

SEPTEMBER 12, 2023

The regular meeting of the City Council was held on Tuesday, September 12, 2023 in the Board of Education Auditorium, 129 Church Street at 7:15 p.m. Present: Mayor Caggiano; Council Members Howe, Olsen, Panioto, Rosengren, Thibeault, and Tyler.

1. OPENING CEREMONIES

A moment of silence was held in remembrance of the September 11, 2001 tragedy and for fallen Hartford Police Officer Garten.

2. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON AUGUST 8, 2023

On motion of Council Member Olsen and seconded by Council Member Rosengren, it was unanimously voted: To approve the minutes of the regular City Council meeting held on August 8, 2023.

3. PUBLIC PARTICIPATION

Scott Rosado, 472 Stafford Ave. – Mr. Rosado feels that there is a need to address the issue of racism in Bristol, not just hate. He asked that action be taken by the Ordinance Committee to allow concessions to be sold at the new Rockwell Theater. Mr. Rosado asked why there are three different vendors working at different rates for the Police vehicle service and repairs. Lastly, he provided his opinion on leadership.

Mayor Caggiano responded that the Police Board would be discussing his concern about the service and repair vendors. He also stated that concessions at Rockwell Theater is on the docket of the Ordinance Committee.

Morris “Rippy” Patton, 49 Field St. – Mr. Patton expressed his disappointment in the response to racism in Bristol.

Mayor Caggiano responded that he has clearly taken a stand against racism.

4. ANNOUNCEMENTS

Council members reported on committees, activities, and events.

5. ADOPTION OF CONSENT CALENDAR

On motion of Council Member Olsen and seconded by Council Member Rosengren, it was unanimously voted to remove item 5.d. from the Consent Calendar.

On motion of Council Member Thibeault and seconded by Council Member Olsen, it was unanimously voted: To adopt six matters as part of the Consent Calendar.

a. New Hire Report For August 2023

Communication received from the Human Resources Department.

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As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To place on file the New Hire Report for the month of August, 2023.

b. Motor Vehicle and Real Estate Tax Refunds In the Amount of \$16,042.27

Request presented from the Tax Collector.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the Tax Refunds as follows –

Motor Vehicle	\$12,678.39
Personal Property	9.41
Real Estate	+ 3,354.47
Total	\$16,042.27

c. Approval and authorization for the Mayor to execute a grant agreement between CT Department of Energy and Environmental Protection for the creation of a walking trail between Rockwell Park and Brackett Park

Communication received from Corporation Counsel.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To approve and authorize the Mayor or Acting Mayor to execute a grant agreement between CT Department of Energy and Environmental Protection (DEEP) and the City of Bristol for \$320,000 for the creation of a walking trail between Rockwell Park and Brackett Park.

d. Removed**e. Execute an extension of Bristol Police Department Maintenance and Support Agreement with Idemia Identity & Security USA, LLC**

Communication received from Corporation Counsel.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute an extension of a Bristol Police Department Maintenance and Support Agreement with Idemia Identity & Security USA, LLC for fingerprint printers for the period of July 26, 2023 to July 25, 2024.

f. To place on file a report back from the Water Department for Lot 10, Map 65 Marsh Rd.

Communication received from the Superintendent of the Water Department.

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As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To place on file a report back from the Water Department in response to City Council’s previous Planning Commission referral for Lot 10, Map 65 Marsh Road.

g. Referral of property known as Map 50, Lot A+A1, 532 Stevens St. to the Planning Commission for a C.G.S. Sec. 8-24 report

Communication received from Corporation Counsel.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To refer city-owned property known as Map 50, Lot A+A1, 532 Stevens Street to the Planning Commission for a C.G.S. Sect. 8-24 report.

6. Reports and Committee Reports

a. Ordinance Committee

Recommendation of Ordinance Committee to hold a public hearing on Sec. 5-21.2. Failure to Secure Building Permit. Fines and Penalties, of the Bristol Code of Ordinances.

On motion of Council Member Tyler and seconded by Council Member Thibeault, it was unanimously voted: To waive the reading of the proposed amendments to this ordinance.

On motion of Council Member Tyler and seconded by Council Member Rosengren, it was unanimously voted: To introduce the proposed amendments and to set a public hearing thereon by the Ordinance Committee for Tuesday, October 3, 2023 at 4:50 p.m. in Meeting Room 2 of the Police Complex Center, 131 North Main Street, Second Floor, Bristol, Connecticut and that the City Clerk publish notice of said public hearing and the proposed amendments to the Bristol Code of Ordinances, Sec. 5-21.2, as required by City Charter.

b. Code Enforcement

On motion of Council Member Tyler and seconded by Council Member Thibeault, it was voted: To bring new business to the floor.

Council Member Tyler explained that at its meeting of September 6, 2023, the Code Enforcement Committee voted to have a “clean and lien” done at the property known as 37 Union Street. To date, the owners of this owner-occupied property have paid three citations totaling \$2,268.00. In this special case, the committee felt that these citation funds should be applied towards the “clean and lien” expense which could be substantial.

On motion of Council Member Tyler and seconded by Council Member Olsen, it was unanimously voted: To apply the citation fees of \$2,268.00 paid to date by the owners of 37 Union Street, as a credit to the final “clean and lien” expense which could be substantial.

7. Old Business – None.

8. New Business – None.

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The following resignations were presented:

Sarah Guerette, School Readiness Council

Marc Gagnon, Sec. 2-9, Zoning Commission

10. Appointments

The following appointments were presented:

Diversity Council

To appoint Sandra Kamen - No term.

To appoint Jordan Lopez - No term.

To appoint Olivia Chapdelaine - No term.

To appoint Antonio Lopes - No term.

School Readiness Council

To appoint Dina Shaffrick. Term to 8/24

To appoint Courtney Sugarman – No term

Transportation

To appoint Joseph Wasta to replace Rand Sean Gingery. Term to expire 1/24

Zoning Commission

To appoint John Lafreniere as a regular member to replace Marc Gagnon. Term to expire 6/25.

11. CHANGE ORDER FOR SAV-MOR COOLING HEATING, LLC TOTALING \$222,245.07

Communication received from the Board of Education.

On motion of Council Member Thibeault and seconded by Council Member Panioto, it was unanimously voted: To approve the change order for Sav-Mor Cooling Heating, LLC, totaling \$222,245.07 as recommended by the Greene-Hills HVAC Project Committee.

12. TO PLACE ON FILE THE POSITIVE REFERRALS FROM THE BRISTOL PLANNING COMMISSION PURSUANT TO C.G.S. Sec. 8-24

Recommendation received from the Bristol Planning Commission.

On motion of Council Member Tyler and seconded by Council Member Rosengren, it was unanimously voted: To place on file the positive referrals from the Bristol Planning Commission pursuant to C.G.S. Sec. 8-24 for the following properties:

- a. 208 Louisiana Ave., Assessor's Map 48, Lot 190B; R-15 (Single-Family Residential) zone.
- b. Marsh Rd., Assessor's Map 65, Lot 10 (Industrial Park) zone.

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13. AWARD CONTRACT 2P24-001 DESIGN & CONSTRUCTION ENGINEERING SERVICES – BROAD STREET / PEQUABUCK RIVER RETAINING WALL

Recommendation received from Purchasing Agent Rousseau.

On motion of Council Member Panioto and seconded by Council Member Thibeault, it was unanimously voted: To award Contract 2P24-001 Design & Construction Engineering Services – Broad Street/Pequabuck River Retaining Wall to Wengell, McDonnell & Costello, Inc. in the amount of \$83,500.00 and to refer to the Office of Corporation Counsel for contract review, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said contract.

14. AMEND CONTRACT 2P22-096 WITH GM2 ASSOCIATES, INC. IN THE AMOUNT OF \$308,100

Communication received from Public Works Director Rogozinski.

On motion of Council Member Thibeault and seconded by Council Member Howe, it was unanimously voted: To amend Contract 2P22-096 with GM2 Associates, Inc. in the amount of \$308,100.00 to include the design of CT DOT proposed improvements and to authorize the Mayor or Acting Mayor to execute said amendment increasing the contract value from \$221,450 to \$529,550.

15. AMEND CONTRACT 2P22-095 WITH WENGELL, MCDONNELL & COSTELLO, INC. IN THE AMOUNT OF \$19,500

Communication received from Public Works Director Rogozinski.

On motion of Council Member Olsen and seconded by Council Member Howe, it was unanimously voted: To amend contract 2P22-095 with Wengell, McDonnell & Costello, Inc. in the amount of \$19,500 to include the storm drainage analysis and design to the Bristol/Plainville town line and to authorize the Mayor or Acting Mayor to execute said amendment increasing the contract value from \$39,500 to \$59,000.

16. AUTHORIZATION TO EXECUTE THE CITY/STATE LOCAL BRIDGE PROGRAM AGREEMENT FOR THE LAKE AVE. BRIDGE/CULVERT OVER CUSSGUTTER BROOK

Communication received from Public Works Director Rogozinski.

On motion of Council Member Thibeault and seconded by Council Member Howe, it was unanimously voted: To authorize the Mayor to sign any and all documents required to execute

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the City/State Local Bridge Program agreement for the Lake Ave. Bridge/Culvert (No. 017005) over the Cussgutter Brook in the amount of \$702,574.29, including any and all documents.

17. AUTHORIZATION TO EXECUTE THE CITY/STATE LOCAL BRIDGE PROGRAM AGREEMENT FOR THE JEROME AVE. BRIDGE OVER THE FREEMAN HILL BROOK

Communication received from Public Works Director Rogozinski.

On motion of Council Member Panioto and seconded by Council Member Howe, it was unanimously voted: To authorize the Mayor to sign any and all documents required to execute the City/State Local Bridge Program agreement for the Jerome Ave. Bridge (no. 04091) over the Freeman Hill Brook in the amount of \$1,713,500 including any and all amendments.

18. AMEND CONTRACT 2C23-058A WITH TABACCO & SON BUILDERS, INC. IN THE AMOUNT OF \$76,918

Communication received from Public Works Director Rogozinski.

On motion of Council Member Thibeault and seconded by Council Member Panioto, it was unanimously voted: To amend Contract 2C23-058A with Tabacco & Son Builders, Inc. in the amount of \$76,918 to include additional storm drainage work associated with the Department of Public Works roadway paving program and City flooding experienced in July of 2023. Said amendment increases the value of Contract 2C23-058A from \$1,113,093 to \$1,190,011.

19. AUTHORIZATION TO EXECUTE DOCUMENTS RELATED TO CONVEYANCE OF PROPERTY FROM THE STATE OF CONNECTICUT TO THE CITY OF BRISTOL LOCATED AT THE INTERSECTION OF EAST ROAD AND UNION STREET

Communication received from Public Works Director Rogozinski.

On motion of Council Member Tyler and seconded by Council Member Thibeault, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents related to the conveyance of property from the State of Connecticut to the City of Bristol, located at the intersection of East Road and Union Street, and associated with Project 0017-161.

20. EXECUTIVE SESSION TO REVIEW MAIRA JAQUEZ VS. CITY OF BRISTOL, WCC FILES #: 601092164, 601100067, 601063284, 601080554

At 8:12 p.m. on motion of Council Member Rosengren and seconded by Council Member Thibeault, it was unanimously voted: To convene into Executive Sessions to review

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Maira Jaquez vs. City of Bristol, WCC Files #: 601092164, 601100067, 601063284, 601080554.

Present to discuss the matter of Maira Jaquez vs. City of Bristol were: Mayor Caggiano; Council Members Howe, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsel Conlin, and Steeg.

Discussion was held. No votes were taken.

At 8:23 p.m., on motion of Council Member Tyler and seconded by Council Member Thibeault, it was unanimously voted: To reconvene into Public Session.

On motion of Council Member Rosengren and seconded by Council Member Thibeault, it was unanimously voted: To enter into a Full and Final Settlement in the matter of Maira Jaquez v. City of Bristol (WCC files #601092164, #601100067, #601063284, #601080554) for any and all workers' compensation claims filed by Maira Jaquez for the total amount of Seventy-Five Thousand (\$75,000) Dollars. The dates of these claims are, but not limited to the following: September 28, 2009, March 2, 2016, October 9, 2019, December 14 2022, and May 24, 2023. Because she will not be returning to work, in addition to the Full and Final Settlement amount of \$75,000.00 Maira Jaquez;s health insurance and benefits will continue up and until the point of her retirement on March 1, 2024, at which time she will be eligible for her full retirement benefits effective March 1, 2024. It was further moved that the Mayor, Acting Mayor, Corporation Counsel, or Assistant Corporation Counsel be authorized to execute the Full and Final Settlement.

21. OTHER BUSINESS – None

22. ADJOURNMENT

At 8:25 p.m., on motion of Council Member Thibeault and seconded by Council Member Howe, it was unanimously voted: To adjourn.

ATTEST: _____

**Erica Cabiya
Town & City Clerk**