

**JANUARY 10, 2023**

The regular meeting of the City Council was held on Tuesday, January 10, 2023 in the Board of Education Auditorium, 129 Church Street at 7:13 p.m. Present: Mayor Caggiano; Council Members Howe, Lusitani, Olsen, Panioto, Thibeault, and Tyler.

**1. 2023 NATIONAL LAW ENFORCEMENT OFFICER HALL OF FAME AWARDS.**

Mayor Caggiano announced that The National Law Enforcement Officer Hall of Fame announced their selection of Inductees and that Officer Alec Iurato has been chosen for the Courage in Service Award.

**2. MOMENT OF REFLECTION FOR FRANK CAPUTO WHO PASSED AWAY.**

Mayor Caggiano requested a Moment of Reflection for Frank Caputo who passed away today and had served on the Transportation Commission and the Mayor's Opioid Task Force.

**3. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING ON DECEMBER 13, 2022.**

On motion of Council Member Howe and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting on December 13, 2022.

**4. ADOPTION OF CONSENT CALENDAR.**

On motion of Council Member Olsen and seconded, it was unanimously voted: To remove from the Consent Calendar the item authorizing the Mayor or Acting Mayor to execute any and all documents associated with procuring easements to reconstruct Wolcott Street (Peck Lane to Witches Rock Road).

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

**5. NEW HIRE REPORT FOR DECEMBER, PLACED ON FILE.**

Communication presented from the Human Resources Department.

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 December, 2022.

**6. MOTOR VEHICLE, REAL ESTATE, AND INCOME AND EXPENSE TAX REFUNDS IN AMOUNT OF \$56,371.54, APPROVED.**

Request presented from the Tax Collector.

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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 approve the Tax Refunds as follows –

Motor Vehicle	\$45,935.75
Real Estate	10,289.40
Income & Expense	<u>146.39</u>
Total	\$56,371.54

**7. AWARD OF CONTRACT 2C23-029 MECHANICAL IMPROVEMENTS AT GREENE-HILLS K8 SCHOOL TO SAV-MOR COOLING & HEATING INC. FOR \$7,913,565, APPROVED.**

Communication presented from the Purchasing Agent regarding Contract 2C23-029 Mechanical Improvements at Greene-Hills K8 School.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To award Contract 2C23-029 Mechanical Improvements at Greene-Hills K8 School to Sav-Mor Cooling & Heating Inc. in the amount of \$7,913,565 inclusive of Bid Add Alternate 1 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

**8. AWARD OF CONTRACT 2P23-004 ENGINEERING SERVICES RELATIVE TO DESIGN OF STRUCTURED PARKING FACILITY AT HOPE STREET TO DESMAN, INC. FOR \$268,700, APPROVED.**

Communication presented from the Purchasing Agent regarding Contract 2P23-004 Engineering Services Relative to Design of Structured Parking Facility at Hope Street.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To award Contract 2P23-004 Engineering Services Relative to Design of Structured Parking Facility to Desman, Inc. in the amount of \$268,700, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

**9. AWARD OF CONTRACT 2C23-026 RENOVATIONS AND IMPROVEMENTS AT PAGE PAVILION TO LRM CONSTRUCTION SERVICES LLC FOR \$379,907, APPROVED.**

Communication presented from the Purchasing Agent regarding Contract 2C23-026 Renovations and Improvements at Page Pavilion.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To award Contract 2C23-026 Renovations and Improvements at Page Pavilion to LRM Construction Services LLC in the amount of \$379,907 inclusive of bid alternates 1 and 2 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

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**10. MAYOR OR ACTING MAYOR AUTHORIZED TO EXECUTE CONTRACT RENEWAL AGREEMENT BETWEEN COTT SYSTEMS, INC. AND CITY OF BRISTOL.**

Communication presented from Asst. Corporation Counsel Conlin regarding a contract renewal by and between Cott Systems, Inc. and the City of Bristol for the Town Clerk's Office.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the Contract Renewal by and between Cott Systems, Inc. and the City of Bristol and to authorize the Mayor or Acting Mayor to execute the agreement on behalf of the City of Bristol.

**11. MAYOR OR ACTING MAYOR AUTHORIZED TO EXECUTE APPLICATIONS AND DOCUMENTS ASSOCIATED WITH COMPLETING CT DOT LOCAL BRIDGE PROGRAM – PRELIMINARY APPLICATION FOR ANDREW STREET BRIDGE/CULVERT.**

Communication presented from Director of Public Works Rogozinski regarding the Andrew Street Culvert – DPW State/Local Bridge Program applications.

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 sign any and all applications and documents associated with completing the Connecticut Department of Transportation Local Bridge Program – Preliminary Application for the Andrew Street Bridge/Culvert.

**12. MAYOR OR ACTING MAYOR AUTHORIZED TO EXECUTE DOCUMENTS ASSOCIATED WITH PROCURING EASEMENTS TO RECONSTRUCT WOLCOTT STREET.**

Communication presented from Director of Public Works Rogozinski regarding Wolcott Street (Peck Lane – Witches Rock Road) – Authorization to execute easement.

Council Member Olsen stated people have asked her about this particular area of town and what exactly was being done there.

Director of Public Works Rogozinski stated they were digging up and installing new pavement, curbing, and sidewalks on the West side going up the hill on the right. The easements are for site lines and grading issues, and are not permanent easements. The road will stay where it is.

Council Member Thibeault asked if repaving Witches Rock Road and Peck Lane would happen in the spring and if the draining issues currently experienced on Witches Rock Road would be taken care of.

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Director of Public Works Rogozinski stated they are looking at repaving Peck Lane maybe this year or next year, but probably not Witches Rock Road. The current draining issues with Witches Rock Road would be taken care of with this construction.

On motion of Council Member Olsen and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute any and all documents associated with procuring easements to reconstruct Wolcott Street (Peck Lane to Witches Rock Road). City cost of procuring said easements shall be funded through the LotCip grant, funding construction of the project.

**13. PROPOSED PURCHASE OF LOT 63 BELMONT STREET, ASSESSOR'S MAP 8 AND LOT #9 HART STREET, ASSESSOR'S MAP 58 REFERRED TO PLANNING COMMISSION FOR CONNECTICUT GENERAL STATUTES §8-24 REPORT.**

As recommended by the Real Estate Committee and on motion of Council Member Tyler, Chrm., and seconded, it was unanimously voted: To refer to the Planning Commission for a Connecticut General Statutes §8-24 Report on the proposed purchase of properties known as Lot 63 Belmont Street, Assessor's Map 8 and Lot #9 Hart Street, Assessor's Map 58.

**14. PUBLIC HEARING SCHEDULED FOR FEBRUARY 7, 2023 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 17-34, FEES.**

As recommended by the Ordinance Committee and on motion of Council Member Panioto, and seconded, it was unanimously voted: To authorize a Public Hearing on Tuesday, February 7, 2023 at 4:50 p.m. in Meeting Room 1, 131 North Main Street, 2<sup>nd</sup> Floor, Bristol, Connecticut on proposed amendments to the Bristol Code of Ordinances Sec. 17-34, Fees and to waive the reading of the proposed amendments, but to include them as part of the minutes. The ordinance reads as follows:

Underscored text is proposed to be added. [Bracketed] text is proposed for deletion.

Sec. 17-34. Fees.

No person shall be exempt from fees except as appears in section 17-21.

- (a) *Peddlers*. The license fee for a peddler as defined in section 17-16(a) shall be [two hundred fifty dollars (\$250.00)] one hundred eighty-five dollars (\$185.00) per year from the date of issuance and shall be paid to the police department. A peddler's license shall not be issued for a shorter period of time.
- (b) *Solicitors and canvassers*. The license fee for a solicitor or canvasser which shall be charged by the police department for the license required by section 17-31 shall be ten dollars (\$10.00) per week, forty dollars (\$40.00) per month or seventy-five dollars (\$75.00) per year.
  - (1) For the purpose of this section, any period of seven (7) calendar days or less shall be considered one (1) week; any period of more than seven (7)

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calendar days and not more than thirty (30) calendar days shall be considered one (1) month; any period of more than thirty (30) calendar days and not more than one (1) calendar year shall be treated as a year.

- (2) The annual fees provided for in this section for solicitors and canvassers shall be assessed on a calendar year basis, and on and after July first the amount of the fee for such annual licenses shall be one-half ( $\frac{1}{2}$ ) the amount stipulated for the remainder of the year.

(Ord. of 11-8-78; Ord. of 7-1-80; Ord. of 4-10-18)

**15. RESIGNATIONS.**

The following resignations were presented:

*Karen Vibert, Board of Education.*

*Merina Bigos, Acting Town & City Clerk.*

On motion of Council Member Thibeault and seconded, it was unanimously voted: To send letters of thanks.

**16. APPOINTMENTS.**

The following appointments were presented:

**MAYOR'S TASK FORCE ON AIDS**

Michael Tingley – Appointment as Drug Free Communities Project Coordinator.

Replaced Janelle Howard.

Confirming motion by Council Member Olsen.

Motion passed in voice vote.

**COMMISSION FOR PERSONS WITH DISABILITIES**

Barbara Bajurny – Appointment – term to 6/24.

Replaced Shannon Welburn.

Confirming motion by Council Member Olsen.

Motion passed in voice vote.

**BOARD OF FIRE COMMISSIONERS**

Joyce Ptak – Appointment – term to 1/26.

Replaced Dennis Crispino.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

**BRISTOL HISTORIC DISTRICT COMMISSION**

Catherine Norton – Reappointment – term to 1/26.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

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Daniel Mike – Reappointment – term to 1/24.  
 Confirming motion by Council Member Thibeault.  
 Motion passed in voice vote.

Colleen Nicastro – Reappointment – term to 1/25.  
 Confirming motion by Council Member Thibeault.  
 Motion passed in voice vote.

Patricia Philippon – Reappointment – term to 1/26.  
 Confirming motion by Council Member Thibeault.  
 Motion passed in voice vote.

Bernadette DuTremble – Reappointment as alternate member – term to 1/25.  
 Confirming motion by Council Member Thibeault.  
 Motion passed in voice vote.

**INLAND WETLANDS COMMISSION**

David James Scarritt – Reappointment – term to 5/25.  
 Confirming motion by Council Member Panioto.  
 Motion passed in voice vote.

**BOARD OF LIBRARY DIRECTORS**

Valina Carpenter – Reappointment – term to 1/26.  
 Confirming motion by Council Member Panioto.  
 Motion passed in voice vote.

Andrea Kapchensky – Reappointment – term to 1/26.  
 Confirming motion by Council Member Panioto.  
 Motion passed in voice vote.

Nicholas Jakubowski – Reappointment – term to 1/26.  
 Confirming motion by Council Member Panioto.  
 Motion passed in voice vote.

**TRANSPORTATION COMMISSION**

Andrew Collins – Appointment – term to 1/26.  
 Replaced Donald Padlo.  
 Confirming motion by Council Member Thibeault.  
 Motion passed in voice vote.

Craig Minor – Reappointment – term to 1/26.  
 Confirming motion by Council Member Thibeault.  
 Motion passed in voice vote.

**BOARD OF EDUCATION**

Jill Fitzsimons-Bula – Appointment – term to 11/25.  
 Replaced Christopher Wilson.  
 Confirming motion by Council Member Howe.  
 Motion passed in voice vote.

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Maria Simmons – Appointment – term to 11/23.  
Replaced Karen Vibert.  
Confirming motion by Council Member Tyler.  
Motion passed in voice vote.

TOWN CLERK

Erica Cabiya – Appointment – term to 11/26.  
Replaced Acting Town Clerk Merina Bigos.  
Confirming motion by Council Member Olsen.  
Motion passed in voice vote.

**17. RESOLUTION AUTHORIZING MAYOR JEFFREY CAGGIANO TO ENTER INTO AND EXECUTE ANY AND ALL AGREEMENTS, CONTRACTS, AND DOCUMENTS RELATING TO CT NEGLECTED CEMETERY ACCOUNT GRANT PROGRAM, ADOPTED.**

Communication presented from the Grants Administrator regarding the CT Neglected Cemetery Account Grant Program authorizing the Mayor to enter into and execute any and all agreements, contracts, and documents necessary to obtain and process said grant.

Council Member Howe moved and it was seconded: That the following Resolution be adopted –

BE IT HEREBY RESOLVED by the City Council of the City of Bristol, Connecticut, that Mayor Jeffrey Caggiano, elected on November 2, 2021 and sworn into office on November 8, 2021, is hereby authorized to execute on behalf of the City of Bristol any and all documents relating to the CT Neglected Cemetery Account Grant Program, and that said official is authorized to enter into and execute any and all agreements, contracts, and documents necessary to obtain and process said grant, including but not limited to any final grant documents;

BE IT FURTHER RESOLVED that this matter be referred to the Board of Finance for any necessary action.

A roll call vote was taken.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Howe			
“ ” Lusitani			
“ ” Olsen			
“ ” Panioto			
“ ” Thibeault			
“ ” Tyler			
Mayor Caggiano			

RESOLUTION ADOPTED: YES – 7; NO – 0; ABSTAIN – 0.

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**18. APPROVAL FOR TRULIEVE TO CHANGE THE LOCATION OF THEIR CANNABIS ESTABLISHMENT FROM 159 EAST MAIN STREET TO 820 FARMINGTON AVENUE.**

Communication presented from the Mayor's Office regarding the change of location of Trulieve's medical dispensary.

On motion of Council Member Tyler and seconded, it was unanimously voted: To approve Trulieve's change of location of their medical dispensary from 159 East Main Street to 820 Farmington Avenue.

**19. TRULIEVE'S HYBRID LICENSE, TABLED CONTINGENT UPON RECEIVING VALID APPROVAL FROM DEPT. OF CONSUMER PROTECTION.**

Communication presented from the Mayor's Office regarding the approval of Trulieve's hybrid license.

Mayor Caggiano stated that Trulieve hasn't achieved designation yet from the Department of Consumer Protection and was not ready to go forward.

On motion of Council Member Tyler and seconded, it was unanimously voted: To table the approval of Trulieve's hybrid license.

**20. MAYOR, ACTING MAYOR, OR COUNSEL AUTHORIZED TO EXECUTE NECESSARY DOCUMENTS TO EFFECTUATE AN ENTRY AND HOLD HARMLESS AGREEMENT BETWEEN CITY OF BRISTOL AND CITY OF NEW BRITAIN.**

Communication presented from Asst. Corporation Counsel Steeg regarding an Entry and Hold Harmless Agreement between the City of New Britain and the City of Bristol to allow the City of Bristol to enter property owned by the City of New Britain's Water Department.

On motion of Council Member Thibeault and seconded, it was unanimously voted: That the City of Bristol enter into an Entry and Hold Harmless Agreement between the City of New Britain and the City of Bristol. This agreement is to allow the City of Bristol to enter property owned by the City of New Britain's Water Department for the sole purpose of installing temporary sedimentation control systems, water handling cofferdams, channel boulders and to perform grading in conjunction with the replacement of Bridge No. 04091, Jerome Avenue over Freeman Hill Brook in the City of Bristol. It was further voted that the Mayor, Acting Mayor, or Counsel is authorized to execute any necessary documents to effectuate the same and to refer this matter to the Corporation Counsel for any necessary action.



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**21. EXECUTIVE SESSIONS TO REVIEW THREE YEAR LABOR AGREEMENT BETWEEN CITY OF BRISTOL AND AFSCME, COUNCIL 4, LOCAL #233 AND LITIGATION MATTER OF CITY OF BRISTOL VS. TRAVELERS CASUALTY AND SURETY CO. OF AMERICA, ET AL DOCKET #HHB-CV22-6076364-S.**

At 8:02 p.m. on motion of Council Member Thibeault and seconded, it was unanimously voted: To convene into Executive Sessions to review a three year labor agreement between the City of Bristol and AFSCME, Council 4, Local #233 and to discuss the litigation matter of City of Bristol vs. Travelers Casualty and Surety Company of America, et al Docket #HHB-CV22-6076364-S.

Present to review a three year labor agreement between the City of Bristol and AFSCME, Council 4, Local #233: Mayor Caggiano; Council Members Howe, Lusitani, Olsen, Panioto, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Welch; and Human Resources Director Penney.

Present to discuss the litigation matter of City of Bristol vs. Travelers Casualty and Surety Company of America, et al Docket #HHB-CV22-6076364-S: Mayor Caggiano; Council Members Howe, Lusitani, Olsen, Panioto, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Welch.

Discussion was held. No votes were taken.

At 8:44 p.m., on motion of Council Member Thibeault and seconded, it was unanimously voted: To reconvene into Public Session.

**22. APPROVAL OF THREE YEAR LABOR AGREEMENT BETWEEN CITY OF BRISTOL AND AFSCME, COUNCIL 4, LOCAL #233, EFFECTIVE JULY 1, 2022 THROUGH JUNE 30, 2025 AND REFERRAL TO BOARD OF FINANCE.**

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve a three year labor agreement between the City of Bristol and AFSCME, Council 4, Local #233, effective July 1, 2022 through June 30, 2025, and to refer the matter to the Board of Finance.

**23. APPROVAL TO ENTER INTO FULL AND FINAL SETTLEMENT IN MATTER OF CITY OF BRISTOL VS. TRAVELERS CASUALTY AND SURETY CO. OF AMERICA, RM44 HOLDINGS, LLC, JOHN SENESE AND CALCO CONSTRUCTION AND DEVELOPMENT CO., DOCKET #HHB-CV22-6076364-S.**

On motion of Council Member Tyler and seconded, it was unanimously voted: That the City of Bristol enter into a Full and Final settlement in the matter of City of Bristol vs. Travelers Casualty and Surety Company of America, RM44 Holdings, LLC, John Senese, and Calco Construction and Development Company, Docket #HHB-CV22-6076364-S wherein the City of Bristol will receive the total amount of \$40,000.

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This settlement is a claim on a bond for the failure of sedimentation and erosion control measures not being performed on Mitchell Street i.e. the laying of a minimum of 4” topsoil and the planting of grass seed.

It was further voted to authorize the Mayor, Acting Mayor, Corporation Counsel, or Assistant Corporation Counsel to execute any releases or any other documents to effectuate the Full and Final settlement and to withdraw the matter currently pending in the Superior Court.

**24. ADJOURNMENT.**

At 8:46 p.m., on motion of Council Member Olsen and seconded, it was unanimously voted: To adjourn.

**ATTEST:** \_\_\_\_\_  
**Merina Bigos**  
**Acting Town & City Clerk**