

MINUTES

WATERTOWN TOWN COUNCIL REGULAR MEETING

WATERTOWN HIGH SCHOOL
LECTURE ROOM
MONDAY, DECEMBER 7, 2009, 7:30 P.M.

PRESENT: Elaine Adams
Richard DiFederico
Catherine Duplissie
Richard Fusco
Linda Masayda
Raymond Primini, Chairman
Paul Rinaldi
MaryAnn Rosa, Vice Chairman
Thomas Winn

ABSENT: None

OTHERS PRESENT: John Carlson, New Air Technology
Chuck Frigon, Town Manager
Joseph McGrail, Chairman, Economic Development Commission
David Minnich, Chairman, Planning and Zoning Commission
Frank Nardelli, Assistant Town Manager/Finance Director
Joseph Seacrist, Economic Development Coordinator
Audio Technician

OTHERS ABSENT: None

1. Call Meeting To Order

Mr. Primini, 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

Mr. Primini, Chairman, led the Pledge of Allegiance.

4. Public Participation

David Minnich, 319 Thomaston Road, Watertown, CT 06795

Mr. Minnich: I'm here to address the Council on an issue that the Planning and Zoning Commission has been involved with for more than 3.5 years, and that is the case of the Concerned Citizens for the Preservation of Watertown versus the Planning and Zoning Commission. Tomorrow the Appellate Court, which this case is currently in, will be publishing their decision, which was a unanimous decision in favor of the Planning and Zoning Commission. This issue occurred back in, as a result of the actions of the Planning and Zoning Commission in the Summer of 2006, if you recall the issue was over the maximum size, well the text amendment that was presented by CCPW and was requested the maximum size of new buildings in town be no greater than 50,000 square feet and also some issues related to the high traffic generation study. The issue that was not approved or that issue was not approved by the Planning and Zoning Commission and CCPW took issue with both the decision as well as two of the people who made the decision, as we all know, Gary Martin and Jim Lukasavage. Now that this has gone through the complaint process that some members of this Council were involved with to a complain of an ethics violation to which Gary and Jim, to which the Ethics Ordinance found no grounds for that and they dismissed it, they went to Superior Court and they found no grounds for it, the complaint, and dismissed it, it has now gone to the Court of Appeals and they, as of tomorrow, will publish their decision that they have also found no grounds to support the claims that were made.

My reason for being here this evening is to I hope bring some closure to this in that I find it to be unfair that we go through the process of 3.5 years of the press inferring that there was something done wrong by Jim and Gary, and people writing letters to the editor claiming directly that they had done something wrong. The courts now have made their decision, it is final, Gary Martin and Jim Lukasavage have done nothing wrong in their decision that they made in August of 2006. And I hope that we can end this.

I also want to publicly state that the Planning and Zoning Commission is very pleased with the work that our attorney, Warren Hess has done on this. He has been very involved with us during the process of his preparing for the hearings and the deposition, and he was also, I was present at both the superior court and the appellate court for the hearing itself, and he did a very fine job, so we are very thankful for the work that he's done. Hopefully now this is over and hopefully the community will be informed as to the conclusion of this so it does not leave the impression that there is anything that these two gentlemen have done wrong, they're done nothing wrong in the eyes of the law. Thank you.

Ms. Rosa: Obviously this has gone on for a period of time. I'm curious as to the amount of legal costs. Has anyone looked into what it has cost us?

Mr. Minnich: We asked our staff to inquire of the Finance Department of the Town and I have been informed the cost is \$37,600.

Ms. Rosa: To defend against?

Mr. Minnich: To defend against the claim in Superior Court and the Appellate Court decision.

Beau Wasnitynski, 514 Sylvan Lake Road, Oakville, CT 06779

Mr. Wasnitynski: I'm not sure if this is the moment to talk about this because I don't see it on the Agenda, but the press reported that there was going to be a discussion regarding appropriating \$65,000 on a study. Is that going to happen and if it is, can I speak about it now or can I speak about it later?

Mr. Primini: It's on the agenda to set a Special Town Meeting so the town meeting would be the time to speak.

Mr. Wasnitynski: Could I speak (inaudible) so they can consider whether they want to approve it or not?

Mr. Primini: The motion tonight is just to set a Special Town Meeting, there's really no discussion on it.

Mr. Wasnitynski: Is there any good reason why I cannot express my opinion to the Board prior to their getting to that town meeting? Can someone explain it to me? I can't understand where that ruling would come from.

Mr. Primini: I don't understand what you're asking me. There's a motion on to set a town meeting to discuss that, anybody from the town can come to that.

Mr. Wasnitynski: But it won't go to a town meeting unless this board votes to do so. I want to (inaudible) the vote, not even go to a town meeting because there's no reason for it. Can I express that?

Mr. Primini: Yes, right now, during Public Participation.

Mr. Wasnitynski: Okay, first of all the recent election, the party that won was a party that ran on a platform of fiscal responsibility. It is not fiscally responsible to spend over \$60,000 for a pipe dream. #2, the study apparently is bound for a convention in Las Vegas, I'd like to know from this Board if there will be expense at the cost of the town to send somebody to Las Vegas for this study to share with clients to build a mall in this town? The third thing, I don't see why there's all this haste. Less than a few days ago the Economic Development Commission voted that they needed this study and low and behold after only a few days it comes before this Board for a vote. I don't see why the haste. Why not give us until next month to look at what is being proposed, to look at who is being proposed? There are some very good hard questions about why the usual (inaudible) was bypassed in this case.

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Again, the party that bid themselves as fiscally responsible should not start out by allowing bidding processes to be bypassed, and maybe there is a good reason it should be brought forward, but until then I don't think this Committee should forward anything to anywhere else (inaudible) dealing with a request for money. Thank you.

Mr. Primini, Chairman, Closed Public Participation at 7:41 p.m.

5. Minutes

A. Regular Meeting – November 16, 2009

MOTION: (Ms. Rosa, sec. Ms. Duplissie) to Approve the Regular Meeting Minutes dated November 16, 2009 as presented.

Discussion: None

MOTION PASSED UNANIMOUSLY

6. Chairman's Report

A. Correspondence

Mr. Primini: Last Tuesday Chuck Frigon and myself met with representatives from a total of 7 towns to pick a site for the new probate court. The vote was 4 to 3 that the new probate court would be in Southbury. There are 7 towns. There are the current 3 towns which are Watertown, Bethlehem, and Woodbury; the additional towns would be Southbury, Oxford, Washington and Roxbury. The vote was 4 to 3 that it would be moved to Southbury. We had a choice between the Southbury town hall and the Woodbury town hall. Obviously we were outvoted, we would have liked to have kept it in Woodbury so there wouldn't be any confusion for the people using the probate court but we got outvoted, so at a future meeting Dom Calabrese will come here and explain the process of what is going to happen. Next year there will be an election for the probate judge and (inaudible) so as of now there will be a new probate court, starting in 2011 will be in Southbury.

B. Subcommittee Appointments

Finance Subcommittee
Richard Fusco, Chairman
Richard DiFederico
MaryAnn Rosa
Linda Masayda

The Finance Subcommittee will be meeting on a monthly basis, they will review all the (inaudible). The next thing they will be looking into is reviewing the budget on a monthly basis instead of on a yearly basis.

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Public Works Subcommittee

Thomas Winn, Chairman

Kace Duplissie

Paul Rinaldi

Elaine Adams

Ordinance Subcommittee

Richard DiFederico, Chairman

Richard Fusco

Linda Masayda

Business Development Subcommittee

Kace Duplissie, Chairman

Thomas Winn

Paul Rinaldi

Mr. Primini: I'm making an additional appointment, we haven't had a Facilities Subcommittee in quite some time because we haven't needed one, the last time we needed one was back in 2001/2003 when we had Griffin School at our disposal. In the near future we're going to be appointing a Facilities Subcommittee to look into what to do with the present town hall and a future town hall.

MaryAnn Rosa, Liaison to the Board of Education

Richard Fusco, Liaison to the Public Buildings Committee

7. Town Manager's Report

Mr. Frigon:

Retirement

Darryle Willenbrock, for those of you who know her, she is the Director of our Senior Center and Municipal Agent. For those of you who don't know her, Darryle has been with the town for 26 years now, she's been a tremendous asset to the town, she's been a good friend to many, she started here 26 years ago as the Social Services Director. She did a wonderful job in that capacity. When the State predominantly took over Social Services, she stepped into the role of Senior Center Director. We will miss her. Again she has been a tremendous asset and I want to wish my best to Darryle.

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Governor's Deficit Mitigation Plan

Governor Rell has announced December 15th as a date she would like to call a special session of the legislature together to consider her deficit mitigation plan. I don't know exactly what that means yet to the Town of Watertown. The State is looking at \$470,000,000 plus or minus to reduce their State-wide budget (inaudible). That translates into \$84,000,000 being proposed to cuts to State aid to our Town. What that exactly means for Watertown I don't know yet, I don't know if it will be Town Road Aid, or any other program in fact, but it's something we want to keep our eye on. The first public hearing on that is going to be this Wednesday in the old judiciary room in the State Capital and I'm sure that will be very telling as to where this special session will be going with this mitigation plan.

Police Canine

Enzo, our canine dog, will be graduating on December 17th and will be on the road very shortly after, hopefully the 18th or 19th. I plan on bringing Enzo in to meet all of you at one of our future meetings in the near future. I understand the dog has done very well. Officer Marinaro is the trainer and he is very pleased with the dog's progress and is very anxious to start work with Enzo. So I guess we say goodbye to one and welcome another.

Verizon Wireless' Communications Building

If any of you are asked there will be some activity up at the transfer station on Old Baird Road. Verizon Wireless, who signed an agreement with us 2 years ago, has filed for an application for a building permit to start their communications building up there. That's what that activity is, not a new highway garage or a new dog pound.

Lion's Club Christmas Pickup

I want to remind the public that the Lion's Club has their annual fundraiser, picking up Christmas trees, again this year for a small donation. They are looking at Saturday January 2nd, with a snow date of January 9th.

8. New Business

A. Consider the Appointment of a Clerk of the Town Council

MOTION: (Ms. Rosa, sec. Mr. DiFederico) I make a motion to place the name of Lynn LaForme in nomination for the position of Clerk of the Town Council. She's done a wonderful job in the past and I'm very pleased to make that nomination.

Discussion: **Ms. Adams:** Yes, I'd just like to, what MaryAnn said, I mean these are minutes that you very seldom see a correction to, or revising all my (inaudible) so thank you, Lynn, for your hard work.

Ms. LaForme: Thank you.

Mr. Primini: How many years it is now, Lynn?

Ms. LaForme: 12.

MOTION PASSED UNANIMOUSLY

Mr. Primini: Congratulation Lynn. I don't know, are congratulations in order?

Ms. LaForme: Yes.

Ms. Rosa: Good Luck.

- B. Consider Setting a Special Town Meeting Date, Time, and Place for Appropriating Funds for a Retail Plan Economic Development Strategy as recommended by the Economic Development and Planning and Zoning Commissions

MOTION: (Ms. Rosa, sec. Mr. DiFederico) I make a motion to set a Special Town Meeting to be held at 6:30 p.m. January 18, 2010 at the Watertown High School Lecture Room, where we are sitting now, 324 French Street, to consider appropriating \$65,000 from the General Fund for a Retain Plan Economic Development Strategy as recommended by the Economic Development and the Planning and Zoning Commissions.

Discussion: **Mr. McGrail** Last Wednesday the Economic Development Commission and the Planning and Zoning Commission held a Joint Meeting and spoke about the possibility of coming up with a retail strategy study for the town. We then broke apart into separate meetings and voted individually, 6-1, to come to the Town Council and ask for your support for a call to a town meeting to try and get this appropriation for this study. I guess currently we need retail development in this town. I mean this doesn't talk about Route 262, it talks about the town in general, it talks about parcels of land on Commercial Street, parcels on Straits Turnpike, and also on Main Street as land becomes available. At the present time most of the development happens in this town by happenchance. We hope that if a piece of land becomes available, such as the State Dairy property or the 11 acres next to LaBonne's, that the right person comes to town and puts something together that we really need. But again that's all done by happenchance.

What this study would basically do, Joe Seacrist will come up in a little bit and give you more detail, but they will take the demographics of the town and come up with a comprehensive study and match the demographics of Watertown with those of a number of different retailers throughout the United States, in the area of 12,000 retailers, and they try to find the best match for Watertown. This should be anywhere from restaurants or other retail establishments. That information is given to us and we can approach these retailers to see if they are a proper fit, if we think they are a proper fit for Watertown we can then approach them. This is not about 262, again this is about the Town as a whole and I can't stress that more than that. Somehow every time someone tries to do something in town, it always ends up being 262, and that's the farthest from the truth.

Mr. Minnich: I just have a very few brief comments and that is answering the question why are we doing this and why are we doing this now. The issue as to why are we doing this is by bringing more business into town and by growing the current business in town, we will then improve the quality of life for those that live here and for those that actually work here in town. Secondly we will be increasing the property tax base so the inevitable increases in costs for municipal and school services will be borne over a larger tax base and more taxpayers than if we were to do nothing and nothing were to happen and were to use the existing tax base. Those are the two essential reasons why we are doing it.

The reason for doing it now is that this is the time that in the retail area which we are most familiar with and that we've done some review on, this is when the retail businesses are making some decisions as to what will happen when this economy changes so it is an opportune time to do this. It's essential purpose of and work product that comes out of it is we'll provide the information that we understand that the people who are making the decisions on this, which is the retail business decision makers of a particular company can be approached by Joe Seacrist and give our best case of Watertown. The best case and what we have here is a lot of things to offer and they are not interested in just hearing about how many people are in town, they aren't interested about the incomes and the homes, that's all nice information. The essential thing they want to hear which makes a lot of sense is are my customers in town, of the public business person that we're talking to and what is the leakage, which is to say how many competitors are nearby that would say if I come this isn't going to work for me, I may have customers here, it's not going to work.

This information to which the study is geared to get will provide that for Joe, on behalf of the Town, to begin to make some inroads in terms of seeing the people who make the decisions. This is not a quick turnover. This isn't meeting once and they're going to do it, it's a repetitive time to do that, same as any kind of sales, but we know it will bring dividends. The information that is provided in this will be useful to not just the town, but obviously useful to developers and to real estate agents that all will be working together with us to encourage business growth within our town and new business in our town.

As Joe said, my final comment, this is not an issue of just being for retail. That's the initiative it is now, but the initiative that the Planning and Zoning and the Economic Development Commissions have, we have other initiatives in bringing other kinds of businesses in town, this initiative at this point and with this study is to concentrate on the retail business market. Thank you.

Mr. McGrail: I'd just like to add one other thing here, we talk about projects, this also can work very well for the existing business in town. For instance if this report shows, and when we talk about leakage, leakage is all the monies that leave Watertown to be spent, whether that's to buy a refrigerator or a stove or a men's suit, or whatever, we know pretty much the leakage for groceries and cars probably isn't very great in Watertown, (inaudible) do something good in Watertown, we have plenty of places to buy food and cars in Watertown. But everything else we tend to leave town for the most part. If they can identify, let's take home appliances, we know there is going to be "x" amount of leakage of that particular commodity, maybe somebody like Kenecticut Hardware or another business that's already in town could sort of reinvent itself, maybe expand their business to cover some of the other items that are not available in town, so it's not just bringing new business in all the time, it's really going to help the existing businesses maybe better serve the market and it's going to give them a great insight on what the people are missing in Watertown and in surrounding areas of Watertown. Having said all that, what I can do now is for a few minutes have Joe Seacrist give you a little more detail on exactly what this report will do, not to take up a lot of your time, but just give you a little more detail on what this will do for the Town of Watertown.

Mr. Seacrist: I will be very brief cause Dave and Joe talked about primarily why we need to do this issue. As Economic Development Coordinator, when specific retailers come to town, they ask me questions that I'm unable to answer because we don't have these huge databases that they have, but they want to know, and particularly they call it psychographics, but they want to know what the buying habits are of the people, and they'll demonstrate for us a retail area of Watertown, what they call the Watertown retail area, that will be broken down by drive times, plus by the psychographics which talks about people's lifestyles. They have so many proprietary databases that we could access, without some of these firms we could not access some of these databases and it's not in the public domain. They can tell a retailer, whoever that might be, a restaurant anyone else, I always like to use the Outback Steakhouse because we don't have one of those, they know what their customer is and they want to know how many potential customers we might have in the Watertown area that might come to an Outback Steakhouse for instance, or any other nationally known retailer. I don't have that right now. We've tried several times, we realize the deficit is that we need some professionals that have this data available and can size it to Watertown.

We have 3 proposals right now, we're looking for one other that would come to Watertown and take a look at what we have here and then match up against their database, so access to the multiple databases, they will define our retail area, they'll do a psychographics profile for each 52 different types of retailers so it's obviously the customer differs by the type of retailer so the person who might go to an Outback Steakhouse might not go to some place else, some other retailer. They will provide for us a customized marketing packet that we can take to and, I wish this show was in Waterbury instead of Las Vegas, but the biggest show they have for the International Council of Shopping Centers is in Las Vegas and there every retailer in the world, typically in the United States is there, you make appointments starting in February and March to meet with them to pitch your particular town, and you really have to have specific, specialized, itemized different packets for the different retailers. If you want to get in front of them and the decision makers are at this meeting, then you have to have the data that will satisfy them, that their customer resides in Watertown or does not. It will also give this town a very good idea of what we're attracted to in retail and what we're not, it will keep us from chasing our tail running after a retailer that simply isn't interested in Watertown because of the psychographics or demographics and we can go after the ones who are.

The last part is it will also help the current businesses. Some of these proposals offer to have come to Watertown and put on seminars for current retailers about how they can use the data, that this kind of a professional report generates to prove their own businesses, to maybe find a new market. Small people in this town do not have access to the detailed kind of marketing data that might help them expand their businesses and build their own business. That's really what they're about, the matches to Watertown's highest and best use of retailers and target a data base that we can use for that. That's sort of an overview. Like I said we have 3 proposals currently, one more may be coming in, and they all are at varying prices but they are all able so far to supply what we need.

Mr. Primini: Is this information that can be shared with the existing business owners like on Main Street, to see what the best use of the buildings are? I'm thinking that we've had a couple of buildings that different restaurants have been in and out in the past several years, and maybe this would help them determine what would be a better fit for the town.

Mr. McGrail: Exactly, that was my point. We have a lot of existing buildings in town, people take chances, they try to move businesses in, some are successful, some fail, but Joe's point, the information that a study like this would show us is who is Watertown, what is Watertown made up of, what are the buying habits? This one gentleman that came and gave us an in depth discussion about how this whole process works, is that every time any one of us here uses our credit card, all the information from that buy goes into a database. From that credit card information, they don't know it's Joe McGrail, they don't know necessarily exactly where I live, but they know my zip code and from that information they know they can extract how old you are, our income, what you buy, what you don't buy, and they just have volumes of information, and once a company like this gets that information and sorts through it, they know what I'm going to be looking for, what type of restaurants I normally go to, what type of food I eat, it's really scare, talk about Big Brother, but in this case here it really helps (Tape #1, Side A ended – may have missed some) won't be successful.

I know going back a couple of years ago we had a Willow Group, we did (inaudible) one of the things that people would really like in this Town was a book store, and I happen to think that's a fantastic idea and that was, I thought that would be a great asset on the State Dairy property but we don't know if a book store would even come to Watertown. Now we could sit back and say why wouldn't they, we don't have a book store in the area and Woodbury and Bethlehem are up the road and all these people could come in and buy books, but we may not fit their demographics at all. On the flip side we may fit it perfectly, but even if we do fit it perfectly, to Joe's point, we don't have the capability or the knowledge of who, let's use Barnes & Noble, who is the decision maker within Barnes & Noble that we'd have to get to to have them consider Watertown. This type of study would give us that gatekeeper. We'd be able to go to that person, hand him a packet that's personalized for Watertown and say to them we know that your demographics, in order for you to build a store in any specific town you look for certain demographics. Our demographics match your demographics and would you consider coming to Watertown. There is no guarantee they would come to Watertown but we're handing them a package, we know that our demographics meet theirs and then it becomes a business decision, whether they can afford it, depending on the economic conditions whether it's an uptake or down take, they'll make their ultimate decision based on the economy, not because Watertown is not a good fit, because we already know it's a good fit by the people we approach.

When Joe first came we sent letters out to people like Outback, Barnes & Noble, we tried to attract business into the area and again we primarily looked at the Straits Turnpike area, the State Dairy property, the 11 acres next to LaBonne's, there is property at the corner of Commercial Street and Bunker Hill, there are 6 acres over there, we have available land, very buildable land, but again to get it to the right people, otherwise the land sits there and we hope that whoever owns the land approaches these people. They have no interest in doing that. Our goal should be to bring the right business to Watertown, to approach the right business to Watertown, and we can argue about whether the town should take that upon themselves or it should be an individual thing by a landowner, but a single land owner is not going to take a study like this. It would be a tremendous asset to the Town so that we can approach the businesses and bring the right business to town, or at least make that attempt anyway.

Mr. Primini: Hope we are also looking to work with the businesses we have at the same time. We're not looking to put anybody out of business obviously.

Mr. McGrail: No.

Mr. Primini: So this would help what is a good fit for existing business also?

Mr. McGrail: Existing business or use the existing land we have.

Mr. Primini: I read today's paper, there was, for the bid to go up to \$65,000 but there was another one that came in (inaudible) at this town meeting are they going to have the opportunity, the different ones to explain their process, the program?

Mr. McGrail: We could go that route if that makes it easier.

Mr. Primini: I'm just cautious what's the difference between \$10,000 and

Mr. McGrail: Well there's a big difference between a \$10,000 bid and a \$65,000 bid just like a \$10,000 car versus a \$65,000 car. The \$10,000 bid, it came in, there is some information there, not nearly to the depth of these other companies, but the \$65,000 was picked primarily cause that was the highest bid that we saw. That's the highest proposal and we know it's not going to exceed that, and there's a fairly good chance that it's not going to approach that either, but we figured right now we could approach you, allocate that money, but in turn we may pick a \$40,000 bid, I don't know at this time, but we're still reviewing all of those.

Ms. Duplissie: Once we find one of these companies to do this study, what's the timeframe? 45 days, 6 months, 3 months?

Mr. McGrail: The two companies that we've talked to so far, 60 days seems to be the time they need to do all of this number crunching and to give us a comprehensive report.

Ms. Duplissie: Is that enough time to go to Las Vegas or wherever?

Mr. McGrail: The goal is to try to pick someone by February because we're going to take that May timeframe and back it up 60 days, so somewhere the February timeframe, find a company to do this, sign a contract and let the process being. We talked about Las Vegas, as Joe said, unfortunately that happens to be the biggest show in the Untied States and it's one stop shopping. There are a lot of smaller regional shows but you may have to go out and make 10 trips to visit people versus 1 trip that would have all of these potential suitors in one spot.

Mr. Primini: These are all of the answers that will be coming up at the Town Meeting then?

Mr. McGrail: We are going to do our best to put everything before you.

Ms. Adams: So part of this \$65,000, Las Vegas has been brought up a couple of times, we are looking for the Town to send representatives to Las Vegas for this convention?

Mr. McGrail: Yes, I would say we'll probably need at least 1 person to go out there and make these presentations.

Ms. Adams: Would that come out of the \$65,000?

Mr. McGrail: That's a separate issue. #1, we don't know if we're going to make that date, if we miss that May date then we're going to have to try other shows to try to spread this information around, but again it's the most comprehensive show in the United States right now and it would be the best overall, in spite of the fact that it's in Las Vegas, it's probably the most cost effective location because one the airfare is relatively inexpensive and the hotels are inexpensive and you can meet all of your potential suitors in one spot. It doesn't sound good that you're going to Las Vegas to work, but . . .

Ms. Adams: No, it really doesn't. One other thing, you talked about different ranges here, you're asking for \$65,000 because that's the top figure you've gotten, but you've gotten several bids? The only one that I've heard, there's nothing in our packet, the only thing I've heard is what I've read in the paper, Buxton Company, they are the ones that are looking for \$65,000.

Mr. McGrail: Actually Buxton's proposal is \$63,000 and we added another couple of thousand in case there was another trip required by the Buxton Company which would bring it to \$65,000. Since then we did get a \$10,000 proposal and today we received another one for about \$45,000 and there may be a couple more. We don't want to rifle through 100 different bids, because basically the services these people are offering are pretty much the same, it's just the experience behind it. Their access to data. For instance the \$10,000 proposal was ore of a homegrown program where there was going to be just a lot of legwork, not a lot of psychographics, they weren't going to have the ability to crunch a lot of numbers like some of these other proposals were, so again when you look into the proposals, there is quite a big difference between the \$10,000 proposal as it stands right now and the \$65,000.

Ms. Adams: One of my big concerns is you're talking about different dollar amounts, but everybody in this room is well aware we just went through a very bad budget year. We all know the Council and the Board, we went zero spending increase, we told them look, we'll keep your taxes where we stand, and now for you to ask for \$65,000 which may or may not be the correct number that you'll be looking at, there's a concern there because now we're telling people we found \$65,000 in the general fund and it's all in public perception and the way some people view things, they're going to say oh my God, they found money, and then it kind of goes to credibility on our side, hey you know what, this is something the Council felt necessary to bring to the Town. I mean how are you going to get around that I mean when you just don't have the dollars that (inaudible)?

Ms. Rosa: I appreciate everything you've said, but I think we need to move forward, we need to go to the meeting where we can ask all the nitty gritty questions. Tonight is just the vote to set the meeting and the meeting is when all the information comes out and comes to us and I think we need to move forward.

Mr. McGrail: I can answer Elaine's question very quickly, I mean I feel our job as Economic Development and Planning and Zoning is to bring these proposals to the Town Council. Obviously you're the gatekeepers and the voters are the gatekeepers of the money. Our job is to try to explain to you why we think this is important and then let the process take its course. But I don't think, knowing that it's a bad budget year and knowing that it's a zero increase budget last year, I don't come up here lightly looking for \$65,000. I know it's a lot of money, but I also think it's our responsibility to bring this to your attention. That's our main job.

Mr. Rinaldi: I have a bunch of questions which obviously will be answered at the Town Meeting. Who will be there to answer the questions?

Mr. McGrail: I'll have Planning and Zoning, Economic Development, Joe Seacrist, we can ask other people to attend if need be. I'll work with that, I'll ask that question of Ray, maybe Ray can help me find who the proper people are to bring to answer all of your questions.

Mr. Rinaldi: It's going to be January 18th? Is that a Council meeting that night? Are we going to be able to put this thing to bed in an hour. I think there's going to be a lot of questions by a lot of people and I don't know if an hour is enough, #1, and #2, is this room big enough?

Ms. Adams: There's a room down the hall.

Mr. Primini: Is January 18th a holiday?

Ms. Rosa: Is that Martin Luther King?

Ms. Adams: Do you have any kind of information that you've received on just what these different proposals are, whether it be pamphlets, or (inaudible) just so we're more informed? I would appreciate that.

Mr. McGrail: Yea, I can have Joe email a copy of that to everybody on the Council.

Ms. Adams: That would be great.

Mr. Frigon: January 18th is a holiday.

Ms. Adams: Then we don't have a Council meeting that night, it will be the next night, the 19th.

Mr. Frigon: The 19th.

Ms. Rosa: So the motion is for the meeting on the 18th.

Ms. Rosa Withdrew Her Motion.

Mr. DiFederico Withdrew His Seconding of the Motion.

MOTION: (Ms. Rosa, sec. Ms. Duplissie) I make a motion to set a Special Town Meeting to be held at 6:30 p.m. January 19, 2010 at the Watertown High School Lecture Room, 324 French Street, to consider appropriating \$65,000 from the General Fund for a Retail Plan Economic Development Strategy as recommended by the Economic Development and the Planning and Zoning Commissions.

Discussion: **Mr. Rinaldi:** I just don't want to cut people off from asking a question.

Mr. Primini: What we've done in the past is recess the Special Town Meeting, call the Regular Meeting to order, recess the Regular Meeting, and then go back to the Special Town Meeting.

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In Favor: Ms. Adams, Mr. DiFederico, Ms. Duplissie, Ms. Masayda, Mr. Primini, Mr. Rinaldi, Ms. Rosa, Mr. Winn

Opposed: None

Abstained: Mr. Fusco

MOTION CARRIED (8-0-1)

- C. Consider Setting a Special Town Meeting to consider an Appropriation in the amount of \$681,667 for Funding a Capital Account for the French Street Pavement Rehabilitation Project. Funds to be reimbursed through the Connecticut Department of Transportation as part of the American Recovery and Reinvestment Act of 2009

MOTION: (Ms. Rosa, sec. Mr. Fusco) I make a motion to set a Special Town Meeting to be held at 7:15 p.m. on January 4, 2010 at the Watertown High School Lecture Room, to consider appropriating \$681,667 from the General Fund for funding a Capital Account for the French Street Pavement Rehabilitation Project. Funds to be reimbursed through the Connecticut Department of Transportation as part of the American Recovery and Reinvestment Act of 2009.

Discussion: **Mr. Primini:** Chuck, do you want to explain this?

Mr. Nardelli: What we are discussing is this appropriation, the way the motion was set up it was to come out of the General Fund, but I was just asking Chuck if this project was going to be finished by June, 2010, if it's not we shouldn't really appropriate the money from the General Fund, we should appropriate it from the Capital Project Fund, a separate fund from the General Fund because these funds are going to be fully reimbursed anyway, nothing is coming out of there.

Mr. Frigon: I can't guarantee that it's going to be finished by the end of the fiscal year.

Ms. Rosa: So it would be better if we changed the motion.

Mr. Nardelli: Yes, instead of appropriating from the General Fund, just appropriate the money from the Capital Project Fund for the French Street paving rehabilitation project.

Ms. Rosa: Capital Project?

Mr. Nardelli: Yes, Capital Project Fund.

Ms. Rosa Withdrew Her Motion.

Mr. Fusco Withdrew His Seconding of the Motion.

MOTION: (Ms. Rosa, sec. Mr. Fusco) I make a motion to set a Special Town Meeting to be held at 7:15 p.m. on January 4, 2010 at the Watertown High School Lecture Room, to consider appropriating \$681,667 from the Capital Project Fund for funding a Capital Account for the French Street Pavement Rehabilitation Project. Funds to be reimbursed through the Connecticut Department of Transportation as part of the American Recovery and Reinvestment Act of 2009.

Discussion: **Mr. Primini:** This is money we already had approved for the

Mr. Frigon: This is the money that we received as Watertown's portion that we received from the region, from C.O.G. or the region. We were given I believe \$1,800,000 and this was the portion that we received.

MOTION PASSED UNANIMOUSLY

- D. Consider a Resolution authorizing the Town Manager to execute on behalf of the Town of Watertown a Personal Service Agreement with the State of Connecticut for Financial Assistance with the Steele Brook Greenway/Walkway for a grant amount of \$200,000

RESOLUTION

RESOLVED, that Charles Frigon, Town Manager, of the Town of Watertown be and hereby is authorized to execute on behalf of this municipal corporation a Personal Services Agreement with the State of Connecticut for financial assistance for the Steele Brook Greenway/Walkway STEAP 2010-23.

IN ADDITION, that Charles Frigon, Town Manager, is hereby authorized to enter into such agreements, contracts, and execute all documents necessary to said grant with the State of Connecticut.

BE IT FURTHER KNOWN that Charles Frigon, Town Manager, was appointed Town Manager. His term of office began on September 5, 2006, and will continue until further notice. As the Town Manager, Charles Frigon serves as Chief Executive Officer for the Town of Watertown, and is duly authorized to enter into agreements and contracts on behalf of the Town of Watertown.

Dated at Watertown, Connecticut this 7th day of December, 2009.

Raymond F. Primini, Chairman
Watertown Town Council

MOTION: (Ms. Rosa, sec. Mr. Winn) I make a motion that we authorize a Resolution authorizing the Town Manager to execute on behalf of the Town of Watertown a Personal Services Agreement with the State of Connecticut for financial assistance with the Steele Brook Greenway/Walkway for a grant amount of \$200,000.

Discussion: **Mr. Primini:** Is this the money for the Greenway that our State Rep/State Senator helped us get?

Mr. Frigon: Yes it is, the STEAP Grant.

MOTION PASSED UNANIMOUSLY

E. Consider a Charge to the Finance Subcommittee with the Review of the Town's Communications Needs (including Fire, Police, and Public Works)

MOTION: (Ms. Rosa, sec. Mr. Winn) I make a motion to Charge the Finance Subcommittee with the Review of the Town's Communications Needs, which would include Police, Fire and Public Works. Findings and a recommendation will be requested to be presented to the full Council at the January 19, 2010 meeting.

Discussion: **Mr. Fusco:** Yea, as Chairman of the Finance Committee, you've given me a deadline to investigate this. I'll do the best we can, but I don't know if we can come up to the 18th, we'll give it a good try.

Ms. Rosa: I would speak to it in support of Mr. Fusco is saying I don't think there is any way you can get that information by January 19th.

Mr. Primini: Do you want to leave it open right now?

Ms. Rosa: I would leave it open without a date.

Mr. Primini: Chuck, are we on any deadline for this?

Mr. Frigon: No.

Mr. Primini: Okay, so we'll take out the deadline date. It's going to take him a little time.

Ms. Adams: How much time do you think you're going to need, Rich, to get something like this together?

Mr. Fusco: The idea is fine, it's getting the money to do it which is going to be the hardest part, and that's what we are going to investigate. How are we going to come up with the money to pay for it.

Ms. Duplissie: Is this over and above the (inaudible)?

Mr. DiFederico: Ray, can we like Table this for now and we can sit down and

Mr. Primini: Well we can just take off the date right now.

Mr. DiFederico: I make a motion to charge the Finance Subcommittee with a review of the Town's communication needs including Fire, Police, and Public Works. Findings and a recommendation will be presented at a future Town Council meeting.

Mr. Primini: We can't do that right now, I thought you were making a Motion to Table?

MOTION: (Mr. DiFederico, sec. Ms. Rosa) to Postpone this until the next Town Council meeting.

Discussion: None

MOTION PASSED UNANIMOUSLY

ORIGINAL MOTION WAS NEVER VOTED ON

- F. Consider an Appropriation in the amount of \$13,950 for the Town Hall Annex Basement Remediation, Equipment and Services relating to the Work. Also, consider a Bid Waiver for work to be performed by New Air Technology for Remediation Services in connection with the project

MOTION: (Ms. Rosa, sec. Mr. DiFederico) I make a motion to approve an Appropriation in the amount of \$13,950 for the Town Hall Annex basement remediation, equipment, and services relating to the work that needs to be done. I further move to authorize a Bid Waiver for work to be performed by New Air Technology for remediation services in connection with the project for an amount not to exceed \$8,650.

Discussion: **Ms. Adams:** Are we looking at a combined of \$13,950 and \$8,650?

Mr. Frigon: No.

Ms. Adams: The wording here seems like it's two dollar amounts.

Mr. Frigon: The \$13,950 is for the remediation equipment and services relating to the work in total. The \$8,650 is for a portion of the \$13,000 for New Air Technology to perform their services.

Ms. Adams: So it's the bid waiver for the \$8,650?

Mr. Frigon: It's the bid waiver for the \$8,650, correct.

Ms. Adams: And you need a bid waiver for the rest of it?

Mr. Frigon: No. It's all new file boxes, at \$20.00 a box, everything has to be repackaged, those kinds of things that we buy off a State bid.

Mr. Primini: Any questions for Mr. Carlson? Can you say what you plan to do for this project?

Mr. Carlson: The protesting has been done. The numbers were 270,000 cfu's of stacky bonders just to give that number a meaning to you. In what I do, if that were done, if I get one of those counts I say oh, we would be putting the entire basement which we have started already under a negative draw, we would hit it first with an antimicrobial, encapsulate, hit it with plasma, and during that time period we would be taking the old archival boxes and putting the records into new boxes that are not, some of the boxes can be used again, others will have to be discarded.

Mr. Primini: How will they be discarded?

Mr. Carlson: By big bags and taken away.

Mr. Primini: You are responsible for them? You're not throwing them in the regular trash?

Mr. Carlson: No.

Mr. Fusco: Are we talking about just the basement, or the total building?

Mr. Carlson: Testing has been done on the first floor and all those tests have come back fine.

Mr. Fusco: So the basement is what we're talking about?

Mr. Carlson: Yes.

Mr. Fusco: The basement that has been there since 1787, and all of a sudden we find that there's moisture in the cellar.

Mr. Carlson: That's been there a long time.

Mr. Fusco: I'm a little confused with this one. Why don't we just, it's going to cost us \$13,950 because we have water in the basement, all of a sudden.

Mr. Frigon: What precipitated the testing was this past Fall and late last Summer as you entered the building there was a very significant and strong odor in the building which was new to all of us, it was not an odor we had ever had present before. It was obviously coming from the basement and was permeating through the building. We actually opened up the windows, turned the air conditioning on and moved the air in the building (inaudible). That being said while testing of the Town (inaudible) quarterly testing was being performed, we asked New Air Technologies to test the basement as well, and when they came back with the test results, and the elevated numbers that they came back with, it was decided then that we had to do something to remediate that situation very quickly.

Mr. Fusco: Again the boxes are moldy and this is where we're getting the smell?

Mr. Carlson: The boxes are moldy, there's wood that has been structurally compromised and the volatile organic compounds, the micro toxins that living mold gives off, that is what you were smelling and they are all carcinogens.

Ms. Duplissie: What about the foundation?

Mr. Carlson: The foundation is going to be encapsulated. It's rock, there's not much we can do about that.

Ms. Duplissie: What about digging around the foundation, putting a membrane on the foundation and then filling it back in so that we don't, 15 years later, have the same mold problem.

Mr. Carlson: That type of project would be totally beyond my

Mr. Frigon: That's been done. Two projects have been done. One is exactly as you've described on the interior of the basement. We have put a drainage pipe in the interior of the building. Also exterior to the building we have put in substantial curtain drains and pipe work through the parking lot and down to the storm drains on Main Street. It's been damp for several years and with these elevated counts, it's not something that I can walk away from or turn my back to.

Mr. Winn: If we don't do this, could this be an OSHA violation?

Mr. Carlson: It will just get worse, just like the other one.

Mr. Winn: We have OSHA regulations where people get wind, I mean work in the area, environmental

Mr. Carlson: It would just be a matter of time before

Mr. Winn: Before they come after us and okay

Mr. Primini: To go back with Rich Fusco, the boxes aren't going to be put on the floor, they're going to be raised.

Mr. Carlson: Yes.

Mr. Primini: So that's what happened in the past.

Mr. Frigon: As Mr. Carlson stated, it's not just the boxes or the boxes on the floor, although we do have shelving, we do have to reduce the number of records that we have. We have thousands of records down there, we do have to reduce that. It's going to be a process where we shred some of the existing documents, we get permission to do that, we first have to identify those, get permission to do that and shred them so they're not treated, but it's the records that are up on the upper shelves, it's the wooden sub floor to the first floor, it's the wooden beams, it's all of the basement, it's just been so many years and it is what it is. But yes, to answer your question, we will raise the boxes.

Ms. Adams: Isn't it true too, Chuck, we've had some major flooding in there?

Mr. Frigon: Yes.

Ms. Adams: We've literally had inches and inches of water that really contributed to the problem. Not an all the time thing, but it has happened with the rain.

Mr. Frigon: Yes, it's certainly not very prevalent anymore. We've taken measures to clean the drains that go down, they are all clay pipes and they do shift, we clean those as best we can, we've jet rotted those, we've cleaned the curtain drains, as I've said, we put in a sump pump, we now have negative air pressure, so although we used to get up until maybe 5 years ago 12 inches of water in that basement, now we just get maybe ¼ inch on the floor, it's not anywhere near where it used to be, but all of that over the years has contributed to what we have today.

Ms. Masayda: Have you done this to many other buildings in the past with some level of confidence of remediation?

Mr. Carlson: We are SME's for every single government services, we've worked for the military, Army, Navy, Airforce before, our process being the one they used to bring their buildings and we're also the only company in American that even guarantees their work in this field. If I fail a post test, I'm coming back working for your guys for free. (Tape #1, Side B ended; may have missed some).

MOTION PASSED UNANIMOUSLY

- G. Consider an Appropriation in the amount of \$861 from the Park Development Fund for the purchase of a Bench for Crestbrook Park. The Watertown Lion's Club donated funds which were deposited into the Park Development Fund

MOTION: (Ms. Rosa, sec. Ms. Adams) I make a motion that we approve an Appropriation in the amount of \$861 from the Park Development Fund for the purchase of a Bench for Crestbrook Park.

Discussion: None

MOTION PASSED UNANIMOUSLY

- H. Consider an Appropriation in the amount of \$2,235 as follows:

\$1,117.50 from the Water Operations Fund Balance to Recordings Drawing prep, account number 018-50561-077-2321 and

\$1,117.50 from the Sewer Operations Fund Balance to Recording Drawing Prep account number 016-50561-076-2321.

Additional work required in preparation of "as built" drawings for water and sewer mains in public rights-of-way easements.

MOTION: (Ms. Rosa, sec. Ms. Duplissie) I move an appropriation in the amount of \$2,235 for the additional work required in preparation of as built drawings for water and sewer mains in the public rights-of-way and easements as follows:
\$1,117.50 from the Water Operations Fund Balance to Recordings Drawing Prep, account #018-50561-077-2321 and
\$1,117.50 from the Sewer Operations Fund Balance to Recording Drawing Prep account #016-50561-076-2321.

Discussion: **Mr. Primini:** Chuck, (inaudible) water and sewer funds, not from our funds?

Mr. Frigon: That's correct.

MOTION PASSED UNANIMOUSLY

- I. Consider an Appropriation in the amount of \$2,200 from the General Fund for Pavement Repairs to Meadow Lane. Residents of Meadow Lane have reimbursed the Town for the Repairs

MOTION: (Ms. Rosa, sec. Mr. Winn) I make a motion that we appropriate \$2,200 from the General Fund for Pavement Repairs to Meadow Lane which the money has been reimbursed to the Town from the residents of Meadow Lane.

Discussion: **Mr. Primini:** Chuck, do you want to explain this?

Mr. Frigon: Meadow Lane, located off of Middlebury Road, is a private road, it is not a Town accepted road and it has experienced some decay over the last few years. The Town has offered, we do plow the road, and the Town has offered to perform some work up there so the road will continue to be passable by our plows. It was considered unpassable for this coming Winter season. Residents did pay for the materials and the Town did perform the work, the work is done and the monies have been reimbursed to the Town. This is now taking that money from the General Fund and putting it back into the account where we bought the materials from.

MOTION PASSED UNANIMOUSLY

- J. Consider a Resolution authorizing an Appropriation in the amount of \$450 from the General Fund for Transportation Reimbursement for a Student attending a Magnet School in Waterbury. Funds are reimbursed through the State Department of Education

RESOLUTION

WHEREAS, the Watertown Board of Education executed agreements with Ms. Terri LaRosa concerning partial reimbursement for transportation expenses to a magnet school in Waterbury, Connecticut.

WHEREAS, the agreements state that should the Town of Watertown receive reimbursement through the State of Connecticut for a Transportation grant, the families would be reimbursed for these expenses.

WHEREAS, the Town received the grant monies and deposited said monies into the General Fund and now need to be appropriated to the Board of Education for the reimbursement.

NOW THEREFORE BE IT RESOLED, that \$450 is appropriated to the School General Fund Budget for the purposes contained herein.

Dated at Watertown, Connecticut this 7th day of December, 2009.

Raymond F. Primini, Chairman
Watertown Town Council

MOTION: (Ms. Rosa, sec. Ms. Duplissie) I make a motion that we approve a Resolution authorizing an Appropriation of \$450 from the General Fund for Transportation Reimbursement for a Student attending a Magnet School in Waterbury and the funds are reimbursed to us through the State Department of Education.

Discussion: **Mr. Frigon:** The State of Connecticut offers to our population here in Watertown our attendance at magnet schools. We do not provide transportation to those schools. The State of Connecticut reimburses those families for those students who attend those schools. This represents one student attending a magnet school. The monies are received from the State, to the Town, the Town then in turn transfers it over to the Board of Education, who then reimburses the family.

MOTION PASSED UNANIMOUSLY

K. Consider a Resolution authorizing Tax Refunds

RESOLUTION

WHEREAS, Taxpayers have made application for the Property Tax Refunds in accordance with Section 12-129 Refund of Excess Payment; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Council approves the following Tax Refunds:

- | | | | |
|------|---|-------------------|---------|
| 2860 | Altomari, Angelo A. Jr. & Beverly A. | Amount of Refund: | |
| | \$31.81 | | |
| | 11 Elena Drive | Type | R |
| | Watertown, CT 06795-5331 | | |
| | Reason for Refund: Mill rate Decreased | | |
| 2867 | Barnes, Robert J. & Joyce H. | Amount of Refund: | \$33.73 |
| | 19 Melrose Avenue | Type | R |
| | Oakville, CT 06779-9222 | | |
| | Reason for Refund: Mill Rate Decreased | | |
| 2868 | Barnes, Robert J. & Joyce H. | Amount of Refund: | \$34.13 |
| | 365 Davis Street | Type | R |
| | Oakville, CT 06779-9220 | | |
| | Reason for Refund: Mill Rate Decreased | | |
| 2883 | Blazys, James A. | Amount of Refund: | \$54.27 |
| | 280 Lake Winnemaug Road | Type | R |
| | Watertown, CT 06795-5304 | | |
| | Reason for Refund: Mill Rate Decreased | | |
| 2884 | Bohicchio, Ginger | Amount of Refund: | \$26.53 |
| | 61 Minortown Road | Type | R |
| | Woodbury, CT 06798-0642 | | |
| | Reason for Refund: Mill Rate Decreased | | |
| 2886 | Boucher, John M. & Cynthia R. | Amount of Refund: | \$27.01 |
| | 60 Grandview Avenue | Type | R |
| | Watertown, CT 06795-5170 | | |
| | Reason for Refund: Mill Rate Decreased | | |

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2898	Champagne, William H. III 188 Quassapaug Road Woodbury, CT 06798-9191 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$27.37
2903	Ciampi, David & Sharon 29 Bella Vista Drive Watertown, CT 06795-0000 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$42.33
2928	DiPrimio, Robert C. 90 Deerfield Lane Watertown, CT 06795-5243 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$35.79
2929	Drubner, Norman S. Trustee 500 Chase Parkway Waterbury, CT 06708-8301 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$284.32
2953	Gilbert, Edward A. & Michael M. 330 Old Litchfield Road Watertown, CT 06795-3140 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$15.45
2968	Gugliotti, Nennato & Concetta A. 72 Charlotte Street Oakville, CT 06779-9130 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$32.63
3001	Lubus, Robert Jr. & Carol P. 596 Winding Brook Farm Road Watertown, CT 06795-0000 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$21.82
3008	Mancini, Carmine & Maria 415 Thomaston Road Watertown, CT 06795-5200 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$36.96
3028	Montambault, Edward J. & Lynn S. 124 Buckwheat Hill Road Watertown, CT 06795-5243 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$48.21

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3029	Montambault, Edward J. & Lynn S. 124 Buckwheat Hill Road Waterbury, CT 06708-5243	Amount of Refund: R	\$32.25
	Reason for Refund: Mill Rate Decreased		
3030	Montambault, Edward J. & Lynn S. 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$34.48
	Reason for Refund: Mill Rate Decreased		
3053	Plourde, Michael R. 211 Williamson Circle Oakville, CT 06779-9204	Amount of Refund: Type R	\$33.31
	Reason for Refund: Mill Rate Decreased		
3059	Quinnipiac Game Association c/o John Hammond 1000 Andrew Mountain Road Naugatuck, CT 06770-5202	Amount of Refund: Type R	\$22.61
	Reason for Refund: Mill Rate Decreased		
3085	Spoirza, Mario & Mancini, Carmine 415 Thomaston Road Watertown, CT 06795-5200	Amount of Refund: Type R	\$29.40
	Reason for Refund: Mill Rate Decreased		
3093	Spodek, J. Leonard 123 Grove Avenue Cedarhurst, NY 11516-6230	Amount of Refund: Type R	\$107.78
	Reason for Refund: Mill Rate Decreased		
3095	Stockwell, Margaret A. & Charles DeLong Matthew S. 57 Wheeler Street Watertown, CT 06795-0131	Amount of Refund: Type R	\$41.03
	Reason for Refund: Mill Rate Decreased		
3100	Taft School Corporation 110 Woodbury Road Watertown, CT 06795-5210	Amount of Refund: Type R	\$16.34
	Reason for Refund: Mill Rate Decreased		
3101	Taft School Corporation 110 Woodbury Road Watertown, CT 06795-5210	Amount of Refund: Type R	\$29.55
	Reason for Refund: Mill Rate Decreased		

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3108	US Bank National Assoc. T Underwriting & Residential Trust 14523 SW Millikan Way Beaverton, OR 97005-5277	Amount of Refund: Type R	\$43.28
	Reason for Refund: Mill Rate Decreased		
3116	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$11.56
	Reason for Refund: Mill Rate Decreased		
3117	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$13.26
	Reason for Refund: Mill Rate Decreased		
3118	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$13.46
	Reason for Refund: Mill Rate Decreased		
3119	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$13.26
	Reason for Refund: Mill Rate Decreased		
3120	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$11.56
	Reason for Refund: Mill Rate Decreased		
3121	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$11.72
	Reason for Refund: Mill Rate Decreased		
3122	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$11.72
	Reason for Refund: Mill Rate Decreased		
3123	Watertown Realty Company 124 Buckwheat Hill Road Watertown, CT 06795-5243	Amount of Refund: Type R	\$11.72
	Reason for Refund: Mill Rate Decreased		

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3128	Winzig, Pamela M. 27 Knowlton Street Watertown, CT 06795-0034 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$25.75
3129	Yagovane, Louis 2415 Wellington Green Drive Wellington, FL 33414-5300 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$38.42
3133	Zenaitis, Anthony M. 176 Smith Pond Road Watertown, CT 06795-5141 Reason for Refund: Mill Rate Decreased	Amount of Refund: Type R	\$32.10
3159	Beaudry, Chlora L. 55 Eddy Street Oakville, CT 06779-1042 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$262.63
3160	Bellerine, Laurel B. or Barbara 404 Sylvan Lake Road Oakville, CT 06779-1453 Reason for Refund: Duplicate Payment	Amount of Refund: Type M	\$139.05
3161	Bellerive, Laurel B. and James A. 404 Sylvan Lake Road Oakville, CT 06779-1453 Reason for Refund: Duplicate Payment	Amount of Refund: Type M	\$25.85
3163	Ryan, Raymond III & Diane 46 Hazel Street Oakville, CT 06779-0000 Reason for Refund: Duplicate Payment	Amount of Refund: Type M	\$248.71
3167	Galaganov, Mike 69 Taft Avenue Oakville, CT 06779-1617 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$139.43
3168	Honda Lease Trust 600 Kelly Way Holyoke, MA 01040-0000 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$65.22

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3169	Honda Lease Trust 1 600 Kelly Way Holyoke, MA 01040-0000 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$112.53
3170	Honda Lease Trust 2 600 Kelly Way Holyoke, MA 01040-0000 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$112.17
3171	Honda Lease Trust 3 600 Kelly Way Holyoke, MA 01040-0000 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$131.59
3173	John Glenford 125 Westbury Park Road Watertown, CT 06795-2766 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$19.20
3175	McCleary, Georgette or Samual P.O. Box 815 Watertown, CT 06795-0815 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$60.14
3178	Ward, David J. 110 Falls Avenue Oakville, CT 06779-0000 Reason for Refund: Per Assessor; Account Prorated	Amount of Refund: Type M	\$26.21
3179	Zambiella, Jerry D. & Ferris 88 Woodvine Avenue Oakville, CT 06779-2334 Reason for Refund: Duplicate Payment	Amount of Refund: Type M	\$10.55
Total for All Refunds			\$2,690.20

Dated at Watertown, CT this 7th day of December, 2009.

Raymond F. Primini, Chairman
Watertown Town Council

MOTION: (Ms. Rosa, sec. Mr. DiFederico) I make a motion that we approve a Resolution authorizing Tax Refunds as outlined to us.

Discussion: None

MOTION PASSED UNANIMOUSLY

L. Consider the Transfer of Funds between Line Items for Fiscal Year 2009/2010

RESOLUTION

WHEREAS, expenses in the 2009-2010 fiscal year require the Transfer of Funds.

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

GENERAL FUND – PARKS DEPARTMENT

AMOUNT: \$5,790 NO: 1
FROM: 010-50310-036-1899 – Fertilization Applications
TO: 010-50310-036-2123 – Deland Field Maintenance
REASON: Contractual bid exceeded approved budgetary line time

CRESTBROOK

AMOUNT: \$3,500 NO: 2
FROM: 074-50435-123-0000 – Agricultural and Botanical
TO: 074-50415-123-0000 – Equipment Parts
REASON: Unexpected repair cost of well pump for portable water supply

Dated at Watertown, Connecticut this 7th day of December, 2009.

Raymond F. Primini, Chairman
Watertown Town Council

MOTION: (Ms. Rosa, sec. Mr. DiFederico) I move we approve the Transfer of Funds between line items for Fiscal Year 2009/2010.

Discussion: **Mr. Fusco:** Yes, I'm lost on this one, Chuck. Where are we transferring it from?

Mr. Frigon: You are transferring it, it's within the departments. The first is from the Parks Department staying in the Parks Department, taking from fertilization application into Deland field maintenance, both within the Parks Department. The second is out of the Crestbrook account, from agriculture/botanical into equipment parks cause they experience potable water supply, the pump for their water supply.

Mr. Fusco: Carl Mancini is not here, so somebody has to say it, they did appropriate, they did want the money for fertilization, now they're not using it, so they've asked for it and they're not going to use it (inaudible), am I right, Carl? Okay, go ahead.

MOTION PASSED UNANIMOUSLY

9. Public Participation

Al Mickel, 95 Woodbine Avenue, Oakville, CT 06779

Mr. Mickel: If I could I'd like to be notified of any meetings of the Finance Subcommittee and the Ordinance Subcommittee.

Mr. Fusco: Sure.

Tom Lambert, 48 Cottage Place, Oakville, CT 06779

Mr. Lambert: I'm not here for what you think I'm here for. About a week ago we had on my street, it's a dead end street and we had a chain at the end off the street. I called and complained because the chain keeps coming off the block, there are two large concrete barriers and they have the chain fastened to each side of the block, kept coming off, I called. Don't you know 2 days later Public Works comes up, they tie a new bolt on there, fix it, put a new lock on the chain, I was flabbergasted. I'm here to thank the Public Works Department for their service, their 2 day service, unbelievable and when good things happen I want to make sure you guys hear about it. I'm very pleased that they did this, they were very professional about it, they did a great job and I thank you for it.

Mr. Primini: Chuck, will you Pass the word on to Public Works.

Mr. Primini, Chairman, Closed Public Participation at 8:46 p.m.

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10. Executive Session

- A. CPW versus Planning and Zoning Commission.
- B. Coe versus Board of Education
- C. Watertown versus Bailie Company
- D. Palumbo versus Planning and Zoning Commission
- E. Sebastian versus Planning and Zoning Commission
- F. Planning and Zoning Commissions versus Hreha
- G. Tello versus Watertown
- H. Conron versus Swingle
- I. Finkle versus Carroll III
- J. DelGobbo versus Watertown
- K. Daddona versus Watertown
- L. Santamaria versus Zoning Board of Appeals
- M. Uskuraitis versus Watertown
- N. Dionne versus Watertown
- O. Hard Rock versus Planning and Zoning Commission
- P. Grubagh versus Watertown
- Q. Watertown versus Markiewicz
- R. Faulkner versus Watertown
- S. Piland versus Watertown
- T. LeBlanc versus Watertown, re: FOI Complaint Docket #FIC 2009-038

MOTION: (Ms. Rosa, sec. Mr. Winn) I make a motion to enter into Executive Session at 8:50 p.m. to discuss various matters of litigation with the Town Attorney, Town Manager, the Assistant Town Manager, and the 9 members of the Town Council present as follows:

- A. CPW versus Planning and Zoning Commission.
- B. Coe versus Board of Education
- C. Watertown versus Bailie Company
- D. Palumbo versus Planning and Zoning Commission
- E. Sebastian versus Planning and Zoning Commission
- F. Planning and Zoning Commissions versus Hreha
- G. Tello versus Watertown
- H. Conron versus Swingle
- I. Finkle versus Carroll III
- J. DelGobbo versus Watertown
- K. Daddona versus Watertown
- L. Santamaria versus Zoning Board of Appeals
- M. Uskuraitis versus Watertown
- N. Dionne versus Watertown
- O. Hard Rock versus Planning and Zoning Commission
- P. Grubagh versus Watertown
- Q. Watertown versus Markiewicz
- R. Faulkner versus Watertown
- S. Piland versus Watertown
- T. LeBlanc versus Watertown, re: FOI Complaint Docket #FIC 2009-038

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Discussion: None

MOTION PASSED UNANIMOUSLY

Present During Executive Session

Elaine Adams
Richard DiFederico
Catherine Duplissie
Richard Fusco
Linda Masayda
Raymond Primini, Chairman
Paul Rinaldi (left at 9:30 p.m.)
MaryAnn Rosa, Vice Chairman
Thomas Winn

Charles Frigon
Paul Jessell
Frank Nardelli

Mr. Primini, Chairman, Reconvened the Regular Meeting at 9:31 p.m.

No Motions Were Made; No Votes Were Taken.

11. New Business (Continued)

A. Consider authorizing the Settlement of Conron versus Town of Watertown

MOTION: (Ms. Rosa, sec. Mr. DiFederico) I make a motion that we authorize up to \$1,500 to settle the Conron versus the Town of Watertown litigation to be paid out of the General Fund Contingency Account.

Discussion: None

In Favor: Ms. Adams, Mr. DiFederico, Mr. Fusco, Ms. Masayda, Mr. Primini, Ms. Rosa, Mr. Winn

Opposed: None

Abstained: Ms. Duplissie

Not Present: Mr. Rinaldi (left the room when this vote was taken)

MOTION CARRIED (7-0-1)

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12. Adjournment

MOTION: (Ms. Rosa, sec. Mr. DiFederico) to Adjourn the Regular Meeting at 9:33 p.m.

Discussion: None

MOTION PASSED UNANIMOUSLY

Regular Meeting Adjourned at 9:33 p.m.

Respectfully submitted,

Raymond F. Primini, Chairman
Watertown Town Council

Approved: _____
Lynn M. LaForme, Clerk