



**TOWN COUNCIL  
WATERTOWN, CONNECTICUT  
MONDAY, DECEMBER 5, 2011  
REGULAR MEETING - 7:30 P.M.  
WATERTOWN HIGH SCHOOL  
LECTURE ROOM  
324 FRENCH STREET  
WATERTOWN, CT 06795  
MINUTES**

**PRESENT:**

David Demirs  
Richard DiFederico  
Katherine Duplissie  
Joseph Polletta  
Louis Razza  
MaryAnn Rosa, V. Chairman  
Thomas Winn

**ABSENT:**

Richard Fusco  
Raymond Primini, Chairman

**OTHERS PRESENT:**

Charles Frigon, Town Manager  
Frank Nardelli, Assistant Town Manager/Finance Director

**1. Call Meeting to Order**

V. Chairman Mary Ann Rosa called the meeting to order at 7:30 p.m.

**2. Pledge of Allegiance**

Moment of Silence for fellow council member Gary Stewart who died this past week.

**3. Roll Call**

Susan King executed the roll call.

**4. Public Participation**

**Dennis O’Sullivan**

I am a resident of Watertown and have been for the last 40 years. I am here tonight to nominate members of the Independent Party to boards and commissions. The Independent party is submitting their minority appointments to boards and commissions. Our campaign pledge was to nominate the most qualified people regardless of party affiliation. In keeping with this pledge we are pleased to submit the following nominations. It is no secret that the Planning & Zoning Commission has been plagued by lawsuits, problems with their application of law when rendering their decisions. In an effort to assist the town and provide much needed expertise in assistance to some of the newer members of Planning & Zoning. We are trying to do the right thing the Independent Party is submitting the names of two former Planning & Zoning Chairman to fill the vacancies on Planning & Zoning, Collin Adams and Mike Masayda. For the alternate position we nominate David Dethleff. For the vacancy on the Board of Tax Assessment Appeals we nominate Paul Rinaldi. For the Housing Authority we nominate Dave Le Blanc. For the Cable Vision Advisory Board we nominate Gary Lafferty. For the vacancy on the Police Commission we nominate Al Mickel. For the vacancy on the Torrington Area Health District we nominate Judy Wick. For Constable we nominate Sandy Greenwood and Joe Spino. Members of the Public Building Committee should have building or construction expertise, while we have a number of members and supporters with valuable expertise some of our supporters have experienced and/or fear reappraisals from the Planning & Zoning Commission and Zoning Board of Appeals because they are Independent party members. Because political pressure is being brought to bear, citizens who make their living in building and construction are refusing to serve on boards because their livelihood is being impacted. Because we believe that the most qualified people should be allowed to serve the Independent party fields openings on the building committee should be given to the Democratic Party, who may be able to nominate qualified people who may not have a fear of reprisals, thank you.

**Al Mickel – 90 Woodvine Avenue**

What is on my mind is the second public participation, I still cannot figure out why something that was on the agenda for the last 10 years would be suddenly taken off. I would suggest tonight that it would be wise that we put it on the agenda and I would ask somebody on the council to make a nomination to put it on and than have some discussion of why it shouldn’t be on the agenda in the future. I would like to talk about the adoption of the ordinance regulating unaccepted streets. I think it should be rejected because of apathy, no one cared about it at all. Another thing I would like to talk about is the consideration of the disposing of the town property. Were these properties sold to the adjacent land owners and how much money did you receive, thank you.

**5. Minutes**

**a. Regular Meeting – November 21, 2011**

(Richard DiFederico sec. Katherine Duplissie) I move to approve the Regular Meeting minutes dated November 21, 2011.

Discussion: none

Aye: 6  
Nay: 0  
Abstain: 1 Demirs

**6. Chairman's Report**

a. Correspondence

**Mary Ann Rosa** read the appointments for the subcommittees:

**WATERTOWN TOWN COUNCIL  
SUBCOMMITTEE APPOINTMENTS  
2011-2013**

**BUDGET**

Richard Fusco, Chairman  
Richard DiFederico  
Louis Razza

**FACILITIES**

Richard Fusco, Chairman  
Kace Duplissie  
David Demirs

**PUBLIC WORKS**

Thomas Winn, Chairman  
Kace Duplissie  
Joseph Polletta

**SHARED SERVICES**

Mary Ann Rosa, Chairman  
Thomas Winn  
Joseph Polletta

**BUSINESS DEVELOPMENT**

Kace Duplissie, Chairman  
Thomas Winn  
Louis Razza

**CITIZEN COMMUNICATIONS**

Mary Ann Rosa, Chairman  
Entire Council are Members

**ORDINANCE**

Richard DiFederico, Chairman  
Richard Fusco  
David Demirs

**Mary Ann Rosa** the people listed are appointed to the committees but any council member can go to any committee meeting if they wish. The manager's office will send everyone notice of every meeting, so one can choose any meeting they want to attend.

**7. Subcommittees - none**

**8. Town Manager's Report - none**

(Katherine Duplissie sec. David Demirs) I move to add to the agenda under 9c1 "consider a bid waiver for Gowans Knight Company for repairs to Tower 1."

Discussion: none

Motion passed unanimously

**9. New Business**

**a. Consider appointments to boards and commissions.**

**1. Watertown Library Board of Trustees**

(Katherine Duplissie sec. Thomas Winn) I move to nominate Nancy Maton of 32 Porter St, Watertown Connecticut as the Town of Watertown representative member of the Watertown Library Board of Trustees for a term to expire September 30, 2012.

Discussion: none

Motion passed unanimously

**b. Consider the adoption of the proposed ordinance entitled “An Ordinance Regulating Building on Unaccepted Streets.”**

**AN ORDINANCE REGULATING BUILDING ON UNACCEPTED STREETS**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WATERTOWN, CONNECTICUT THAT THE TOWN OF WATERTOWN CODE OF ORDINANCES IS AMENDED AS FOLLOWS:**

**Sec. 6-2. Building on Unaccepted Streets**

**a. Definitions:**

1. “Accepted Street”: A street accepted by the Town Council into the Town roadway system.
2. “Accessory Building”: A building subordinate to the principal building on the same lot and used for purposes customarily incidental to that of the principal building.
3. “Common Driveway”: A driveway serving more than one lot for motor vehicle access to a street.
4. “Paper Street”: A street appearing on a map which has been officially filed and recorded in the Town Clerk’s Office and which street has not been physically improved or constructed. Such streets are deemed dedicated for public use but not accepted by the town.
5. “Private Street”: A street remaining in individual or association ownership upon which the Town performs no maintenance upon the street.

6. "Unaccepted street": A street not accepted by the Town Council into the Town roadway system.
  7. "Unimproved Dirt Street": A town street for which (a) the Town performs minimal maintenance, such as grading, culvert replacement of the like, and most often the street does not meet construction standards, or (b) the Town performs no maintenance upon a street, for example, rights-of-way or private streets.
- b. Pursuant to General Statutes 8-27, except as provided herein, no building permit shall be issued for the erection of a building or structure on a lot abutting an unaccepted street.
  - c. Notwithstanding the foregoing, a building permit may be issued for the construction of a building or structure on a lot abutting an unaccepted street if (i) the street has been paved with a binder course of bituminous concrete pavement, and (ii) the Planning and Zoning Commission has approved a Ninety (90%) Percent reduction in the binder pavement bond for that street and (iii) the binder pavement borders the greater of Fifty (50%) Percent of the lot frontage or so much of the lot frontage as to include the driveway serving the lot.
  - d. The provisions of paragraph (b) of this section do not apply to, and a building permit may be issued for, a building or structure on a lot abutting a common driveway, a paper street, a private street, an unimproved dirt street, a right-of-way, a state highway, or an accepted street.
  - e. Nothing in this ordinance shall prevent the issuance of a building permit for the construction of farm buildings or farm accessory buildings, which are not in violation of any lawful zoning or building regulations of the Town.
  - f. Any building or structure erected in violation of this ordinance shall be deemed an unlawful structure, and the Town through the Town Building Inspector may bring action to enjoin the erection of such building or structure, or cause it to be vacated or removed.
  - g. Any person, firm or corporation erecting a building or structure in violation of this ordinance may be fined two hundred dollars for each building or structure so erected in addition to any other relief available.
  - h. Severability: This ordinance and its various parts are severable. If any part, sentence, section, or clause is determined to be invalid, the remainder of this ordinance shall not be affected, and shall remain in full force and effect.

- i. Repeal: All ordinances or parts of ordinances adopted prior to this ordinance inconsistent with the provisions of this ordinance as hereby repealed to the extent of their inconsistency.

(Katherine Duplissie sec. Richard DiFederico) I move to adopt the proposed ordinance entitled “An Ordinance Regulating Building on Unaccepted Streets.” I further move that the ordinance shall be made part of the Code of Ordinance of the Town of Watertown and shall be incorporated therein.

Discussion: none

Motion passed unanimously

- c. **Consider an appropriation from the General Fund in the amount of \$23,698 for repairs to Tower I.**

(Katherine Duplissie sec. Richard DiFederico) I move to appropriate from the General Fund \$23,698 for repairs to Tower I.

Discussion: **Larry Black – Fire Chief**

Tower I is a 1992 LTI duplex fire truck that was purchased from LTI through Gowans-Knight Company in Watertown. The truck for the last couple of years has had an ongoing hydraulic problem involving the bucket on the end of the ladder with stabilization. When the truck is parked and shut off the bucket from time to time would tip downward to a point where it almost touches the windshield on the truck. Gowans-Knight did a series of repairs over the last years, they still have an occasional problem with it so we went back to the people that built it in Pennsylvania. They have come up with an estimate that you have in front of you for repairs involving hydraulics repairs, cylinders, etc.

Motion passed unanimously

**9c1. Added Item: Bid Waiver for Tower I**

(Katherine Duplissie sec. David Demirs) I move that a bid waiver for the repairs to Tower I be authorized for Gowans-Knight Company for an amount also not to exceed \$23,698.

Discussion: none

Motion passed unanimously

- d. **Consider proceeding with the disposition of Town owned property, as well as, requesting 8-24 approval from the Planning and Zoning Commission on the following properties:**

(Katherine Duplissie sec. Thomas Winn) I move that the following properties be disposed of according to the Town of Watertown Guidelines for Sale of Real Property and further move that the list properties be sent to the Planning and Zoning Commission for Section 8-24 approval.

1. 0 Artillery Road, Map 119-Block 17B-Lot 1
2. 0 Flintlock Road, Map 119-Block 17B-Lot 13
3. 0 Echo Lake Road, Map 113-Block 43-Lot 12B
4. 0 Van Orman Street Map 133-Block 210-Lot 5
5. 0 Mohawk Drive, Map 118A-Block 9-Lot 1D
6. 0 Iroquois Road, Map 118-Block 9-Lot 9
7. 0 Wilson Drive, Map 79-Block 35-Lot 102

Discussion: **Joseph Polletta** I agree with the sale it is really good that we can raise some funds to offset others costs. Are they building lots or are some of them just smaller parcels.

**Charles Frigon** they vary in size, use, and zoning. All of them are on the report explaining how the properties were received by the town. This is an attempt that was established back during the budget process to raise funding for the renovations at Heminway Park School to municipal offices

**Joseph Polletta** on the Echo Lake property they said they were estimating to get between \$50,000 - \$55,000 is that just a rough guess.

**Charles Frigon** that is an opinion of value by our Town Assessor.

**Katherine Duplissie** have we talked to the people that are adjacent to these lots to see if they perhaps want to purchase them.

**Charles Frigon** we have not talked to them, they will receive a notice by mail and they will be invited to purchase the property.

Motion passed unanimously

- e. Consider setting a public hearing date, time and place to hear comments on the sale of Town of Watertown owned properties previously approved for disposition under agenda item 8d.**

(Katherine Duplissie sec. Joseph Polletta) I move to set a public hearing to be held on December 19, 2011 at 7 p.m. at the Watertown High School Lecture Room to hear comments on the sale of Town of Watertown property previously approved for disposition under agenda item 9d.

Discussion: none

Motion passed unanimously

**f. Consider setting compensation for Town Attorney.**

(Katherine Duplissie sec. David Demirs) I move to set the compensation for Town Attorney Paul R. Jessell, Esquire and the firm of Slavin, Stauffacher & Scott, LLC to be \$175 per hour effective December 1, 2011.

Discussion: none

Motion passed unanimously

**g. Consider a resolution authorizing the transfer of funds between line items for Fiscal year 2011-2012.**

**RESOLUTION**

WHEREAS, expenses in the 2011-12 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.

**WATER AND SEWER: SEWER OPERATIONS**

AMOUNT: \$35,204 NO: 1  
FROM: 015-50110-074-1702 – Asst. Superintendent  
TO: 015-50344-074-0000 – Sewage Disposal  
REASON: Additional funds needed, City of Waterbury WPCF.

Dated at Watertown, Connecticut this 5<sup>th</sup> day of December 2011.

Raymond F. Primini, Chairman  
Watertown Town Council

(Katherine Duplissie sec. Thomas Winn) I move to approve a resolution authorizing the transfer of funds between line items for Fiscal Year 2011-2012.

Discussion: **Frank Nardelli – Asst. Town Manager/Finance Director**

This is a water and sewer transfer for sewage disposal for the City of Waterbury for the bill they pay. This year's bill came a little bit higher because Waterbury does capitol improvements to the sewage disposal plant, so we have to share in those costs for the contract.

Motion passed unanimously

**10. Adjournment.**

Motion: (David Demirs sec. Joseph Polletta) to Adjourn the Regular Meeting at 7:52 p.m.

Discussion: none

Motion passed unanimously

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Raymond F. Primini, Chairman  
Watertown Town Council

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