



**MINUTES  
TOWN COUNCIL  
WATERTOWN, CONNECTICUT  
MONDAY, JANUARY 3, 2011  
REGULAR MEETING - 7:30 P.M.**

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

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

**ABSENT:**

**OTHERS PRESENT:** 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 executed the roll call.

**3. Pledge of Allegiance**

**4. Public Participation - none**

**5. Minutes**

**a. Regular Meeting – December 20, 2010**

- a. (Rosa sec. DiFederico) I move to accept the minutes of the Regular Meeting – December 20, 2010 with corrections.

**Discussion: Duplissie:** on page 4 and 5 change name from Kathleen to Katherine.

**Rosa:** on page 5 the motion with regards to appointment of Alan Mickel I voted against that motion, there were 2 opposed.

Aye: 8

Nay: 0

Abstain: (1) Fusco

MOTION PASSED

**6. Chairman's Report**

Next meeting will be on Tuesday, January 18, 2011 due to the Martin Luther King holiday.

- 7. Town Manager's Report – Nardelli:** Snow Storm on December 26<sup>th</sup> thanked the Highway Department for all their efforts. Highway Department wanted to thank LaBonne's providing a hot dinner on Sunday and lunch on Monday.

**Primini:** LaBonne's sent something out to the Firehouse too. Do you have any figures on the amount for sand and salt.

**Nardelli** estimate cost of sand and salt was \$8,291.00.

**8. Old Business**

- a. Consider the appointment of an attorney to serve the Charter Revision Commission (postponed from the December 20, 2010 regular Town Council Meeting).**

(Rosa sec. Fusco) I move to appointment Attorney N. Warren Hess, III of the Firm N. Warren Hess, III, as the attorney for the Charter Revision Commission at an hourly rate of \$140.00

**Discussion: Primini:** this is a discussion on the two attorneys that have been provided.

**Rinaldi:** in my personal opinion, I would prefer Attorney Summa I do not think there is much difference between the two of them just cost difference. I watched Attorney Summa serve this town personally on quite a few matters and I think he did a magnificent job he is conscientious and I think he is the kind of person that would work well with the people and the commission. I do not have anything against Attorney Hess.

**Rosa:** I know Attorney Summa professionally from when I was on the Board of Education and he handled all the labor contracts and did a dynamite job and now he is the attorney for the town side on the labor issues. I think he is a great attorney too, my problem is that he is \$50.00 an hour more. I have no idea how many hours were talking about but that could add up to a few dollars. That is why I am going to support Attorney Hess otherwise I would definitely support Attorney Summa.

**Rinaldi:** Attorney Summa, if the bill is paid within 30 days is there a substantial discount?

**Nardelli:** he gives us a 10% discount on the labor issues it is \$195.00 minus the 10% so it is approximately \$175.00. By looking at this proposal though it does not mention anything about a discount here.

**Adams:** I just want to add to what Paul said; Summa and Ryan have been attorneys for this town for a long time. They have represented Town Council, I remember Mary Ann was on the Board of Ed and they did an excellent job. They understand the culture of this town. I do not believe they ever represented a board or commission. One of my concerns with Warren Hess has to do with his representation of the Planning and Zoning Commission. One of the reasons why Paul is kind of stepping back from this is because he feels the potentially if anything is discussed regarding the Town Attorney he does not want put himself in any kind conflict. Warren Hess is representing the Planning and Zoning Commission potentially things that we brought up at the public hearing were looking at Planning and Zoning again there is potential conflict of interest there. So given a choice between the two I think Joe Summa is the one that doesn't have those kinds of conflicts. He has been through the charter inside and out having to do with either labor issues or the Jenny Steward case. I think he would not need to go through all the background and all the cost involved with bringing himself up to speed as say Warren Hess who has only done the one issue. I also believe like Paul there would be a potential conflict of interest.

**Fusco:** Paul always complains about the money and I do the same thing. We are going to save money. Why would we get somebody more expensive that is going to the same job and we all know they are going to do the same thing. So I am going with Hess.

**Primini:** both of them have experience; Joe has most recently done Waterbury, Hess has most recently been working with Woodbury. I do have to agree with Joe Summa when I sat in with the Board of Ed with their contract negotiations, I recommended Joe to do the town side to, he is a little more money but I noticed he knew things inside and out and would point something without having to do a lot of research on it. Sometimes you might spend a little more per hour but he has saved in the past. Both of them do have good experience and you can look at it in different ways, I know Joe is usually pretty good and is a little higher and usually keeps things down. I spoke with the first selectmen in Woodbury on what this is costing them and they budgeted \$8,500 that includes the cost of the Minute's Secretary and so far it has cost them hardly anything right now they are just getting in the final stages.

**Rosa:** I did not consider what Elaine mentioned and I think it is a good point. I did not consider the potential conflict with Hess and Planning and Zoning. That is important, so I think I am going to change my mind and go with Summa. Maybe we can negotiate that extra 10% on this one too, if he is agreeable to doing it at other times.

**Fusco:** if there is conflict we should know about before hand.

**Duplissie:** according to the Municipal Charter Chapter 99 which covers the Commission, it says in there that the commission may engage employees and contracts for the services of consultant, so shouldn't they be doing this and not us?

**Primini:** that was a question and there was a legal opinion that the Town Council provide the attorney. I spoke with Ron Russo and he had no problem with any of the attorneys.

**Rinaldi:** Ray brought up a very important point, I found depending on the selection of attorneys sometimes it is true you may pay a little more, but they resolve issues a lot faster because of their knowledge in the long run.

**Fusco:** if we are hiring the attorneys and they know we are hiring them for this job, don't you think they would know if there is a conflict of interest.

Aye: (2) Fusco, DiFederico

Nay: (7) Adams, Duplissie, Masayda, Primini, Rinaldi, Rosa, Winn

#### MOTION FAILS

(Rosa sec. Adams) I move to appointment Attorney Joseph B. Summa of the Firm Summa & Ryan, as the attorney for the Charter Revision Commission at an hourly rate of \$195.00.

Discussion: **Fusco:** when you vote and I imagine it is going to win, if you complain about the price of an attorney next time, I am going to be here waiting for you.

**Adams:** a lot of us assumed it would be Paul being the Town Attorney we would not have these issues.

**DiFederico:** I would not accept that, that would be a conflict on interest in my opinion.

Aye: (7) Adams, Duplissie, Masayda, Primini, Rinaldi, Rosa, Winn  
Nay: (2) Fusco, DiFederico

MOTION PASSES

**9. Public participation**

**Gary Lafferty – 214 Belden Street**

Wanted to thank the Town Council for appointing me to the Police Commission and hope to serve the board well.

**11. Adjournment.**

Motion: (Rosa sec. Winn) to Adjourn the Regular Meeting at 7:45 p.m.

Discussion: none

MOTION PASSED UNANIMOUSLY

Respectfully submitted,

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Raymond F. Primini, Chairman  
Watertown Town Council

Approved: \_\_\_\_\_  
Susan King, Clerk