TOWN COUNCIL
WATERTOWN, CONNECTICUT

MONDAY, MAY 6, 2024, 2024
REGULAR MEETING – 7:00 P.M.

MINUTES

WATERTOWN TOWN HALL
TOWN COUNCIL CHAMBERS
61 ECHO LAKE RD.
WATERTOWN, CT 06795

1. Call Meeting to Order.
   Mary Ann Rosa, Chair opened the meeting at 7:00 p.m.

2. Pledge of Allegiance.

3. Roll Call.

PRESENT: Mary Ann Rosa, Chair
          Ken Demirs, Vice Chair
          Robert Desena
          Anthony DiBona (Remote)
          Gary Lafferty
          Carina Noyd
          Jonathan Ramsay
          Rachael Ryan
          Robert Retallick

ABSENT: None

OTHERS PRESENT: Mark A. Raimo, Town Manager
                 Susan Zappone, Assistant Town Manager/Finance Director

4. Recognitions – Older American’s Month in Watertown

   Mr. Raimo read the proclamation for Older American’s Month in Watertown

   Proclamation
   Older Americans Month 2024
Whereas, May is Older Americans Month, a time for us to recognize and honor Watertown older adults and their immense influence on every facet of American society; and
Whereas, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and
Whereas, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and
Whereas, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and
Whereas, Watertown must ensure that older Americans have the resources and support needed to stay involved in their communities — reflecting our commitment to inclusivity and connectedness; and

Now, therefore, the Watertown Town Council does hereby proclaim May 2024 as Older Americans Month. This year's theme, "Powered by Connection," emphasizes the profound impact of meaningful interactions and social connection on the well-being and health of older adults in our community.

We call upon all residents to join in recognizing the contributions of our older citizens and promoting programs and activities that foster connection, inclusion, and support for older adults.

Dated at Watertown, Connecticut this 6th day of May, 2024.

Mary Ann Rosa, Chair
Watertown Town Council

Proclamation was presented to Senior Center Director Laura Garay.

5. Minutes.
   a. April 15, 2024 – Regular Meeting

Motion: Mr. Demirs seconded by Mr. Retallick: I move to approve the Regular Meeting minutes dated April 15, 2024, as presented.

Ms. Noyd requested that the minutes be amended to reflect on page 10, Public Participation:

"Al Mickel ... Mr. Mickel asked if there has been any discussion on how you came up with your vote tonight was there a caucus done by the Republican Party to stick with the $800,000... to which Ms. Rosa said yes. Further, Miss Noyd continued: and if the Financial Subcommittee should have been included, the minutes should reflect Ms. Rosa affirmatively answered."
Motion as amended passed unanimously.

b. April 15, 2024 – Special Town Meeting

Motion: Mr. Demirs seconded by Mr. Retallick: I move to approve the Special Town Meeting minutes dated April 15, 2024, as presented.

Discussion: none.

Motion passed unanimously.

c. April 11, 2024 – Budget Public Hearing

Motion: Mr. Demirs seconded by Mr. Retallick: I move to approve the Budget Public Hearing Minutes dated April 11, 2024, as presented.

Discussion: none.

Motion passed unanimously.

6. Chairman’s Report

   a. Correspondence.

Ms. Rosa acknowledged a letter from Dosch King concerning a bid issue he has which has been referred to the Town Attorney.

Ms. Rosa indicated that there were around 60 plus emails concerning the school nurses that were cut from the parochial schools.

Also included in correspondence is an email from the Jameson Pub inviting members to their ribbon cutting ceremony on May 10, 2024, from 3:30-5:30 and all Town Council members were invited to attend.

7. Subcommittee and Liaison Reports

None.
8. Town Manager’s Report.

Mark Raimo reported:

- Emergency Management Director – has been hired and I am pleased to announce that David Hart a member of the Watertown Fire Department has been appointed as Watertown’s new Emergency Management Director. Mr. Hart previously held the position of EMD before Chief Bromley assumed the role. With this transition there will be some operational changes to the structure and notably the Police Department will designate a liaison to aide in training and serve as a conduit for information sharing. Additionally, Mr. Hart will lead a state tabletop exercise scheduled for June of this year. These adjustments aim to enhance coordination and preparedness within our Emergency Management framework. I would like to welcome Mr. Hart back to this role and I hope that he continues to do the work as he did earlier when he had this position.

- On April 23rd 2024 myself and Mr. Lukowski attended the Connecticut Emergency Management Symposium we took back a lot of information that has been shared with other departments.

- On April 26th 2024 I am pleased to inform you that the Freedom of Information training session was very successful and we had an exceptional turnout resulting in engaging discussions and numerous inquiries. I extend my gratitude to Russell Blair from the State of Connecticut Freedom of Information Commission for generously sharing his expertise with the participants. Furthermore, our efforts are underway to solicit feedback from department heads regarding the updated FOI policy and procedure and then we will implement that and put it in place.

- On the agenda tonight we are going to be talking a little bit about our audit because it will be in line with me giving you an update for the Finance Department. We are asking you to approve the appointment of King and King for the audit for this upcoming year. This is per statute; we need to appoint an auditor and we are not in a position to make any changes at that point. I did clarify with the state that as we move through transitioning through some of the changes in our Finance Department, we can make a change if we chose to in the future but we need to appoint an auditor by the end of June.

- I wanted to talk through some of the finance strategy, how we are going to move forward with the retirement or the separation of our Assistant Finance Director and the imminent retirement of our Finance Director. I would like to outline some of the key items and actions that need to be addressed to ensure a smooth transition and enhance our Finance Department’s effectiveness. We have already rewritten the job descriptions; we made a posting for both the Finance Director and the Assistant Finance Director. We have scheduled interviews for our Assistant Finance Director, we have had I believe five applicants for that position. Because Megan has already left that role we would like to try and put somebody in place as soon as possible. We have established a schedule for
interviews on May 9th, the interview panel will be Council Member Mr. Ramsay, we have asked Marie Kashuba from the BOE and Mr. Destasio who was the past BOE Business Manager who is now the Finance Director in Avon to sit on that panel. We have developed the questions; we are actually going to send the questions because we have such a qualified board, we are going to send the questions back out to the board to peruse those questions and then give us feedback before we set those in stone.

- In addition, as I started to look out for an account firm to come out and review our accounting policy and procedures manual. I have reach out to several firms who are putting a quote together for to understand what the cost would be to go through that. I am weighing together whether we wait for a Finance Director to come into place before we make this review policy and think I am just going to have to make that decision as we evaluate who applies for that position. In additional I think it is a good time for us to review our procurement policy, I will include that in the proposals. We have also evaluated and come to understand that that maybe we should invest some more time and training into the software instead of just moving to a new software or maybe evaluate the software that is in place, to do additional training and re-evaluate. That will give the new Finance Director time to get seated and understand the process before we made that change. A lot of the responsibility will be on that new person to facilitate that change, so they should be part of that decision.

- We have considered some temporary staffing if we can’t find somebody to put in either one of these places. As you know our current Finance Director has agreed to stay on if we choose to have that happen and I believe the would be in our best interest to have proper succession, informational person in place. We have identified some firms that could provide staff members that know how to use our Infinite Vision software. So that if we get stuck without filling the Assistant Finance Director, we do have sources to go out to bring staff in to continue allowing us to work properly.

- We will also explore improving our Charter of Accounts, we have mentioned several times that we have a lot of line items there and we need to do a more in-depth review of our chart of accounts and understanding of how everything is working together. This will be part of the evaluation as we move forward. That will also include all our special funds for us to establish if we have best business practice for the way we are running the town.

- There are just some small review items that I think would be important. A reporting schedule for key stakeholders, department heads, the Town Managers position and if were to include the quarterly reports to Town Council Members so that you could be more in line with what is happening on a regular basis.

- We will review our financial statements, inventory control and tracking assignment of property. I think that is something we have to work a little better to improve that area.
Assignment of auditors will also be part of the conversation as I already said. We will look into further training whether we do it in-house or we bring in somebody from infinite divisions to the training for us as we look into the and evaluate as move forward.

- Our bonding for 2023, we went back to our bonding agent we have established some bans that we took out last year. We have to go out to bonding again this year to finish up the bonding that went to referendum in 2023 and that will happen over the next couple of months. It will get us the final amount of money for road pavement and the Fire Truck and whatever was left for the schools. The banding will then become bonds and we will finish that project.

- Something interesting when talking to our bonding agent Bare is that we have a significant amount of debt service which will be dropping off in the next 5 to 7 years which will free up probably 55 to 60 million dollars that will give us an opportunity to take care of a lot of the infrastructure needs that have been put off. My suggestion to the council is that we start to at least discuss how we are going to manage that over the next few months, so that we can have a plan in place to hopefully go to referendum with a full plan. There is enough money there to hit the bigger projects, the Police Department, a Community Center, hopefully a Public Works Department and then a significant amount of roadway and sidewalks that we could accomplish with that money. I want to put that on your radar so we could start those discussion to move forward.

- I ask that you consider adding to the agenda tonight to discuss the Police Communications Department. We are at a critical juncture for the way that department is staffed. The Chief is prepared to give some information to you for us to discuss how to handle it and move forward and keep our communications running. Obviously, it is a very important department and I think the Chief will give you the information needed to help us make a decision on how to move forward with that.

Following the Town Manager report, the Town Council added an item to the agenda:

**Motion:** Mr. Demirs and seconded by Mr. Ramsay: I move that the following item be added to the agenda for tonight’s meeting under item “i” “Discussion and possible action on staffing levels at the Watertown Police Communications Department.”

Ms. Rosa stated that a motion was in order to add to the agenda also an additional item for Executive Session:
Motion made by Mr. Demirs and seconded by Mr. Retallick: I move to add to the agenda item Executive Session discussion regarding Pending Litigation: City of Waterbury vs. Town of Watertown.

Motion passed unanimously.


a. Consider a resolution in support of a $2,000,000 grant application to the State of Connecticut Department of Housing to undertake a Small Cities Community Development Program and authorize the execution of an associated Assistance Agreement. It is intended to apply for public housing modernization at 1091 Buckingham Street.

RESOLUTION

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93-383, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Watertown make application to the State for Two Million and 00/100 Dollars ($2,000,000.00) in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and,

2. That the filing of an application by the Town of Watertown in an amount not to exceed Two Million and 00/100 Dollars ($2,000,000.00) is hereby approved, and that the Town of Watertown is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Watertown.
Dated at Watertown, Connecticut this 6th day of May 2024.

Mary Ann Rosa, Chair
Watertown Town Council

Motion: Mr. Demirs moved and seconded by Mr. Retallick to approve the resolution in support of a $2,000,000 grant application to the State of Connecticut Department of Housing to undertake a Small Cities Community Development Program and authorize the execution of an associated Assistance Agreement.

Chair Mary Ann Rosa stated this is a result of the hearing we just held.

Motion passed unanimously.

b. Consider an appropriation from the General Fund in the amount of $1,315.55 for Police overtime. Funds received for the State of Connecticut, Department of Transportation for distracted driving and high visibility enforcement.

Motion: Mr. Demirs and seconded by Mr. Desena to authorize an appropriation from the General Fund in the amount of $1,315.55 for Police overtime. Funds received for the State of Connecticut, Department of Transportation for distracted driving and high visibility enforcement.

Discussion: none.

Motion passed unanimously.

c. Consider an appropriation from the General Fund in the amount of $1,934.72 for Police overtime. Funds received for participation in the State Department of Emergency Services and Public Protection, Statewide Violent Crime Task Force.

Motion: Mr. Demirs and seconded by Ms. Ryan: I move to authorize an appropriation from the General Fund in the amount of $1,934.72 for Police overtime. Funds received for participation in the State Department of Emergency Services and Public Protection, Statewide Violent Crime Task Force.

Robert Desena stated recently there was a homicide in Waterbury, outside of the courthouse, as we’ve all followed in the media. Playing a vital part in identifying three subjects who ultimately were arrested or the Violent Crime Task Force of which Watertown is a participatory member and along with the Waterbury Detective Bureau
they hopefully will bring this high visible murder which has been described as being a “hit” to successful closure, thank you.

Motion passed unanimously.

d. Consider an appropriation from the General Fund in the amount of $13,485.16 for Police overtime. Funds received from the State of Connecticut Department of Transportation from a Rural Roads Speed Grant.

Motion: Mr. Demirs and seconded by Mr. Desena to authorize an appropriation from the General Fund in the amount of $13,485.16 for Police overtime. Funds received from the State of Connecticut Department of Transportation from a Rural Roads Speed Grant.

Robert Desena stated in reviewing the recent report from the department regarding motor vehicle enforcement is applicable to this grant and future grants. There has been a significant increase on a monthly basis of motor vehicle stops, the amount of infractions issued, misdemeanor summons and so forth, thank you.

Motion passed unanimously.

e. Consider a resolution appointing an auditor for the Fiscal Year 2023-2024 audits.

RESOLUTION

BE IT RESOLVED, that the Town Council of the Town of Watertown hereby appoints King, King & Associates to conduct the Fiscal Year ending June 30, 2024 audit.

Dated at Watertown, Connecticut 6th day of May, 2024.

Mary Ann Rosa, Chairman
Watertown Town Council

Motion: Mr. Demirs and seconded by Mr. Retallick to approve the resolution appointing King King and Associates as auditors for the Fiscal year 2023-2024 audits.

Chair Mary Ann Rosa stated Mark explained to us that we are making this appointment now in order to conform to the time frame that we have to do it in.

Motion passed unanimously.
f. Discussion and possible action on sale of right of way off of Georgetown Drive.

There will be two motions for this agenda item.

Motion by Mr. Demirs and seconded by Ms. Ryan, move to waive the policy for the sale of real property regarding Town owned Land located on Georgetown Drive as recorded in the Watertown Land Records in Book 536 Page 128, identified as Right of Way “Third Piece” between Lot #14 and Lot #15.

Attorney Paul Jessell, Town Attorney stated in 1988 its part of the Georgetown Heights Subdivision. If you look at the map that I included with my memo they have included a right of way between two lots that goes to property that is located in Waterbury. The purpose of that right of way was to make sure that property was not landlocked which is against a public policy. Someone has come along they are going to buy that lot, they have gotten approval to build two houses and they want to purchase the right of way which I think is in the best interest of the Town of Watertown. The reason I think it is in our best interest is that we don’t have any further liability with regards to this, this becomes their problem entirely. They will build a common driveway, they have agreed to put trees and buffering between lots 14 and 15. As you can see from the drawing that’s attached the last piece of the handout that I gave you, they have offered $5,000 for this lot. I have spoken with the Town Assessor, it’s a 9,000 square foot piece of property that is not useful for anything in terms of building a house or building anything else. We collectively thought that the property was probably worth, an acre of property like this would be worth about $10,000, 25% of that an acre 43,300 square feet. This is not a nine-foot square piece and would be worth about $2,500, they have agreed to pay $5,000. We had some people suggest that maybe the abutters would like to buy this property, it would not save them anything. Because these people by statute would still have a right to use this property as a right of way to that Waterbury piece. Again, public policy does not favor creating landlocked parcels. In so far as the first motion which is to waive the policy, there are two things that come to bear on this. First is a state statute 7-1 163e which is entitled public hearing for sale of town land. That statute specifically by its terms does not apply to a sale price of less than $10,000. At the same time the Town of Watertown Town Council adopted a policy, not an ordinance about the sale of Town land and they did not include any exemption for smaller pieces. But because it’s a town policy as opposed to an ordinance the council has the right to waive the requirement of having a public hearing. I really don’t think there is anyone else who could profit by buying this property. I am not thinking that there is a real reason for us to hold a public hearing or do extra work on this, it’s again a very small piece it’s going to be a driveway. They are not even using our water & sewer because the City of Waterbury would not allow them to hook up to our water & sewer in Georgetown Drive. Beyond that the Superintendent and the Assistant Superintendent of Water & Sewer told me that they could not adequately serve this property because they don’t have sufficient pressures to get there. In addition to the slopes, it would actually have to pump the sewer to the sewer line. It’s not effective, it’s cheaper to do septic and well than it is to do water & sewer.
Commission questions asked:

Robert Retallick asked how many proposed building lots are there?

Attorney Paul Jessell answered there is two houses proposed and I have attached to the end of this, a picture of where they anticipate putting the houses. The house that is closest to a property line is some 60 plus feet away from the property line. Based on where the house is on that other property it’s probably 110 or so feet away from another house located in Watertown. Again, they did agree to put some buffering between the driveway and the two abutting houses.

Chair Mary Ann Rosa asked the houses will be in Waterbury?

Attorney Paul Jessell answered the houses will be in Waterbury, the children will go to Waterbury schools. I did talk to the Chief of Police; we may end doing some emergency services, there but it is not going to be a major issue it is two houses.

Rachael Ryan asked if there a way to enforce the homeowners to put up those buffers?

Attorney Paul Jessell answered although I kind of made a mistake and did not include that in the motion I would like to include in the motion that the driveway be done in accordance with the drawing that they provided us as a condition. There are other conditions as well. I think we should include that as a condition in the next motion.

Rachael Ryan asked what is the enforcement, how would it be enforced?

Attorney Paul Jessell answered we would do a cease and desist because they will have violated their agreement with the Town of Watertown. It is going to be a condition in the deed.

Rachael Ryan asked I am assuming all the construction equipment will be passing down this right of way.

Attorney Paul Jessell answered that is true.
Rachael Ryan asked and the homeowners on either side are aware of all this.

Attorney Paul Jessell answered they actually attended the public hearings in Waterbury. This developer needed a variance in Waterbury in order to build the two houses on one driveway. There was a public hearing and both of the abutting property owners and the property owners across the street attended that public hearing. One of the property owners asked what if he bought the property. It would make no difference because by statute again this property owner has the right to use that access way. My thought on it is, it’s better to have something that’s more permanent and better built than have a mud hole going up there.

Rachael Ryan asked do you know if it is the same developer who did those other houses that are just off of Georgetown.

Attorney Paul Jessell answered no it’s not the same developer. Of course that is a very good example, there was another right of way off of Georgetown Drive all be it into property located in Watertown. They built 10 houses over there and it’s a road as opposed to a driveway; I think far more intrusive than a driveway will be.

Jonathan Ramsay asked just confirming this 9,000 square foot parcel would still be part of Watertown correct?

Attorney Paul Jessell answered correct and we should be able to tax it, not that it will be worth a lot for tax purposes.

Robert Desena asked you mentioned that a certain aspect of emergency services would be provided. Would that be limited to our communication center receiving 911 emergency calls and then re-routing them to Waterbury.

Attorney Paul Jessell answered again, these houses are located in Waterbury I think their 911’s should go to Waterbury. The address is going to be Waterbury, the address is not going to be Watertown. However, if there’s an emergency up there it’s not unlikely that Watertown would want to assist in order to avoid somebody having a real problem but I think it would be more on a voluntary basis.

Robert Retallick asked did this have to go in front of Planning and Zoning?

Attorney Paul Jessell answered it does but it has to get 824 approval which is simply an approval, it’s a planning function not a zoning function and the sale of this property does not violate our Plan of Conservation and Development. It is very limited jurisdiction. 824 by its terms allows us to approve it, subject to obtaining 824. If it
didn’t obtain an 824 then it would need to come back here and get overruled by a 2/3rds majority. I have talk to Mark Massoud and nobody seems to have much reason why we should be keeping this piece. Jerry Lukowski, Paul Bunevich, the Town Engineer and the Water and Sewer folks, none of them felt that this was something that we should keep. It’s a liability, it’s not anything of value.

Robert Retallick asked you were talking in the very beginning about that you didn’t believe that we needed a public hearing on this.

Attorney Paul Jessell answered under our policy we need to hold a public hearing the motion that was made is to wave the operation of our policy. So that we don’t have to have a public hearing, both of the abutters and the people across the street are already well aware of what’s going on.

Robert Retallick stated I am concerned over the fact that they are not here and I wouldn’t want it to be where all of a sudden, we were making a decision and they didn’t know that this was happening on the property up there and nor do all the people at Georgetown Heights, were they all notified that we were going to have this meeting tonight.

Attorney Paul Jessell answered we don’t normally do that. This is not the first time that the Town Council has done this. In 2015 we had a parcel of land in Oakville, like this wasn’t worth anything except to one property owner. We notified the abutters; we waive the operation of the policy and we sold it to the abutter.

Robert Retallick stated I guess my concern is with this also is the fact that, I believe Ms. Ryan said their equipment is going to be going up on our streets that just got repaved to build these new houses. They are not paying any taxes to the Town except for that $100,00 dollars a year and they are going to be wrecking our streets and then this is going to add four, six more vehicles coming out into our roads and they are getting it for free.

Attorney Paul Jessell answered the bottom line is they have an absolute right to use this right of way, so we can’t stop them from bringing those vehicles in there to build these houses.

Robert Retallick asked there is no other way that they can gain access?

Attorney Paul Jessell answered there is no other access to this property, if there had been then our Planning & Zoning Commission would not have reserved this right of way in its subdivision approval. Again, that was the sole purpose for the right of way,
for this one and the one further to the east on Georgetown Drive on which a 10-lot subdivision was built.

Robert Retallick stated I don’t just feel comfortable with the fact that theirs is nobody here from this neighborhood and we have no response from anybody on this neighborhood in what their thought process is.

Chair Mary Ann Rosa stated they went to the hearing they know all about it.

Robert Retallick stated the Waterbury hearing.

Chair Mary Ann Rosa answered yeah, there is where it was all discussed and all the requirements were gone over.

Robert Retallick stated I think if they are going to be using our property then they should be coming in front of us to discuss this and I will be voting no.

Jonathan Ramsay stated Paul kind of made the same comment that I was going to make is, if we sell this lot or not, they still have the right to do the same work on it.

Robert Retallick stated I get it.

Ken Demirs asked to you have a better print than this.

Attorney Paul Jessell answered no.

Ken Demirs stated if we were going to add anything to the motion, I would like to at least, I can’t read it a date and a revision number so we know what we are dealing with.

Attorney Paul Jessell answered you can refer to it as the map attached to the May 3rd memo.

Carina Noyd I would like to state that I am in agreement with Mr. Retallick’s concerns about none of the neighbors being present before us. I understand they were present at the Waterbury hearing I share that concern.

Gary Lafferty stated my concern is that they you are going to have Waterbury addresses on these houses and there is no access coming in from Waterbury now hopefully the Emergency Management people will know how to go up Georgetown or whatever and come in.
Attorney Paul Jessell answered Waterbury is well aware of this two-lot development going in because they have already been in front of their land use boards. It’s not like it is a secret.

Gary Lafferty stated I think it’s going to be confusing down the road.

Attorney Paul Jessell answered but it’s the exact reason why this right of way was put in here. I feel as bad for the abutters as everybody else, they bought lots next to a right of way and while I feel badly about that, that also was not a secret. It’s been on the map since 1988. I feel much worse for the people who now have a road servicing 10 lots that goes by and then for a driveway that services two lots.

Ken Demirs asked you have mentioned Paul that let’s say in the event they have a problem putting in well and septic here, I am going to assume the developer did his due diligence. In the event that they can’t do that and they come back because now they have to buy a $10,000 pump up system it would require a public hearing?

Attorney Paul Jessell answered let me start by saying they have already done their deep well tests and their perk tests. They are already approved by the Health Department to put in well and septic, that is not an issue. If it were to come to pass that they had to put in public water and sewer. The first thing that would have to happen is Waterbury would have to agree to allow the Town of Watertown to amend the contract which doesn’t exist to add these two houses to our service area. They have stated point blank they will not do that. We have no power even if they wanted to get water and sewer from us, they cannot.

Motion passed (6-3)
In Favor: Mary Ann Rosa, Ken Demirs, Robert Desena, Anthony DiBona (Remote)
Jonathan Ramsay, Rachael Ryan
Opposed: Gary Lafferty, Carina Noyd, Robert Retallick

I move to authorize the sale of Real Property located on Georgetown Drive – recorded in the Watertown Land Records in Book 536 Page 128, identified as Right of Way “Third Piece” between Lot #14 and Lot #15 for $5,000 subject to Planning and Zoning 8-24 approval and additionally subject to review of related documents by the Town Attorney, along with the condition that the driveway be done according to the drawing attached to the letter from Attorney Jessell, dated May 3, 2024. (Attached)

Robert Retallick asked you said for the sale for $5,000 but it could possibly be $10,000, why aren’t we going for the $10,000.
Attorney Paul Jessell answered again both our policy and our normal way of doing business is that I would talk to the tax assessor. I did that and we determined that the value of this property is probably in the $1,500 to $2,500 range. We thought that $5,000 is double what the parcel is really worth. We thought the Town of Watertown could use $5,000 more than a liability.

Motion passed (8-1)
In Favor: Mary Ann Rosa, Ken Demirs, Robert Desena, Anthony DiBona (Remote) Jonathan Ramsay, Rachael Ryan, Gary Lafferty, Carina Noyd,
Opposed: Robert Retallick

g. Consider a resolution authorizing an appropriation of $6,294 for tax refunds.

Motion: Mr. Demirs and seconded by Mr. Ramsay to approve the resolution authorizing an appropriation from the General Fund in the amount of $6,294 for tax refunds.

RESOLUTION

WHEREAS, taxpayers have applied for Tax Refunds pursuant to Section 12-129, Refund of Excess Payments; and

WHEREAS, the Tax Collector recommended that the refunds be made in accordance with the provisions of Section 12-129; and

WHEREAS, in order to refund taxpayers we have been approved for their refunds, monies must be appropriated into the budget line item to expend the funds.

NOW THEREFORE BE IT RESOLVED, that the Town Council appropriates $6,294. to line item 010-50341-043-0102 from the General Fund for tax refunds.

Dated at Watertown, Connecticut this 6th day of May, 2024.

Mary Ann Rosa, Chair
Watertown Town Council

Discussion: none.

Motion passed unanimously.
h. Consider a resolution authorizing tax refunds.

**RESOLUTION**

WHEREAS, Taxpayers have made application for the property tax refunds in accordance with C.G.S. Section 12-129 *Refund of Excess Payment*:

WHEREAS, the Tax Collector recommends that the refunds be made in accordance with the provisions of Section 12-1298;

NOW THEREFORE BE IT RESOLVED: that the Town Council approves the attached listing of tax refunds:

Dated at Watertown, Connecticut this 6th day of May, 2024.

Mary Ann Rosa, Chair
Watertown Town Council

See attached

Motion: Mr. Demirs and seconded by Mr. Ramsay to approve the resolution authorizing tax refunds.

Discussion: none.

Motion passes unanimously

i. Discussion and possible action on staffing levels at the Watertown Police Communications Department."

Motion: Mr. Demirs and seconded by Ms. Ryan that due to the critical need to hire staff at the Watertown Police Department Communications Division, the Town Manager is authorized to proceed with modifying the staffing level of the department to up to eight full-time staff members and up to three part-time staff members. Any budget impact requiring additional funding will be brought to the Town Council for further consideration.

Joshua Bernegger, Police Chief stated you may recall I came before your body a couple of months ago with my budget proposal claiming to be in good shape on our sworn side of the department but in the communications division, we were struggling to maintain staff and that the current model was going to be unsustainable moving in the future. Since that time the crisis has evolved, our Communication Supervisor did fairly abruptly retire, her last day of work was on April 12th since then our Deputy Chief has
been assuming that role almost in a full-time basis. I kind of lost my Deputy Chief in her normal role as Operations Director of the entire department. I will tell you we are having such a problem. The way the current collective bargaining agreement is structured the only posting we can ever put for hiring our dispatchers if for part-time staff. The current staffing model allows for in our current budget allows for 6 or 7 now full-time dispatchers. One of which is the Supervisor, that is the model that you see on the paper I gave to you here that says current staffing model. There was one supervisor, the senior telecommunicator was really just a title with a slightly little bit of extra pay and that was within the contract and then 5 full-time telecommunicators that totals up to 7 full-time staff. That supervisor position was really a dispatcher 90% of the time and a supervisor 10% of the time, we really never had an actual supervision of our dispatchers. That 10% of the time was more for scheduling than it was to actually supervise and do quality control of our dispatch center. In addition to those seven full-timers, we always attempted to have 5 part-time staff on our roster to fill in all the gaps, there were a lot of gaps to fill. Since I have been employed with this department in 2019, we have never been able to get up to that number 5. The reason we can only ever hire part-time staff members is because of collective bargaining agreement says that all part-time staff members have the first dibs at any full-time position that becomes available. That has generally always happened, that when a full-time position became available it would be an internal posting with our part-time staff and the person with the most seniority that put in for that position would take the full-time staff. We are always in a cycle of having to post for and hire only part-time people. Which may have worked in years past but in our current age we are unable to find the part-time staff that would make this dispatch center work. The last 7 that we have tried to hire have left within 6 months’ time. The amount of work that we have to give them has either been too much, or the hours too crazy. Generally the part-timers all get the hours that are full-timers don’t want. That is the holidays, it’s the weekends, its everything the full-timers take off there is no consistent schedule. They get plugged into all the holes and they very quickly realize that the 20 or 30 sometimes even 40 hours a week that we are mandating them work really isn’t a part time job, it’s more of a full-time job without the benefits and it’s all the least desirable shifts and then they depart and we have been stuck in a continuous training cycle for years now trying to staff our dispatch center. What we really need to look for are personnel that want to be in our communication center for a career not for a part-time job. The original proposal what you see on the bottom of the first page here, I was looking to move to 9 full-time telecommunicators and a supervisor who would be a full-time supervisor. That was a jump from our current staffing model which was around $640,000 to about $100,000 jump up to $740,000. Where we landed was in the middle a bit with a full-time communication supervisor in addition to the 7 full-tie telecommunicators and keeping the 5 part-timers and that put us around $715,000. What I am proposing now to try and get us out of this immediate crisis is to move to keep that full-time communications supervisor position in the budget and staff it after July 1st when and if we all hope the budget referendum passes and we can fund this position. Then to employ 8 full-time telecommunicators and 3 part-time, that would actually reduce the police department’s operational cost per personnel by $5,000 over the previous Town Council recommended budget we be
within your recommended budget that is of course fringe benefits aside. To try and get us out of the immediate crisis that we are in. We posted two weeks ago for any certified dispatcher to invite them to apply because we are trying to reduce the amount of time it takes to train. Bringing in someone with no experience is a minimum of 4 months in training before we can ever put them on the console by themselves, that’s a long time. We did get 3 applications of dispatchers who are fulltime in other dispatch centers that are certified by the State of Connecticut but they are looking for full-time hours. They are looking to leave their current employer and come to Watertown. One of them is local and lives in Watertown and would like to be home, in their home town. The other two have direct connections to Watertown and would prefer to work here but they don’t want to stay in that part-time role. We currently have one full-time position available to hire. What I am asking for is to create a second full-time position to hire so we can bring these individuals in on a full-time basis and keep them and try to get out of this constant training environment where people come in, train and depart within 4 to 6 months’ time after they realize that the job is not for them. The cost I believe is minimal, our overtime in this particular fiscal year is going to be double it’s been appropriated. We had $65,000 appropriated for overtime and we are currently $25,000 already in the red we are projecting this year out around $57,000 in the red in overtime because of the staff shortage. In the next 4 weeks we have 32, 8 hour shifts that need to get filled by forcing our current dispatchers to work extra hours. Almost all of them are working 12-hour shifts right now to keep our Public Safety Communication Center open. It is certainly having an impact on our morale; we do need to take quick action on this.

Robert Retallick stated that I have to totally agree with you that this is a career now, it is not somebody who is injured as it was years ago. That would just go in and fill a position answer a telephone. These are skilled employees now that have to go through schooling to do this. They have to be signed off on the Federal Bureau of Investigations to look up records. It is no longer an easy job, computerized beyond my scope. The only thing that I ask is that you do as a department and I say it multiple times for other agencies in town. I think seriously that you look at other towns around here to consolidate with. Holding on to your own communication center you will never survive it because it is going to continue to go up higher and higher as you go and you move in say a Thomaston and a Middlebury and then have a joint communication center it truly lowers your costs. You get money from the State of Connecticut if you have three towns that get together and run a communication center for those 3 towns, the State of Connecticut will fund you. There is free money out there if you get 3 other towns to do that. I asked that you form a committee within that Police Department to seriously look into that because it works, that model does work.

Joshua Bernegger, Police Chief answered we have seen that occurring in a couple other areas of the State of Connecticut. The Town Manager and I have already been in discussions to keep that open as an option because we do have a third fully functional dispatch station within our division that could be helpful in that case.
Robert Desena stated in looking at the proposal one thing very important that I really like is the full-time Communication Supervisor will be in a different union. In the past the Communication Supervisor was the same union. It would cause problems and investigating matters of a union employee of which union they were in. In the previous role that I was in as is the Deputy now in overseeing communications it ended up that I myself would have to conduct in the internal investigations to a closure and I could see is with the Deputy doing that but with a Communication Supervisor doing our own investigations, working out aspects of what went right, what went wrong there would be no union issues, no conflict, I like it.

Joshua Bernegger, Police Chief answered yes, working with the Town Manager we have gotten preliminary agreements by both the Dispatchers Union to forgo that position and for the Supervisor’s Union to assume it.

Jonathan Ramsay asked right now we are losing a lot of the part-time people because they get the worst shifts the holiday that type of thing. If were ever in the scenario where we only had full-time dispatchers are holidays and that those types of things still determined on seniority or is there a different method in place.

Joshua Bernegger, Police Chief answered generally speaking vacations according to the collective bargaining agreement if they submit their vacations of work on the fiscal year not on the calendar year. If they submit their vacations prior to October 15th for the rest of that fiscal year they are locked in regardless of their seniority. After that it’s first come, first serve basis upon their submittal and any conflicts seniority rules.

Gary Lafferty asked you said you are going to eliminate the senior telecommunicator and just have the supervisor.

Joshua Bernegger, Police Chief answered that is correct.

Gary Lafferty asked how did you come up with the $85,000, you are going from $64,000 to $85,000.

Joshua Bernegger, Police Chief answered yes that is what we put into our budget, we want to attract a good person into this position. We felt that $64,000 that was in the previous contract where they were dispatcher 90% of the time and a supervisor 10% of the time is a really low number to try and attract an employee of the caliber we are looking for into that position.
Robert Retallick asked how many do you need to run a full-time staff because you are still counting on your part-timers correct in this?

Joshua Bernegger, Police Chief answered correct, our communication center which is housed in the police department and under the preview of the Chief of Police right now we have a minimum staffing around the clock 24/7, 365 days of two dispatchers at all times. They work an odd schedule their contract calls for them to work 5 on 2 off, 5 on 2 off, 5 on 2 off and 5 on then 3 off. If we were to make entirely full-time staff, we would need 9 to always have two persons in the chairs. It would take 3 dispatchers hired to always put two on there and of course we have 3 separate shifts that we have to staff. I think it would be wise right now to experiment by only having 8 full-timers and then a few part-timers to fill in the holes. We would staff it where we had 3 full-timers on days and 3 full-timers on the midnight shift and staff the evening shift with 2 full-timers and then use the 3 part-timers to fill in the holes on the evening shift as well as days taken off by day shift and midnight shift full-time staff including sick time, vacation time, personal days.

Robert Retallick stated I guess that’s my point is that you have to fill in using your part-timers and I’m not telling you your business but you’re using your part-timers for normal shifts. Plus, you are using your part-timers to fill in for vacation and sick and things like that. I would be one person who would be totally in favor of you going to a total full-time staff.

Joshua Bernegger, Police Chief answered I will be back next year asking for that.

Robert Retallick stated don’t wait a year.

Gary Lafferty stated I’m sort of like in favor with Rob there that with the call volumes that increased over the past probably 10 years or so. I know the Fire Department has gone from like 700 calls to like over 3,000 and I know the Police Department’s call volume has been up quite a bit too. I think it’s best for the whole town that we do have more full-time dispatchers. If we can be like a regional dispatch center that would be nice too.

Anthony Dibona asked based on Jonathan’s question if we go full-time is there a chance based on the collective bargaining agreement that everyone will put in for the same holiday and we would be required to let everyone off in that same holiday.

Joshua Bernegger, Police Chief answered no sir, according to the wording and the collective agreement now. We do not have to allow any of the dispatchers a holiday leave. Operation demands can allow the Chief of Police or the Supervisor to deny that request.
Chair Mary Ann Rosa asked how soon are the individuals that have applied available to you?

Joshua Bernegger, Police Chief answered we plan on giving them a conditional offer tomorrow. They will go through a background check first before we can bring them on. Then they would have to give a two week notice to that employer so I’m thinking about four weeks out for bringing them on board.

Chair Mary Ann Rosa stated you still have a month to get through.

Robert Retallick asked do you background checks, including a police officer going out and interviewing them and neighbors and all that.

Joshua Bernegger, Police Chief answered not for dispatchers, we do that for sworn personnel.

Motion passed unanimously.

10. Executive Session.

Mr. Demirs and seconded by Mr. Retallick move to enter into executive session (8:10 p.m.) for the purposes of discussing Pending Litigation for two matters 1. Fairways and Greens, LLC vs. Town of Watertown Tax Appeal and 2. City of Waterbury V. Town of Watertown. In attendance will be the Town Council Members present, the Town Attorney and Town Manager.

Motion passed unanimously.

11. New Business, continued – Return to regular session at 8:26 p.m.

a. Consider authorizing the approval of a settlement agreement for a tax appeal by Fairways and Greens, LLC vs. Town of Watertown

Motion: Mr. Demers and seconded by Ms. Ryan I move to authorize the settlement agreement for a tax appeal by Fairways and Greens, LLC vs. Town of Watertown.

Discussion: none.

Motion passed unanimously.
12. Public Participation.

Elliot Longo, 83 Bella Vista Drive stated he is in agreement with the Town Manager for not changing the auditor right now and a change should it be decided upon by the management and the council to change a firm for future accounting periods. Mr. Longo talked about the opinion letter, the auditor’s report and the management letter for the budgets.

Day Palmer, 267 Bryant Road stated I think we need a Finance Board, for the Town Council to consider. In front of Wetlands, they have someone wanting to put in a covered boat dock on Lake Winnamaug and requested to open up the ordinance committee to write some ordinances of what they want to see happen on Lake Winnamaug because if one boat dock goes in, he has names of people who own property on there who all want to do the same thing. Ms. Palmer stated Planning & Zoning received a letter from the Fire Chief stating that the road will have to be widened and that the Town Engineer said the town will have to incur that cost. Ms. Palmer stated that the town should not let have to pay anything. Behind this is Munson Road coming up I will be at that one asking the exact same things.

Chair Mary Ann Rosa asked what road are you talking about?

Day Palmer answered Aunt Olive Road it’s a non-maintained town road and that is the main through fair to get to this Lavender and Bee Farm, I would rather have seen them come in from Middlebury rather than use our dirt road.

Mark Raimo, Town Manager asked Ms. Palmer who identified that town would be picking up the cost.

Day Palmer answered the Town Engineer, Paul Bunевич he is the one that stated it.

Richard Rozanski, 35 Reynolds Street stated he was at the P & Z meeting and his recollection is different than Ms. Palmer on the road. It was announced by the Town Engineer that the Fire Marshal made the determination it was a regulation that the road needed to be widened from 15 to 18 feet. Mr. Rozanski stated that P & Z has obligated town resources to widen this road without the knowledge or the approval of the Town Council.

Al Mickel, 95 Woodvine Avenue asked for Public Participation at the beginning of the meeting. Mr. Mickel asked regarding Town Managers Report on staffing the Finance Department was well received and asked who is going to do the job of the Treasurer?

Chair Mary Ann Rosa answered I am certain the Town Manager will keep us appraised of what’s happening in the Finance Department and who is doing what.
Al Mickel asked would it be appropriate to ask him now?

Chair Mary Ann Rosa answered no.

Al Mickel reviewed the video of last year’s budget of May 1st stating it was remarkably good job done by the Town Council and it is a shame that this year’s was not as good. The Town Manager talked about Infinite Vision and asked if the software was from Taylor Corporation and Munis is that one in the same system or not.

Chair Mary Ann Rosa answered same company different system.

Al Mickel asked we have changed systems since we first got the Munis system?

Mark Raimo, Town Manager answered Taylor is the system, Munis is the piece that most municipalities using, we are using the BOE software.

Al Mickel asked have you always used the BOE software?

Mark Raimo, Town Manager answered when we made the software change in 2019 yes, prior to that it was a different system.

Al Mickel asked about the executive session for an assessment what was the value of the assessment change and what year was the assessment changed for?

Chair Mary Ann Rosa answered it was $1,400 for a 3-year period.

Al Mickel asked it was not this year’s assessment, was it?

Chair Mary Ann Rosa answered no.

Jonatham Ramsay answered it was years ago.


Motion made by Mr. Demers and seconded by Mr. Retallick to adjourn at 8:48 p.m.

Motion passed unanimously.

Respectfully submitted,

Mary Ann Rosa, Chair
Watertown Town Council
Watertown Town Council
Regular Meeting Motions
May 6, 2024
Page 25

Approved: ________________________________

Susan King, Clerk
MEMO
To: Watertown Town Council
From: Paul R. Jessell, Town Attorney
Re: Town Owned Land – R.O.W. Georgetown Drive
Date: May 3, 2024

The Town of Watertown owns a 50 foot wide strip of land on Georgetown Drive which it received in 1988 in a Quit Claim deed as part of the Georgetown Heights Subdivision. The parcel, which contains approximately 9,000 square feet, is in Watertown but is set up as a right of way access to property actually located in Waterbury. Its purpose was to ensure that that Waterbury property was not left landlocked, which would be contrary to public policy. The property is not usable as a building lot and its only value is as an accessway to the Waterbury property.

The contract purchaser of the Waterbury property has made an offer to purchase the right of way for $5,000. At the same time, the contract purchaser has obtained all approvals necessary from Waterbury to build two houses on that property. The houses will be served by well and septic as Waterbury has refused to allow Watertown to provide water and sewer service to the houses. In any event, the Water and Sewer Authority does not feel that it could adequately provide service to these houses.

By selling this right of way, the Town will avoid the cost of maintaining a new road (maintenance, repair and snowplowing) as it will be entirely owned by the property owners. In addition, by not maintaining ownership of this property, the Town will no longer risk incurring any liability for injuries occurring on the right of way. The Town may end up with some emergency service responsibility, but that should be minimal, being only two homes.
I have addressed this issue with Jerry Lukowski and Paul Bunevich from Public Works, and Dave McMahon from Water and Sewer. Their collective opinion is that there is little interest in retaining this parcel.

I have attached hereto the following: (a) the offer letter from the purchaser's Attorney; (b) the original map of the Georgetown Heights Subdivision showing the location of the right of way; (c) the deed of the right of way into the Town; and (d) a drawing showing the proposed location of the two houses intended to be built, and the driveway servicing them, which also shows screening along that driveway from the houses abutting the right of way.

As you know the Town has a policy concerning the sale of Town owned land. This policy was adopted by the Town Council in 2007. As you may also be aware, General Statutes §7-163e also addresses the sale of Town owned property. Both the statute and the policy require the Town to hold a public hearing prior to approving the sale of Town owned land.

Insofar as the Town policy is concerned, as a Town Council adopted policy rather than an ordinance, the Town Council may, in appropriate circumstances, waive the operation of the 2007 policy. This matter presents a circumstance where that course is appropriate. The right of way property owned by the Town is more of a liability than something of value. The right of way has value only to the owner of the Waterbury property. Selling the property to someone else, for example the abutting owners, would not prevent the owner of the Waterbury parcel from using that right of way for access based on state statutes.

Insofar as the statute is concerned, subsection (b) of section 7-163e specifically exempts from the operation of that statute the sale of Town owned land valued at less than ten thousand dollars. I have spoken to the tax assessor and she agrees that this parcel's value is less than the $5,000 being offered.

Therefore, I am requesting that the Town Council vote to waive the operation of the policy regarding the sale of Town owned property in this instance for the reasons stated in this letter and to sell the property to Morrone Development, LLC in accordance with the letter offer

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1 § 7-163e. Public hearing on the sale, lease or transfer of real property owned by a municipality

(a) The legislative body of a municipality, or in any municipality where the legislative body is a town meeting or representative town meeting, the board of selectmen, shall conduct a public hearing on the sale, lease or transfer of real property owned by the municipality prior to final approval of such sale, lease or transfer. Notice of the hearing shall be published in a newspaper having a general circulation in such municipality where the real property that is the subject of the hearing is located at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for the hearing. The municipality shall also post a sign conspicuously on the real property that is the subject of the public hearing.

(b) The provisions of subsection (a) of this section shall not apply to (1) sales of real property, except parkland, open space or playgrounds, if the fair market value of such property does not exceed ten thousand dollars, (2) renewals of leases where there is no change in use of the real property, and (3) the sale, lease or transfer of real property acquired by the municipality by foreclosure.
submitted by Carmody, Torrance, Sandak Hennessey LLP, subject to the conditions (a) that the matter be referred to the Planning and Zoning Commission for approval of the sale pursuant to Section 8-24 of the General Statutes; (b) that the new owner agree to essentially comply with the provided drawing as to house locations; (c) that the new owner provide vegetative screening between the driveway and the abutting houses; and (d) that the buyer be responsible for drafting all sale documents, subject to the Town Attorney’s approval.

\[1\] General Statutes §8-24 provides, in part, that a municipality can act on a proposal prior to action by the commission on an 8-24 referral.
December 1, 2023

Paul R. Jessell, Esq.
Slavin, Stauffacher & Scott, LLC
27 Siemon Company Dr. Unit 300
Watertown, CT 06795

Re: Georgetown Drive, Right of Way

Attorney Jessell:

Please accept this letter as the formal offer of Morrone Development, L.L.C. to purchase the real property described as “Third Piece” in a quit claim deed from Century Corp. to the Town of Watertown recorded on the Watertown Land Records in Book 536, Page 128 (the “ROW”) from the Town of Watertown for Five Thousand Dollars and Zero Cents ($5,000.00). A copy of the referenced deed is attached hereto for ease.

The ROW will be used to support private access to two single family homes on the adjacent Waterbury parcel currently owned by Mrs. Daryl LeDuc (the “LeDuc Parcel”). The LeDuc Parcel maintains the right to pass and repass over the ROW.

Please let me know if you would like to discuss this matter further. Thank you.

Very truly yours,

Stephanie E. Cummings

Enclosures.
SEC/to
To All People to Whom these Presents shall Come, Greeting:

Know Ye, That CENTURY CORP., a Connecticut corporation

for the consideration of no consideration

herein designated as the Releasor,

received in Releasor's full satisfaction from TOWN OF WATERBURY

whose mailing address is

Deloreau Street, Watertown, CT 06795 herein designated as the Releasor

does hereby release, convey, release and forever quit-claim unto the said Releesee and to the Releesee's heirs, successors and assigns forever, all the right, title, interest, claims and demands whatsoever as the said Releasor has or ought to have in or to

FIRST PIECE:

A certain piece or parcel of land designated "LAND TO BE CONVEYED TO THE TOWN OF WATERBURY, 0.31 ACRES", all as further shown on record subdivision map, Georgetown Heights Subdivision, Watertown, Connecticut, dated March 13, 1988, recorded in the Town of Watertown May 26, 1988, Map #2437.

SECOND PIECE:

A parcel of land designated "R.O.W. between Lot #7 and Lot #8" as shown on record subdivision map, Georgetown Heights Subdivision, Watertown, Connecticut, Dated March 13, 1988, recorded in the Town of Watertown, May 26, 1988, Map #2437.

THIRD PIECE:

A parcel of land designated "R.O.W. between Lot #14 and Lot #15" as shown on record subdivision map, Georgetown Heights Subdivision, Watertown, Connecticut, Dated March 13, 1988, recorded in the Town of Watertown, May 26, 1988, Map #2437.

FOURTH PIECE:

Georgetown Drive dedicated as a public highway as shown on said record subdivision map, Georgetown Heights Subdivision, Watertown, Connecticut, Dated March 13, 1988, recorded in the Town of Watertown, May 26, 1988, Map #2437.

This conveyance shall constitute a formal dedication of said road to the Town of Watertown for public highway purposes pursuant to Connecticut Law as shown on said record subdivision map.

"No Conveyance Tax Collected"

and Town Clerk of Watertown
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