



**TOWN COUNCIL
WATERTOWN, CONNECTICUT
MONDAY, NOVEMBER 15, 2010
REGULAR MEETING - 7:30 P.M.**

**WATERTOWN HIGH SCHOOL
LECTURE ROOM
324 FRENCH STREET
WATERTOWN, CT 06795
MINUTES**

PRESENT: Elaine Adams
Richard DiFederico
Richard Fusco
Linda Masayda
Raymond Primini, Chairman
Paul Rinaldi
Mary Ann Rosa, Vice Chairman
Thomas Winn

ABSENT: Katherine Duplissie

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

1. Call Meeting to Order

Mr. Primini, Chairman called the meeting to order at 7:30 p.m.

2. Roll Call

Ms. King, Secretary executed the roll call.

3. Pledge of Allegiance

4. Public Participation

Vincent Gianetto - 38 Breezy Knoll Drive, Watertown

Mr. Gianetto did a presentation with maps showing the 8 acres with the layout of parcels and designated wetlands. Mr. Gianetto showed architectural renderings of the proposed medical buildings. Mr. Gianetto dispelled rumors about building 16 or 30 different buildings on the parcel and traffic with the site.

MariAnne Bavone – 59 Fiume Street, Oakville

I am here on behalf of the seniors from the Falls Avenue Senior Center. Joanne Korber is the best thing that has happened to this center in a long time, putting her heart and soul into her work. Attendance has doubled and so have the activities in the eleven months that she has been here. It is now a vibrant and happy place. Clean inside and out, cheerful with the safe feeling of home. Taking her away the day before Thanksgiving will leave many of the seniors feeling sad and lonely. Holidays especially Christmas can be very stressful for the elderly. Whoever made this decision at this time is thoughtless and uncaring. Joanne understands us and has the patience of a saint for the seniors. Have you asked the seniors how they really feel about what we want or what we need, remember you to will be old.

5. Minutes

a. Regular Meeting – November 1, 2010

a. (Richard Fusco sec. Richard DiFederico) I move to accept the minutes of the Regular Meeting – November 1, 2010 as written.

Discussion: None

Aye: (7) Adams, DiFederico, Fusco, Masayda, Primini, Rinaldi, Rosa

Nay: 0

Abstain: (1) Winn

6. Chairman's Report - none

7. Town Manager's Report

French Street – near completion and waiting for line stripping.

Davis Street Bridge – the base of the pipe has been repaired and lining expected to begin tomorrow.

Heminway School – working on site plan

Mr. Rinaldi how many lawsuits has our insurance company not covered.

Mr. Frigon that depends on the nature of the lawsuit, could you be more specific. We have lawsuits regarding motor vehicle accidents, lawsuits regarding trips and falls, lawsuits against Planning and Zoning, a variety of lawsuits.

Mr. Rinaldi: My other question is “what criteria does the insurance company use for covering lawsuits?”

Mr. Frigon: there is a lot of criteria, trips and falls we have number of them placed against the Town that occurred on state property so the insurance would deny that. We had a tree across from the Fire Department fall on a car, we are still being sued for that, it is being denying because it is on state property.

Ms. Rosa there is a written contract what they cover and what they don't. It is in writing, it enumerates everything that is not covered by exclusions, but the thing that you need to differentiate between is, is a claim denied because the town is not liable or the claim denied because there is no coverage. Those are two very distinct things you could have covered, but in the case of the tree falling, there is no negligence because you have no way to know that the tree was going to fall so you could not have prevented it. Looking in what claims you want to know about you really need to tell him whether if they just been denied because we were not at fault or whether we were denied because there was no coverage.

Mr. Rinaldi when the P and Z Chairman went to COG and took an attorney with him were those expenses approved.

Mr. Frigon those expenses have not been paid for by the town yet, no.

Ms. Adams have we hired a Senior Center Director and told Joanne Korber her last day is Wednesday.

Mr. Frigon it is my understanding that an offer has been made and accepted, I do not know the individual's name and the starting date is next Monday yes.

Mr. Rinaldi the person that was hired at the Senior Center was not picked by the Council, it was an administrative decision.

8. Subcommittee Reports

a. Shared Services Subcommittee

Mr. Winn – discussions on joint service study, technical maintenance, and financial sharing services, next meeting first week in December.

b. Crestbrook Park Subcommittee

Mr. DiFederico – asked Mr. Frigon to look into a consultant for the park.

Ms. Rosa I would like to make formal request from the Town Manager that all the Council members be notified of the subcommittee meetings, not just the people that are on the committee.

Mr. Rinaldi there has been no activity with the Charter Revision correct?

Mr. Primini they are going to be meeting on Wednesday night, this is just to get them started and make sure they are sworn in, pick a Chairman and a schedule.

9. New Business

a. Consider the Extension of the contract between the Watertown Board of Education and the Watertown Administrators Association.

(Richard DiFederico sec. Richard Fusco) I move to approve the extension of the contract between the Watertown Board of Education and the Watertown Administrators Association.

Ms. Masayda: Could I get more information about the shifting of the step increases.

Ms. Baldwin as you are aware the Board of Education entered into negotiations with our Certified Administrator Group, the Watertown Administrators Association and it was agreed for a one year contract extension with a zero percent general wage increase for 2011–2012. The current contract between the Board and the Administration expires August 31st 2011, so this coming August by statue we entered into negotiations extended it for one year, they agreed to a 0 % general wage increase, as part of that agreement we acknowledged that there are four members of the Administrative group, they happened to be three Assistant Principals and one Supervisor of Special Education, who still have step increments available to them. They will take a 0 % GWI as entire membership group the board agreed to provide steps increments for the four other administrators where a step is available. We also changed the co-pay structure in the Century preferred health care plan. We raised the office visit co-pay from \$5.00 to \$20.00. We changed the prescription drug formulary to be in line with the teacher's plan. We eliminated the Blue Care Plan and those changes in health insurance will offset increment cost for the four Administrators who get increments.

Ms. Masayda you are also taking everyone's step and shifting them down a level. Are you changing the criteria from which they get increases in the future?

Ms. Baldwin we eliminated one step which is very helpful to us. You may recall this budget development process for 2010 and 2011. There was quite a jump on some areas of the salary schedule. Today 2010-2011 budget there are some increment costs that could be as high as 6% and by making this elimination in step, we eliminate that problem moving forward so we are not going to in the future have this problem when there is a significant increment cost.

Ms. Masayda by changing this you have taken people who have already attained say a step 5 have already been compensated for that. Now you are going to make them a step four and they have the credentials for a 5, so you have already built in a 3 ½ % increase for them.

Ms. Baldwin what are you looking at?

Ms. Masayda administrators 2011-2012 steps.

Ms. Baldwin that is the only step that we know, this is just one year increment. That is all we have for now because we just agreed to move the contract forward one year. We will have to negotiate a further contract with them. There is no built in 3 ½ %, they are staying at the same salary.

Ms. Masayda they would already have the credentials.

Ms. Baldwin right now step is based on your years of service but there is not increment build in because we have not negotiated beyond that. The contract only goes to 2011-2012, we extended it one year.

Ms. Masayda steps usually have some criteria with them correct.

Ms. Baldwin in order to have administrative degree you need to have a six year degree. A step is literally right now as it exists in the current contact; it is based on years of service or longevity, it is not based on anything else. This is a good contract it covers 11 administrators across the district, it allows us to put zero out there. We will enter into negotiations with them next year because it is a one year extension. It puts the administrators in a position to be bargaining at the same time that we will be working on the successor agreement with the teachers union, there is some value in that for us as well. Ultimately we are thankful that the administrators taking a lead in recognizing what would be a very challenging budget cycle in helping to model what we hope can continue moving forward with other bargaining groups. The cost impact here is minimal, should the Council choose not to acknowledge or accept this, then this contract would go straight to arbitration. The arbitration would for wages and benefits and certainly there is no guarantee that we would have the same outcome that is right here, it is possible that an arbitrator would see this differently.

Ms. Masayda the thing that bothers me is the changing of the steps. Like you are saying if somebody already has 10 years of service and you bring them down and say you don't have the step of five years of service and then very soon you are saying well I have the 10 years, oh your right you are automatically allowed that step increase, it is built in by the way we have defined it. In the future we have already have put ourselves in a spot that it is not salary increase but it is the years of service we are playing with the number years of service..

Ms. Baldwin based on your concern, that we would have some liability in terms of placing our administrator at one level one year and then moving them and see the impact in future years. That concern might typically be held by the actual employee, the administrator might have that same concern. We this did jointly, this helps the board in eliminating a step in having significant increments cost for 11-12 in moving forward. We are not changing the years of service, we are not changing the criteria for how many steps there will be they would have to fall somewhere on the existing step structure.

Ms. Adams is it a step for each year of service or max out what would have been the five years.

Ms. Baldwin correct.

Ms. Adams but once we get to, it would be four years now they would reach the max, it is only four steps four years so then they would just incrementally pre exist depending on what was negotiated.

Ms. Baldwin it would be a general wage increase that would be it, there would no longer be an increment.

Ms. Rosa I want to commend the administrative staff for taking the general wage freeze. I think that is really great. Unfortunately I have a problem with giving anybody a raise right now. I do not think in our economy anyone should expect any kind of a raise. You can call it a step or you can call it an increment, I was there for a lot of years, I negotiated I know what the steps are and it is still a raise in salary and I do not think the people in Watertown should have to pay a raise to any employee. I know subcontracts are enforced and we do not have a choice but where we do have a choice I can vote for one.

Mr. Winn I have a different concern, talking to an arbitration Attorney, once we start negotiating with the teacher's union next year, if we give any change or increase to a union or contract indeed we have to go to arbitration, arbitrators typically if the teacher's union next year wants no step raises in the contract we would probably lose in arbitration, because we gave it to this particular union. He told me anything we give to a union, if the next union goes to arbitration they will usually win on that note. That is the problem I have doing this because we have many more contracts to negotiate and anything we give this union and if we have to go to arbitration we will probably lose.

Ms. Adams what is the bigger cost in a budget, is it step increases or is it general wages increases?

Ms. Baldwin it depends on the employee group, for the administrators it would be general wage increase. Right now increment cost for the teacher's is greater than the general wage increase because we had voluntary retirement incentive plan. The increment cost would be greater for that group, that is not the case for the administrative group.

Ms. Adams by doing this, this way, there was not a lot of cost involved with attorneys, it seems you pretty much sat down at a table and said help me this is what they came back with. Cost of arbitration what are we looking at?

Ms. Baldwin significant, you are correct in terms we reached in agreement on this September 13th and we started the process the end of August, we did have the labor attorney with us for one session. We worked with the health insurance consultant from USI but those costs were negligible. Overall cost impact of this settlement in front of you

is roughly \$11,000 or \$12,000 total impact on budget to move forward. Should we have to go to arbitration if the Council chooses to not vote this in, arbitration would likely cost at last that much, We would have to present our case and put our positions together on wage and health insurance and then engage the attorneys to defend those cases, bringing administrators and witnesses. There is a cost impact here; it could likely exceed the total impact of this settlement.

Ms. Adams taking Mr. Winn's scenario that if anything is given now, that in turn we would lose the position when it comes to say the teachers negotiating there. What I look at is the benefits cost especially and with managed care there is a huge difference in savings when you go from a \$5.00 co pay for a doctor and \$20.00 is still very low and the prescription plan it is very generous. In looking at that the doctors is going to cost \$10.00 or \$15.00 dollars less, overall you are looking at some savings here.

Ms. Baldwin it is very good and we also eliminated that Blue Care Plan, the changing of the office visit co pay saved roughly \$4,000.00. The prescription drug plan saved roughly \$2,100 and this Administrators group pays 19% of the premium cost share, their contribution.

Mr. Primini what does the step increase cost?

Ms. Baldwin that step increase costs roughly \$17,000 and the whole impact of this when you take out the savings for health insurance which is roughly 6 the overall cost of this settlement is roughly \$11,000 which would be comparable to what we would likely have to pay in legal fees and moving forward with an arbitration case.

Mr. Primini what is the percentage in a step increase?

Ms. Baldwin it varies between 3% and 6%.

Aye: (2) Adams, Rinaldi

Nay: (6) DiFederico, Fusco, Masayda, Primini, Rosa, Winn

MOTION DEFEATED

- b. Consider a bid waiver for boiler replacements at Judson School Services provided by Tri-Star Service Incorporated for an amount not to exceed \$27,959.**

(Richard DiFederico sec. Richard Fusco) I move to approve a bid waiver for boiler replacements at Judson School. Services provided by Tri-Star Service Incorporated for an amount not to exceed \$27,959.

Bob Porter – Public Buildings Committee

This was looked at by PBC back in June, the boiler needs replacement, we have the money in the construction account, it was voted by PBC to proceed with this change order.

Mr. DiFederico How many boilers are at Judson School now?

Mr. Porter 3

Mr. Adams it seems for the past 10 years there has been problems there? Do we have any warranties on them?

Mr. Porter on one boiler for parts only, it has an internal leak to it.

Mr. Primini in the past we have had two boilers, ever since we went to the 3 boilers we have been having more problems. Would it be feasible to go back to 2 boilers?

Mr. Porter it was designed for a three boiler system.

Mr. Rinaldi how old is the boilers?

Ms. Baldwin prior to 2007.

MOTION PASSED UNANIMOUSLY

- c. **Consider a resolution authorizing the acceptance of \$7,559 from the Crestbrook Golf Fund to reimburse the General Fund for pool fees collected from July 1, 2010 to October 20, 2010.**

(Richard DiFederico sec. Mary Ann Rosa) I move a resolution authorizing the appropriation of \$7,559 from the Crestbrook Golf Fund to reimburse the General Fund for pool fees collected from July 1, 2010 to October 20, 2010.

Mr. Fusco I need clarification on this.

Mr. Nardelli the budget passed in October, in our original budget proposal the pool fees were going to come to the general fund and you will see in the next item some expenses are going to be paid by the general fund. Because the budget did not pass until October Crestbrook had been collecting the pool fees. Now that the budget passed we are going to take those pool fees from Crestbrook and transfer them to the general fund. The next item you will see there are expenses that Crestbrook incurred that the general fund will not have to pay.

MOTION PASSED UNANIMOUSLY

- d. **Consider a resolution authorizing the transfer of funds from the General Fund to the Crestbrook Golf Fund for reimbursement of expenses per the approved budget. Total funds to be transferred: \$16,703.94.**

(Richard DiFederico sec. Mary Ann Rosa) I move to approve a resolution authorizing the transfer of funds from the General Fund to the Crestbrook Golf Fund for reimbursement of expenses per the approved budget. Total funds to be transferred: \$16,703.94.

Discussion: none

MOTION PASSED UNANIMOUSLY

- e. Consider a resolution authorizing the appropriation of \$2,800 from the General Fund for electric utilities at Crestbrook Park swimming pool.**

(Richard DiFederico sec. Mary Ann Rosa) I move to approve a resolution authorizing the appropriation of \$2,800 from the General Fund for electric utilities at Crestbrook Park swimming pool.

Discussion: none

MOTION PASSED UNANIMOUSLY

- f. Consider an appropriation from the General Fund in the amount of \$3,025.22 to the Police Overtime account. Funds have been received from the Connecticut Department of Transportation for overtime expenses for traffic enforcement and deposited into the General Fund.**

(Richard DiFederico sec. Elaine Adams) I move to approve an appropriation from the General Fund in the amount of \$3,025.22 to the Police Overtime account.

Discussion: none

MOTION PASSED UNANIMOUSLY

- g. Consider an appropriation in the amount of \$9,000 from the General Fund for Transfer Station and Highway Garage maintenance and equipment to comply with CONN OSHA inspection mandates.**

(Richard DiFederico sec. Mary Ann Rosa) I move to approve an appropriation in the amount of \$9,000 from the General Fund for Transfer Station and Highway Garage maintenance and equipment to comply with CONN OSHA inspection mandates.

Mr. Frigon the Town of Watertown recently had a inspection performed by OSHA in several of our departments. The Park Department, Recreation Department, Public Works Department, Transfer Station, Maintenance and the Town Hall Annex. The \$9,000.00 covers the cost of remediation required by OSHA inspection. The lion's share of the \$9,000.00 is going to provide a gate or a fence around the Transfer Station unloading area.

The remaining costs go to items such a remote emergency shut off for the fuel dispensing system, as well as the reinforcement of the chain hoist that is attached to the structure of the highway garage.

Mr. Winn I understand that this report was a good report, the town did a good job.

Mr. Frigon we did exceptional well and I am very pleased. OSHA does not perform inspections on municipalities very often, most of what we were cited on was minimal. Our Safety Committee and our employees are diligent in keeping their areas safe.

Mr. Primini Connecticut has two OSHA's, Federal OSHA which handles private sector employees and there is CONN OSHA which is under the Department of Labor has its public sector employees such as municipal employees and state employees. They do not have any routine schedule they just randomly come out and they have not come to Watertown in quite some time. We did a very good job and our Safety Committee paid off.

MOTION PASSED UNANIMOUSLY

- h. Consider setting a Special Town Meeting date time and place to consider an appropriation from the General Fund in the amount of \$89,074 for energy system improvements at the Watertown Police Department. Funds to be reimbursed through a grant from the State of Connecticut.**

(Richard DiFederico sec. Mary Ann Rosa) I move to set a special town meeting to be held on December 6, 2010 at 7:15 p.m. at this Watertown High School Lecture Room to consider an appropriation from the General Fund in the amount of \$89,074 for energy system improvements at the Watertown Police Department. Funds to be reimbursed through a grant from the State of Connecticut.

Mr. Frigon this grant was provided to the Town of Watertown a year and half ago through the federal government under ARRA funding. The Town of Watertown and all the municipalities in the state of Ct were awarded a share depending on demographics of the community. The Town of Watertown was provided with \$89,074 providing we can come up qualified projects according to the criteria given to us within the schedule provided. We looked at all of our facilities and looking at our most costly facility we looked at the Police Department. This has been on previous agendas for various items, the reason being is part of our qualification was to perform energy audit of the building and to verify the savings that would result in the expenditure of the \$89,074. We performed the energy audit we have verified the energy savings we put our contractors in place and the project has all been approved. Now what we need to do is fund the money from our general fund and it will be reimbursed 100%.

MOTION PASSED UNANIMOUSLY

- i. Consider a resolution establishing a place and time for conducting the regular Town Council meetings and also the method for calling Special Town Council meetings for 2011.**

(Richard DiFederico sec. Richard Fusco) I move to approve the resolution establishing a place and time for conducting the regular Town Council meetings and also the method for calling Special Town Council meetings for 2011.

Discussion: none

MOTION PASSED UNANIMOUSLY

- j. Consider a resolution authorizing tax refunds.**

(Richard DiFederico sec. Mary Ann Rosa) I move to approve a resolution authorizing tax refunds.

Discussion: none

MOTION PASSED UNANIMOUSLY

10. Public participation

Al Mickel - 95 Woodvine Avenue

The Charter Revision Commission meeting next Wednesday night, I would like notification on where that is going to take place and also list on the website. The agenda says they are going to elect a Chairman and a Vice Chairman, it does not mention anything about a secretary. Are these meetings going to be recorded and available to the public.

Mr. Frigon: we have made arrangements for the initial meeting until we get a charge.

Ms. Rosa Polk School, 7:00 pm Wednesday night.

11. Adjournment.

Motion: (Richard Fusco sec. Mary Ann Rosa) to Adjourn the Regular Meeting at 8:30 p.m.

Discussion: none

MOTION PASSED UNANIMOUSLY

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Respectfully submitted,

Raymond F. Primini, Chairman
Watertown Town Council

Approved: _____
Susan King, Clerk