit to Watertown when there as so much evidence to show that there would not be a benefit. His answer was because someone wants it for retail. Well this is evidence that it would be profitable for a developer, but certainly not evidence of why it would be profitable for Watertown.

There were so many experts who advised Planning and Zoning to hire a land use attorney and not draft the regulations on their own. The members were questioned about their expertise on drafting regulations. Glen Duplissie said they were not qualified to write the regulations, but they were qualified to vote on whether they wanted the regulations or not, but they did write the regulations. Now I understand that it's difficult to find qualified individuals to serve on Planning and Zoning and it is critical that the people who do serve can recognize when they are capable of making decisions and when they need expert advice. Unfortunately this Commission cannot make that distinction. This has put the Town in jeopardy. I urge the Town Council to fire the entire Planning and Zoning Commission and appoint individuals qualified to independently evaluate planning and zoning issues. If the Town Council does not address this urgent issue, I wish the public would support the formation of a third party so we can have representatives who will protect the Town and represent all of the people instead of the interests of a select few.

Coreine Peluso, 365 Buckingham Street, Watertown, CT 06795

Ms. Peluso: I, too, attended some of these public hearings. I couldn't believe that after the people said no, I'm not going to give you \$93,000,000 to do this study, they came back to us. Well I've been in Watertown all of my life. These people are not planners and they are not zoners, and I do know a little bit cause I served on the Zoning Board of Appeals and saved this Town a lot of money by knowing one of the regulations. I cannot believe that these commissioners stood there, wouldn't listen to anything that was given to them to make (inaudible) to make us money. Well then show us how. It wasn't done. The people told them a month before no, you can't have your \$93,000,000. Well they said okay, we'll go on and do something else. I believe that they all should be replaced. Thank you.

Denis O'Sullivan, 238 North Street, Watertown, CT 06795

Mr. O'Sullivan: Prior to the regulations being heard, I secured a copy of the regulations from Planning and Zoning and I prepared a document that listed a number of issues that were, I read into the record at the Planning and Zoning meeting. I was told that these would be corrected and I was told that if there were problems they would be, with the points that I brought out, they would be resolved in the new regulations and I'm here to tell you that they were not resolved. I want to hit some of the highlights so you can understand.

One of the major parts of the regulations is to come in, and get a high quality business there. They talk about in the various sections of specifically high quality retail and office space is desirable. The regulations want to create an attractive and highly visible entrance to Watertown and they require architectural variety. They also state that they want to avoid stereotypes or franchise type buildings unless the building truly demonstrates architectural excellence. They want to develop of merit must demonstrate high quality design merit.

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My question to all of those statements are who on Planning and Zoning are qualified to make those decisions? When you get into an application who is going to be the person on the Planning and Zoning that can stand up and say I have the credentials and what you are proposing is too big, too long, too brown, too repetitive (inaudible)? No one. But about 3 or 4 pages of these regulations get into color, get into repetitive of design, get into the building height, get into very esoteric terms that qualified people can make a judgment on and that can hold up in court and my point here is that we, the Town, are now hanging out there with a set of regulations that has no teeth. We are hanging out there and people can come in and make an offer and we have no ability to say no, that's not what we want with these regulations.

One of the regulations the statement was made, the location or (inaudible) structural texture, materials, landscape and other features shall be consistent with the character of the district, character of the neighborhood, character of the Town and zoning and subdivision regulations, the zoning map and the Plan of Conservation and Development all as interpreted by the Commission. The final sentence in that is "development of a parcel should demonstrate high quality design merit". Should is a wishy washy word. Should has more holes in it than it has worth saying. It doesn't say it shall, it says should, and if it doesn't we can't enforce anything. That's just on building design. I want to hit a few more points.

With reference to fees, I'm excerpting now from the regulations, and these are the regulations that have been approved, the Commission may require the applicant to pay for consulting studies. Well maybe, and maybe not. Why wouldn't a set of regulations that is made for our Town say they must? That's not what it says. And we are going to have not an 800 lb. gorilla in this Town coming in under these regulations, we will have an 8,000 lb. gorilla, and unless you nail this thing down, may require, that's mush. And it doesn't protect us.

The traffic study, again I'm excerpting small tidbits but they are important, the traffic study need not address remedies for mitigating congestion. Why not? If we have a set of regulations out you know that's going to have an impact, why wouldn't you say if it has a negative effect on a road, identify it and take care of it as part of your application? I'm sure you all understand what I'm saying.

Here's one that is shocking to me, and I hope it's shocking to you and I hope it will move you towards taking whatever action. I pointed it out and it remains in the regulations. The maximum impervious surface coverage is 75%. We're told that we might have an application that comes up with 150 acres of potential development, we're told, we don't know, there's all kinds of stuff going on back and forth, but 75% will either be built on or paved. What the heck could be left after that? Not very much. A little bird, a frog? We're supposed to also take into consideration the property and the neighbors. What would be left at 75% paved over or roofed over? I'm saying not much.

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Another example of mush that is put forth, a report shall be submitted by the applicant to the Watertown Chief of Police. Report on what? Prepared by whom? What are their qualifications? Nothing is said about that. I brought that to the attention of the Commission. Why wasn't something done on that? If we're going to have a report, why shouldn't it be prepared by someone that is qualified and why wouldn't you define what you want to look at? All it says here is that a report shall be submitted by the applicant to the Watertown Chief of Police prior to submitting an application for the zoning map amendment. A conceptual plan or a detailed site plan that describes the anticipated security outside buildings and within the buildings. But who would prepare it? Somebody could come in and prepare the reports (inaudible) I worked on these projects, I've done this before and there's not going to be any security inside or outside the building. Thank you very much, goodbye. Why wouldn't we require somebody who has some documentation to do this?

A comprehensive traffic study prepared by a professional engineer, licensed in Connecticut detailing the effects of the proposed development and the measures necessary to mitigate those affects shall be submitted with the applicant for a detailed site plan approval. Sounds good. So you're asking somebody to go in and identify (inaudible) but then let me read the final sentence. The (inaudible) retention in the report should be given to affect some on State road. It doesn't say that they are going to clean the thing up, it doesn't say anywhere that they are going to right this.

Finally, the last item, the regulations say that the Zoning Board of Appeals, section 3612, use variances, the Zoning Board of Appeals is not permitted to grant use variances in the zone, so what we're saying in these regulations that another entity of town cannot carry out their charge. I believe our Town Council pointed out that this is not legally within the right of one board to say that another board can't stick its nose in there. It's still in the regulations.

My concern is that we're hung out here with these regulations, we're going to get that 8,000 lb. gorilla and we're not going to be able to do anything about it, because we have allowed a narrow group or narrow individual to write these regulation without any meaningful input and change it. I hope that you can take whatever action is appropriate as the Council of this Town because if this occurs, and we do get that 8,000 lb. gorilla in Town, we're all going to be sorry. Thank you very much.

Sandra Greenwood, 156 Belden Street, Watertown, CT 06795

Ms. Greenwood: What I have to say, I mentioned this many, many years ago, and at that time Elaine and Ray and Paul were on the Town Council and our Town Manager was Meredith, I forgot her last name, but I had requested many years ago when there is a controversial committee such as Planning and zoning to have it recorded. I don't know if you remember this, I had mentioned it a long time ago. I can't stress enough to have the meetings, when you have a controversial issue such as 262 or controversial committee such as Planning and Zoning you have to have this recorded.

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The first meeting was I believe October 29th, the next week I spoke to the secretary and I asked her how she was coming along with the minutes. Some of it was inaudible, at that time I don't know whether or not she finished it, but at that time I'm going back to the second meeting now, she had only done 36 pages and that wasn't even half of the recording. I did not ask her at the third meeting which was last Monday how she came along. How come there is no video for this? What is the problem? I know we have it for the Town Council and the Board of education. I do know many years ago when we were having our meetings up at John Trumbull there were 2 young adults, I believe at that time they were I think juniors and I remember them going into seniors, now they're in college and I think one of them is married right now. I had asked them what he was getting paid for and this was for the school board. He had told me \$10.00. My face dropped. I said \$10.00? I said \$10.00 each? And there were 2 of them and it was \$10.00. I can't believe that this is what these people get paid for, especially when people can hand out raises to our Town Manager and to our Superintendent and pass out money to them as if the taxpayers are printing out money in their basement, handing this out to them. I'd like to see some sort of more going on instead of getting like what Lynn is doing what other people are doing because you're not going to have the full report on these meetings. Thank goodness we have our Town Times reporter, he is excellent and our Waterbury Republican is just as good. I mean if they had to put down everything that went on at these meetings, you wouldn't have any local news in the Town Times or local news in the Waterbury paper, what has gone on. I can't stress enough, you have to get these meetings recorded. Can we get this done? Is there a reason why? What's the reason for this, why there is no recording, you have it for two boards, and not for the other ones?

Ms. Adams: The meetings are all recorded, like Lynn is doing right now.

Ms. Greenwood: I'm speaking about video.

Ms. Adams: I believe right now that we are being filmed. This room has the ability to do that. Now once you get outside of this room, I don't believe that there is the ability to do that. I don't know, I'd have to check into whether the equipment is available and if there are people who can do that. The other thing I'd like Chuck to look into is how much do we pay these videographers, because I would think \$5.00 is really unreasonable.

Ms. Greenwood: I'm going back several years ago. I thought he was kidding when he said that, he said no. I said \$10.00 each? He said no, we split that together, so whether or not, I'm only going by what I was told and I'm going back probably 5 or 6 years ago, if not more.

Ms. Adams: You're talking to record to put on cable?

Ms. Greenwood: Yes.

Ms. Adams: Public access.

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Ms. Greenwood: Yes, I think it would be very helpful, especially when you get a controversial issue such as this. I really think more people would be watching this. That was a lot of people, a lot of elderly people who went out that night to see this. In fact I didn't ask this, but one of the people who works at Planning and Zoning asked the secretary who set this up and evidently the elderly gentleman who used to help the young adults with this, he came out of retirement, he used to set that up that night.

Ms. Adams: Dave Hoffman.

Ms. Greenwood: That would be very, very helpful, especially if it's going to be something controversial like this. I think it would be very helpful. You can see a lot more than getting it through minutes, because a lot of things are not verbatim in the minutes, they're not verbatim, they're inaudible, and she did say there was a lot of stuff that was inaudible, she couldn't hear, especially from the other end of the room. It's only a suggestion.

Robert LaBonne, 516 Platt Road, Watertown, CT 06795

Mr. LaBonne: As far as me talking, I feel like it's sour grapes cause I do have a retail store in Town and I sometimes hesitate to come up and I don't want to lose Rich as a customer. I'm just saying you're talking a quality whatever it is. It says quality. Since when is Wal-Mart quality? And you can say Super Wal-Mart which I understand it is, and even Carl said he would be against a Wal-Mart, I'm saying if that's what it is folks, the center of this Town is going to be in trouble and you must believe that. And the truth will come out and to me that's the only thing that's going to happen there is a Super Wal-Mart so I just want to put that forward. I think I've said it before, it's been proven in my business, if a Super Wal-Mart comes into town I will lose 30%. This is my first year making money in that store so I just want to say that. We do a lot for this Town. I want you to look at, I just am shocked that none of the small retailers have come forward to the Planning and Zoning and say that, explain that if it is a big place like that they're all going to be in trouble and you're going to see a very dark Main Street. Thank you.

Ms. Adams, Chairman, closed Public Participation at 8:15 p.m.

6. Minutes

A. Regular Meeting Minutes – November 3, 2008

MOTION: (Mr. Fusco, sec. Mr. Primini) to Approve the Regular Meeting Minutes dated November 3, 2008 as presented.

Discussion: None

MOTION PASSED UNANIMOUSLY

Ms. Adams: We have two requests tonight to talk about, one was to investigate the Town Manager and the other one was to investigate the Planning and Zoning Commission. I think that that is probably something that I wouldn't want to do without the Town Attorney.

Mr. Fusco: Mr. Stewart keeps coming back, he needs an answer, he should get an answer. I think we discussed it amongst ourselves but I don't think he's ever gotten it so I think if we had a meeting on this and give him an answer. I'd like to see it put on the agenda for next month and let's get it straightened out so he can have an answer.

Mr. Mancini: I'm not saying I agree or disagree with Mr. Stewart but I think that he made a challenge to us to check into something. As far as I know we did check it out, we got an answer from our Town Manager, but I think that Mr. Stewart is owed an answer back from us.

7. Chairman's Report

A. Correspondence

Ms. Adams: From James E. McGowan, 25 Meadowcrest Lane, Watertown, to the Town Council, Elaine Adams, Chairman,.

"I'm writing regarding the planned commercial district on Route 262. The recent public meetings have resulted in a lot of majority of the attendees giving negative reports to this large proposed development. Numerous professional studies made in New England and across the country stated that towns and cities actually experienced a declining tax base or reduced revenue despite all the growth and concluded there is significant statistical relationship between new large commercial developments and increases in personal property taxes. Planning and Zoning Commissioners appear to be negative to or ignore all the reports. Yours truly, James E. McGowan".

This letter is from Anthony Fusco:

"This letter is in response to a letter sent to you by Public Works Director, Roy Cavanaugh, on November 10, 2008. When I came to the Town Council on November 3rd, I said I wanted a sidewalk on Bunker Hill. I expressed that I wanted the Town to put a sidewalk on the Waterbury/Watertown line extending to the Pleasantview Rest Home, which only entails about 900 feet of sidewalk. I never mentioned for it to extend to Straits Turnpike or Route 63 as closed in Mr. Cavanaugh's letter stated. The letter also stated that the cost would be about \$228,000 which is incorrect. If the sidewalk was put where I had suggested it, it would cost the Town about \$68,500. There are only 4 houses involved and not all of Bunker Hill. If you have any questions, please contact me further; I'll be more than available to you. Thank you, Anthony Fusco".

Do you want to put that with your Public Works (inaudible)?

One other items of correspondence, a press release from John Gavallas:

“Adams Super Food Stores and the Milk-Bone Brand as part of Milk-Bone’s Canine Heroes Program will be donating \$5,000 to Chief John Gavallas and the Watertown Police Department towards the purchase of a new police dog for the department. This event as part of the Milk-Bone Canine Heroes Program will occur at Adams Super Food Store, 1167 Main Street Watertown, CT, Thursday, November 13, 2008 at 11:00 a.m. Milk-Bone and its retail partners, such Adams Home Town Markets, have worked in conjunction to donate over 800 dogs to communities nationwide over the past 11 years. There will be K-9 unit dog skills demonstrations by members of the neighboring Middlebury and Newtown Police Department, to be followed by questions and answers from the audience.” I guess this happened last Thursday, this is a wonderful thing for the Town.

8. Subcommittee Reports

A. Public Works

Mr. Primini: Paul Rinaldi and I took a field trip on Bunker Hill Road. We looked at the culvert areas and the curb cuts for Georgetown Heights where it meets Bunker Hill Road and the sidewalk and as Mr. Fusco pointed out, about 800 feet, and the sidewalks were 5 feet wide, that was the A.D.A. requirements. We did look at the site lines, it was a bad site line when you look at that section. Mr. Cavanaugh gave us an estimate all the way to Straits Turnpike, but it’s \$75.00 per linear foot and we’re probably looking at about \$60,000 to do just a couple of houses past the Pleasantview Rest Home, now the Waterbury Extended Care. The sidewalk, there are two houses that do have a low drop so there would be some wall work. I spoke to Mr. Cavanaugh today and I’d like to break this up into two separate projects. One would be the sidewalk on that side of Bunker Hill and the other would be culvert problem. We looked at the curb cuts and the way they come down Bunker Hill Road, it was pretty steep and it does cut over, so if anybody was in a wheelchair they would probably flip right over by the time they got (inaudible) and there was about a 3 or 4 inch lip on the curb so that really does have to be straightened out. We did notice where the culverts where there was a section that tends to go uphill so water just sits there and I (inaudible) so Mr. Cavanaugh will be giving us an estimate on those so hopefully we can put into next year’s budget, but break it up into two separate projects to see if we can get a grant or maybe use LOCIP money.

It looks like we’re finally come to the end of 1024 Main Street, the flood control project. This is the Luciani project, where we had a FEMA grant, that has been going on for a long time. That property got flooded out and Mr. Cavanaugh put a lot of time and effort into this. FEMA has approved our grant and they will pick up 75% of the cost, the homeowner has to pick up the other 25% and the total project is about \$125,000. The Luciani’s came to our last meeting; their part of the money will be put into an escrow account and the Town will take care of the permit process which is Inland/Wetlands and (inaudible). We have to get this going within a year, because if not, we will lose the money, it will be given to the next person on the list.

Hamilton Avenue project at Morehouse has been substantially completed, it has been paved, but some of the driveways have to be (inaudible).

Colonial Street and Falls Terrace have been milled as of today and that goes from Davis Street all the way to Carvel, Main Street, so these are long awaited projects, hopefully they should be paved within a week.

We have one more field trip with the (inaudible) Monday of the month, the Dunrobin people who asked about the tree light program up there, so we'll be looking at possibly moving some of the lights.

9. Town Manager's Reports

Mr. Frigon gave the following report:

State Budget

This afternoon I had the opportunity to be part of a conference call with the Governor and all 169 communities in the State. The conference call was the Governor addressing to the municipalities the financial state of the State. It was very discouraging. This year alone they're looking at a \$400,000,000 deficit in their present budget with regards to revenue. Next year they're looking at a \$1,800,000,000 and a \$2,300,000,000 deficit so it was indeed very discouraging. To address this year's \$400,000,000, there have been a number of cuts that will be brought before the legislators next month and in all likelihood they will pass. At this point there is nothing that is being suggested for the floor that will curtail any of the promises that were made to any of the towns this year. There was no discussion on next year. It was a very discouraging call.

Retirement

Rick Duffy, Highway Superintendent, will be retiring on January 8, 2009. He was a tremendous asset for the last 14 years to our Town and especially to the Public Works Department. Everyone will miss him.

Route 262

The contracts for the STEAP Grant water main have been signed and we expect that work will proceed per contract in the next couple of weeks.

Ordinances

We have made contract with Councilman DiFederico regarding the Ordinance Subcommittee. We have some information compiled on the hybrid vehicle tax exemption as well as the dog and geese droppings. I'll share that information and we'll try to at that time formulate an ordinance that will meet the needs of our public.

Ms. Adams: Rich, when you get the information you can (inaudible).

10. New Business

- A. Discussion and Possible Action on the Successor Agreement between the Watertown Board of Education and the Watertown Education Association (Teacher's Union)

Karen Baldwin, Superintendent of Schools

Ms. Baldwin: Good evening Chairperson Adams, Vice Chairperson Primini, and Town Manager, Mr. Frigon. I'm very pleased tonight to walk you through the tentative agreement that the Board has reached with the Watertown Education Association, the Association ratified this agreement on October 22nd and the Board of Education ratified this agreement on October 27th. I don't know if each one of you has a copy of my summary memorandum. I have other copies if anyone needs them. I'll walk you through the highlights of that memorandum and then answer any questions that you may have.

As a matter of background information, the current contract between the Board of Education and the Teachers' expires on August 31, 2009, this summer. By statute we follow a very strict timeline to negotiate a successor agreement. We began negotiations in September. The Board team was composed of Gina Calabrese, Rich Mazzamaro, Janice Pond and Tom Lambert, and the Town Council as the fiscal authority was represented by Ray Primini and Carl Mancini. Should the Council approve this agreement tonight it will take effect September 1, 2009. In terms of the timeframe, I submitted and filed this contract with the Town on October 31st and by statute you have 30 days to act on this, so our timeframe is ticking and we have until November 30, 2008 to determine what action will be taken.

The Board of Education in this negotiation really had 3 priorities:

1. We wanted to continue to address escalating healthcare costs through strategies to shift costs to the employees.
2. To the extent practicable we wanted to minimize step cost impact in the wage settlement but still send a message of value and support to the professional teaching staff.
3. We wanted to clean up to the extent possible some language provisions in the contract.

From bargaining unit data this contract represents about 255 teachers in the Union and the salary schedule has 15 steps. That schedule has a Bachelor's schedule, a Master's schedule, and a 6th Year Degree schedule, each with 15 steps. Our step cost projects what it would cost to move people forwards on steps each year:

- Year 1, 2009-2010, the step cost is 2.65%.
- Year 2, 2010-2011, the step cost is 2.57%.
- Year 3, 2011-2012, the step cost is 2.29%.

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Right now in Watertown a first year teacher with a Bachelor's Degree this year would make \$38,815. That's this year, September 1, 2008. Our most experienced teacher in Watertown, this year with a 6th Year Degree and on Step 15 would make \$79,498.

- We reached a mediated settlement on October 15th, actually we started on October 15th and I think we reached our settlement on October 16th. The first year settlement we were able to negotiate a freeze, no step increments, so the first year settlement is an overall total cost of 3.25%.
- Year 2, 2010/2011, is a 2% general wage increase plus a 2.65 step, for a total of 4.65%
- Year 3, 2011/2012, is a 2% general wage increase plus a 2.57 step, for a total cost of 4.57%.

I should point out to you that the State average total settlement right now, settlements are still coming in, but the data I have today, year 1 total cost settlement is 4.73, so we did very well compared to the State settlements right now, 4.73 compared to 3.25. So if you consider that we were able to avoid that 1.48, if you consider the average, 4.73, and we came in at 3.25, in real dollars we avoided \$235,598 additional dollars on the operating budget for next year, so that was good work.

The total 3 year settlement in Watertown, the 2% in year 2 and 3 for general wage is the lowest reported GWI to date. That may change, and this is an credibly difficult climate to be negotiating in, but as of now this is the lowest GWI reported for teacher's contracts. Our 3 year settlement increase is 12.47% or 4.16% annually. If we compare that State-wide, the State-wide 3 year settlement is 14.43% or 4.81% annually, so once again we did well compared to what is going on, trending in the State for teacher contract settlements this year.

The total salary and wage impact for next year based on this tentative agreement between the Board and the Union represents a \$157,390 increase in the 2009/2010 operating budget. That represents a 1.47% increase over the current 35,200,000 operating budget for the entire Board of Education.

In terms of health insurance we were able to eliminate the Blue Care POE plan. Presently the teachers in Watertown have 3 health insurance plans available to them.

Blue Care Point of Entry Plan, much like an HMO
Century Preferred PPO Plan
Health Savings Account High Deductible Plan

The Blue Care Plan is a very rich plan with low co-pays and a high level of benefit. We were able to eliminate that plan and structure a 2 plan opportunity for teachers:

Century Preferred PPO Plan
Health Savings Account High Deductible Plan

It's our hope to partner with the Union, and I had a meeting with the Union leaders last week to really approve our marketing of this plan and to get teachers to migrate from the Century Preferred Plan which right now is the most popular plan, and have them move to the lower cost premium to the Town and the Board, the High Deductible Account Savings Plan.

On the PPO, we made plan design changes. We increased co-pay, again trying to reach our goal of shifting costs to the employees, helping the employees to share some of this burden of health care costs, so we changed office visits, we increased the cost of an office visit. We also were very aggressive with our prescription drug formula because there are some dollars available to us there in pharmaceuticals and prescription drugs and so we were able to do that and we did this in close concert with Tom Kowalchik of USI, the health insurance agent of record for the Town. So our plan design changes in the Century Preferred PPO resulted in \$150,000 worth of savings. We also, during this negotiation process, eliminated the buy back provision for teachers. Right now in the teacher's contract there is an opportunity for teachers, if they choose not to participate in the health insurance plan because their spouse may have health insurance, the Board right now by contract would pay them. We've eliminated that because we believe that it's enough deterrent right now for the person to realize that they would have to pay 16% of the premium cost share. We no longer need to incentive people to not take health insurance so we eliminated that provision.

We also increased the premium cost share, the employee's contribution. Next year the Board will pay for 84% of the cost of the teacher's premium. The teachers, through payroll deduction, will pay 16%. In years 2 and 3 it would be 17% of the burden shouldered by the teachers, and 18% for the following year. (Tape #1, Side A ended – may have missed some). It's a high deductible plan, \$1,500 for a single (inaudible) for a two party or more. The Board is willing to fund 50% of that in trying to get more people to participation in this plan. Additionally we increased the premium cost share of the high deductible plan. Right now the premium cost share is 5%, next year it will be 8% for that health savings account, year 2, 9%, and year 3, 10%. And again we met with the Union just last week to talk about how to better market this and get support for this so that people understand how to use it so that we can get more people on it.

In summary this is a very challenging time for municipalities and Boards of Educations to be bargaining with employees. The Board of Education worked very hard, and Ray and Carl were valuable contributors to this process in terms of helping to provide the fiscal landscape that the Town is operating under, but I would say that the Board really shifted.

Early on we thought we were headed straight to arbitration and I think we would have, at some juncture early in September or October we thought that might just be the best place to land, but then we really rolled up our sleeves and said we have an opportunity here to control this and make some hard decisions and I think the Union came back with a very supportive and compromised position as well, and I would say that this settlement is truly a compromised agreement, worked out through mediation, and that the Board was very courageous in settling this. It would have been very easy to just kind of throw the hands up and say let the arbitration process figure this out, but we think we reached a reasonable settlement that values the professional staff in Watertown, but at the same time takes into consideration the challenging fiscal realities that are in front of us for the foreseeable future. If there are questions I'd be happy to answer any questions that you may have relative to this tentative agreement.

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to approve the Successor Agreement between the Watertown Board of Education and the Watertown Education Association for a contract period from September 1, 2009 to August 31, 2012.

Discussion: **Mr. Marotta:** A 6th Year Degree, is that a Doctorate?

Ms. Baldwin: No, it's 30 credits beyond a Master's Degree and either an education leadership or reading/language arts consultancy, but no, it's nowhere near a Doctorate.

Mr. Fusco: If this agreement were signed tonight, once we sign this, the agreement is in for the future, right?

Ms. Baldwin: Effective September 1, 2009.

Ms. Adams: Basically the Council could reject this and only because of the dollars involved. Should the Council say no, this would go to arbitration and all costs incurred and also we have no guarantees when we get to arbitration, the last best offer is on the table, so I think that's important for the Council members to know.

Mr. Mancini: First of all I'd like to congratulate the Board of Education and Superintendent Baldwin on this contract. I think they did a great job. I've been through numerous negotiations in the 30 something years of Union activities but this one here was all on its own, believe me. Like Ms. Baldwin said, we did hit a couple of major issues there, like the salaries and wages, to keep the wages the first year down to 3.25% with that includes the step increases is a milestone, and for the 2nd and 3rd year is a total of 4.6, 4.7 including step increases is another milestone.

Then we tried, we did want a little higher percentage of contribution from the teachers, but we felt it will still be up at 18% at the end of 3 years, that's another good thing and the H.A.S., they're going in the right direction by increasing the deductible to \$1,500, that's the right way to go there. I am 100% in favor of this. I want to congratulate them, they did a great job. I didn't make the last meeting, which was probably the most important meeting, because I had a death in my family that day, but they did a great job, that's all I'm going to say.

Ms. Adams: That was what, that 3:00 a.m. meeting?

Mr. Mancini: Yes.

Mr. Primini: This was the first time that I sat on this, we were making progress, it was amazing how fast all of the sudden everything moved, I know it was 3:00 in the morning, but (inaudible).

Mr. Bernier: (Inaudible) but I have to agree with the Superintendent, these are very, very difficult times. I don't see any way around this. I think if we were to go to arbitration it would be a losing situation but we need to sell this to the Town. We don't have a great history (inaudible) we really need to make sure we (inaudible). I will be talking to the Council and I think this year we're going to need to start (inaudible) budget and (inaudible).

Mr. Marotta: It says here, the 2%, Watertown Board of Education negotiating, year 2 and 3 is the lowest GWI reported to date. How many GWI's were reported?

Ms. Baldwin: Generally increases are reported through teacher contract settlements. At the time that this was written, the end of October, 15 teacher settlements were in, so that's out of 15. It may in fact, and everything is driven by timeline, and so when we started this negotiation process nobody knew that the national economy was going to tank, it was a totally different landscape when we exchanged proposals on the very first night to when we came back on the second night, and so it's possible that as more settlements get reported, this was as of October 31st, as more get reported it is likely that GWI's will go down because we're all looking at some grim fiscal realities across this country.

Mr. Fusco: If Carl is in favor of this . . . this must be some contract.

Mr. Marotta: 401k match, what percentage do we match?

Ms. Baldwin: They don't have a 401k. There is no matching on the part of the Board of Education for a 403b plan, that is totally voluntary on behalf of the employee.

Mr. Demirs: Good job.

MOTION PASSED UNANIMOUSLY

- B. Consider a Resolution setting the Place and Time for conducting Regular Meetings and the method for calling Special Meetings for 2009

RESOLUTION

WHEREAS, Section 304 of the Town Charter requires that the members of the Town Council establish by resolution, a place and time for conducting the Regular Town Council meetings and also the method for calling Special Town Council meetings.

NOW THEREFORE BE IT RESOLVED BY THE MEMBERS OF THE WATERTOWN TOWN COUNCIL, that the Town Council shall meet on a regular basis at the Watertown High School Technology Room, 324 French Street, Watertown, Connecticut at 7:30 p.m. on the first and third Mondays of each month except as noted below, and also except when the first and third Monday falls on a designated holiday, in which case the Council will meet on the day immediately following the designated holiday;

AND BE IT FURTHER RESOLVED, that special meetings of the Town Council may be held as required, at the call of the Town Council Chairman:

TOWN COUNCIL REGULAR MEETINGS 2009

January 5, 2009	May 4, 2009	September 8, 2009 (Tuesday)
January 20, 2009 (Tuesday)	May 18, 2009	September 21, 2009
February 2, 2009	June 1, 2009	October 5, 2009
February 17, 2009 (Tuesday)	June 15, 2009	October 19, 2009
March 2, 2009	July 20, 2009	November 2, 2009
March 16, 2009		November 16, 2009
April 6, 2009	August 17, 2009	December 7, 2009
April 20, 2009		December 21, 2009

Dated at Watertown, Connecticut this 17th day of November, 2008.

Elaine H. Adams, Chairman
Watertown Town Council

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to Approve the Resolution setting the Place and Time for conducting regular meetings and the method for calling special meetings for 2009.

Discussion: **Mr. Fusco:** The Charter gives us the right to set the date and time for a regular meeting. I've never seen anything in it for a special meeting. Why do we need something for a special meeting?

Mr. Bernier: We have done that, there are things that come up (inaudible) which requires such business in which we need to get together at times other than the regular scheduled meetings.

Mr. Fusco: We could do that automatically.

Mr. Bernier: We cannot. Without having somebody designated to be able to call that (inaudible) you have to schedule it as a regular meeting and (inaudible). This is the way it was done (inaudible).

Mr. Mancini: I didn't understand what Gary said. Can you explain that to me, Elaine, in the language that we set? Is this exactly the same thing that we've done in the past?

Ms. Adams: Every year we do this, every year.

Mr. Fusco: My only question is if the Charter states that you must do this, but it doesn't say anything about special meetings.

Mr. Nardelli: Yes, it's in the Charter.

Mr. Fusco: Yes, this is it, it says it's done.

Mr. Frigon: Special Meetings.

Mr. Fusco: Yes, we don't have to do it, we're voting on it, I don't care, but we just don't need it.

Mr. Rinaldi: If I recall correctly, I don't think we had that many special meetings.

Ms. Adams: We had one Memorial Day weekend, we had to do that Saturday because they were going to (inaudible) so there's not a lot of them.

Mr. Fusco: We can call a special meeting anytime. We don't need (inaudible).

Ms. Adams: Any other comments? We have again the one meeting in July and one meeting in August.

MOTION PASSED UNANIMOUSLY

- C. Consider a Bid Waiver for emergency sewage force main repairs on Buckingham Street at Thomaston Road performed by Conn-Professional Water Services, LLC for an amount not to exceed \$5,015

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to Approve the Bid Waiver for emergency sewage force main repairs on Buckingham Street at Thomaston Road performed by Conn-Professional Water Services, LLC for an amount not to exceed \$5,015.

Discussion: **Ms. Adams:** We do have Frank Jodaitis. It seems to be (inaudible) everything else here is for Water & Sewer, so Frank Jodaitis is here, Superintendent of the Water & Sewer Authority, and of course we have Paul Rinaldi, Chairman of the Water & Sewer Authority, so if anybody has any questions, they're here to answer their questions. This was (inaudible). This is basically it had to be repaired and we had no options.

Mr. Rinaldi: This is how these are usually done anyway. If there is a problem or a breakage, they fix it and then they come after us later to move the money.

MOTION PASSED UNANIMOUSLY

- D. Consider a Bid Waiver for emergency water main work on Sunnyside Avenue at Turkey Brook performed by Conn-Professional Water Services, LLC for \$16,906

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to Approve the Bid Waiver for emergency water main work on Sunnyside Avenue at Turkey Brook performed by Conn-Professional Water Services, LLC for \$16,906.

Discussion: **Mr. Rinaldi:** This is the same situation as the last one.

MOTION PASSED UNANIMOUSLY

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- E. Consider an Appropriation in the amount of \$15,000 from the Water Operations Fund Balance to the Water Extension Fund for the Sylvan Lake Road water main extension

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to Approve an Appropriation in the amount of \$15,000 from the Water Operations Fund Balance to the Water Extension Fund for the Sylvan Lake Road water main extension.

Discussion: None

MOTION PASSED UNANIMOUSLY

- F. Consider a Bid Waiver for water main extension in Sylvan Lake Road to be accomplished using the low bidder from the STEAP Grant Project, Brennan Construction for \$56,100

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to Approve a Bid Waiver for water main extension in Sylvan Lake Road to be accomplished using the low bidder from the STEAP Grant Project, Brennan Construction, for \$56,100.

Discussion: **Mr. Rinaldi:** Is this for the pipe to go down to the Cercemaggiore Club, the Grand Oak Villa?

Mr. Jodaitis: No, this is for a pipe that goes from the end of Falls Avenue under the culvert on Sylvan Lake Road to a dead end near Frost Bridge Road. The purpose of that is to provide a second water main to feed that whole section of town, Oakville. (Inaudible) he did this other break here for \$16,000 we eliminated the pipe underneath the culvert because the State is going to replace it and we want to put a lot of money and it will cost us a lot of money just to fix the main break not to fiddle around in the culvert so that's what this is for, to provide a second feed to that part of town.

MOTION PASSED UNANIMOUSLY

- G. Consider Setting a Special Town Meeting to consider an appropriation in the amount of \$62,500 for the Water and Sewer Cost of Service Rate Study, \$31,250 to be appropriated from the Water Operations Fund Balance and \$31,250 to be appropriated from the Sewer Operations Fund Balance

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to Set a Special Town Meeting to be held December 1, 2008 at 7:15 p.m. in the Watertown High School Technology Room to consider an appropriation in the amount of \$62,500 for the Water and Sewer Cost of Service Rate Study, \$31,250 to be appropriated from the Water Operations Fund Balance and \$31,250 to be appropriated from the Sewer Operations Fund Balance.

Discussion: **Mr. Jodaitis:** This has been considered for over a year now, to do a rate study. The last study we had was done in 1988. There have been a lot of questions about whether there could be a refund or not (inaudible) the fund balances in the Water & Sewer Department. The purpose of the rate study is to determine what our regular requirements are, what reserve requirements we have and whether or not we can have relief funds or not or what we should do with the money that we have in the fund balances at Water & Sewer Department.

Ms. Adams: (Inaudible.)

Mr. Jodaitis: Should address because our feeling and I think a number of other people feel that no matter what we do we'll be compared to the Fire District, so we're going to have to consult and take a look at the Fire District books just like the Fire District looked at ours, and then we'll have a better idea of how we really compare to them. There is no guarantee that they will do that, but that's the suggestion that I had and the Board voted along with (inaudible) not 100% but most of them voted for it.

Mr. DiFederico: Is it required to have a Special Town Meeting?

Ms. Adams: Yes, because the money is not part of the budget, it's coming out of these two different operational accounts, more than \$24,999 so that's why you need to have the special town meeting.

Mr. Rinaldi: I think that this is real important from my point of view because we're not so sure when we negotiate with the Watertown Fire District that the information coming is really all that accurate so I think hopefully this is going to put some of that to bed, right Frank so we can have some better information coming way?

Mr. Jodaitis: (Inaudible.).

Mr. Marotta: How much is in the fund balance right now for water & Sewer?

Mr. Jodaitis: That I can't tell you.

Mr. Nardelli: I have that with me, at the end of June in the Sewer Operations, about \$1,300,000, and water operations, again this is as of June 30, \$1,140,000.

Ms. Adams: And (inaudible).

Mr. Nardelli: These are going through the audit right now, so I'm waiting for the final audited figures.

Ms. Adams: I know Waterbury kind of pays in arrears but we bill, they bill for like way back (inaudible) payments with Waterbury?

Mr. Nardelli: We're current with Waterbury and our auditors if we don't pay will set up an approval for that.

Mr. Primini: The last time the rate study was done was in 1988, 20 years ago. Do you have any recommendation that that should be done more often, or as is needed? 20 years seems to be a long time.

Mr. Jodaitis: Most utilities do it in 5 to 10 years.

Mr. Primini: So is this something that should be referred to Water & Sewer, I mean obviously we should be a part of it next time around.

Mr. Rinaldi: It wasn't done in a 5 year interval because there were a lot of issues if you remember between 1988 and 1995, but probably it should be done on a more regular basis. If you start accumulating a lot of money over time, it's time to start looking at a rate study but if you're not making up, what you have to do is (inaudible) rate study.

Mr. Primini: I'm just saying if there is something in the Water & Sewer Commission (inaudible) that 5, 7, 8 years it should be something that's done every 5 (inaudible).

Mr. Rinaldi: If the rate structure is good, even after 10 years, why change it?

Mr. Primini: Maybe just at least review it, doesn't mean you have to (inaudible) but at least review it every 5 years.

Mr. Frigon: Just to answer that question further, the rate study that I had suggested to be performed will go out as far as 10 years so that's as far, you would certainly want to, if you do (inaudible) fluctuates in the next 10 years, we'll have again 10 years to (inaudible).

Mr. Primini: Are there checks and balances on this (inaudible)?

Mr. Frigon: I think it's a collaborative effort. As Mr. Rinaldi suggested, over the past 15 years there has been so much, a considerable amount of discussion and negotiation with Waterbury so now that that is over, and we've resolved any issues with the Fire District, all of that is behind us, this is an ideal time to do it.

Mr. Marotta: I agree with Ray, I would recommend that it be in the regulations that every 5 years at least it is looked at, particularly in the economic times that we are all going through, and we are all willing to pay our fair share but we have quite a bit of money in the fund balance and (inaudible) study but certainly an extra \$10 or \$20 a month, we have a little daughter, that does help out so I think this is a good approach, but I would recommend it be in some sort of regulation that every 5 years you look at it, not to say you do anything about it, but look at it to see if it's adequate.

Mr. Jodaitis: Well basically this study is going to produce what they call rate models and the rate model will be set up so that we can plug in numbers from our budgets and everything and see how the rates work out, but if something comes along like the proposed energy plant and they bring in a large consumer like that, it has a tendency to destroy everything so you have to go back and revisit it at that point in time. We're very well set up because we should be able to include that in the industrial customers.

Mr. Marotta: Absolutely You could even build in that regulation 5 years or unless there is a substantial industry comes to town such as a power plant or something large.

Mr. Frigon: To further answer that question, yes we are still, Frank Jodaitis has requested as part of this rate study is a software package that will be turned over to the Town at the end of this study and in 3 months or 3 years or 5 years or when something as significant as a new industrial customer comes in a large user, the Superintendent will then be able to go in and make those adjustments, so the look 3 at the water rate is something that's going to be more or less on-going right now. It's a wonderful concept, it's a great piece of software, it's great technology, not to suggest that we shouldn't write it into the regulations.

Mr. Bernier: (Inaudible.) I think a lot of what you (inaudible) because of the situation we were in with Waterbury (inaudible).

MOTION PASSED UNANIMOUSLY

- H. Consider an Appropriation in the amount of \$2,517.95 from the General Fund for the release of inspection fees for Butternut Views Subdivision located on Linkfield Road. Funds have already been deposited into the General Fund.

MOTION: (Mr. Fusco, sec. Mr. Primini) I move to Approve an Appropriation in the amount of \$2,517.95 from the General Fund for the release of inspection fees for Butternut Views Subdivision located on Linkfield Road.

Discussion: **Mr. Demirs:** Can you explain that?

Mr. Frigon: The inspection fees are provided by the developer to the Town of Watertown,. When the subdivision is finished and all the (inaudible) balance of those fees are deposited into the general fund and we will then, now through this process, give it back to the developer.

MOTION PASSED UNANIMOUSLY

11. Public Participation

Gary Stewart, 575 Northfield Road, Watertown, CT 06795

Mr. Stewart: Just wanted to clarify when you folks were talking about my request, I don't even know who said that I was looking for an investigation of the Town Manager. That's not really the case. My request is that the Town Council look into the entire matter that took place with the installation of that lawn area and how it came to be. Were decisions made in keeping with the policies of the Town of Watertown, Public Works Subcommittee, and longstanding practices, and wherever that leads it leads, but I never suggested that the Town Manager be investigated specifically. If that's where it leads, that's where it leads. I don't know, but I just wanted to clarify that, that was not what my request was. Thank you.

Ms. Adams, Chairman, Closed Public Participation at 9:03 p.m.

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12. Adjournment

MOTION: (Mr. Bernier, sec. Mr. Primini) to Adjourn the Regular Meeting at 9:04 p.m.

Discussion: None

MOTION PASSED UNANIMOUSLY

Regular Meeting Adjourned at 9:04 p.m.

Respectfully submitted,

Elaine H. Adams, Chairman
Watertown Town Council

Approved: _____
Lynn M. LaForme, Clerk