

MAY 9, 2023

The regular meeting of the City Council was held on Tuesday, May 9, 2023 in the Board of Education Auditorium, 129 Church Street at 7:11 p.m. Present: Mayor Caggiano; Council Members Panioto, Rosengren, Thibeault, and Tyler. Videoconference: Council Members Howe and Olsen.

1. Dwayne Vargas was recognized as Bristol's Youth of the Year.
2. **APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON APRIL 11, 2023**

On motion of Council Member Panioto and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting held on April 11, 2023.

3. **PUBLIC PARTICIPATION**

Steve Coan, 331 Main St., expressed the desire for a housing committee to be formed to help deter crime.

John Lodovico, 47 Taillion St., trustee of St. Francis DeSales Parish, spoke of behalf of Father Schulze expressing traffic concerns during the Route 72 reconstruction when there are funerals and other weekday services.

On motion of Council Member Thibeault and seconded, it was unanimously voted: To move item #11, the CT DOT presentation to this current position on the agenda.

PRESENTATION BY CT DOT OF A PROPOSED REALIGNMENT OF CT ROUTE 72 IN THE AREA OF BRACKETT PARK

The Connecticut Department of Transportation presented three possible options for the alignment of Route 72 near Brackett Park. Council member Thibeault expressed concern over the traffic that already gets very congested at peak times. Council member Panioto inquired about the timeframe of the project. The DOT representative responded that it will take between 4 to 6 years to complete the project depending on the availability of federal funding.

4. **ANNOUNCEMENTS**

Council members reported on committees, activities, and events.

5. **ADOPTION OF CONSENT CALENDAR**

On motion of Council Member Olsen and seconded, it was unanimously voted: To remove from the Consent Calendar the item to authorize the Mayor or Acting Mayor to execute any and all documents associated with an Inland Wetlands permit to pave the portion of Minor Street (490 feet) west of Hill Street.

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

a. New Hire Report For April 2023

Communication received 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 April, 2023.

b. Motor Vehicle, Personal Property, and Real Estate Tax Refunds In Amount Of \$2,681.80

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	\$ 2,082.23
Real Estate	336.09
Income & Expense	40.08
Code Enforcement	<u>+ 223.40</u>
Total	\$ 2,681.80

c. Permit for installation of the shade structure at Muzzy Field

Communication received from Deputy Superintendent of Parks, Recreation, Youth and Community Services and Corporation Counsel regarding Flood Plain Permit for a shade structure at Muzzy Field.

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 any and all documents associated with the installation of the shade structure at Muzzy Field.

d. Federal Aid Bridge Program Agreement for Mellen Street Bridge

Communication received from Public Works Director Rogozinski regarding funding for construction of the Mellen Street Bridge.

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 any and all documents associated with the Federal Aid Bridge Program to fund construction of the Mellen Street Bridge.

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e. Contract 2P23-041 Construction Engineering & Inspection (“CE&I”) Services for the Rehabilitation of Mellen Street Bridge over Pequabuck River to Wengell, McDonnell & Costello, Inc.

Communication received from Public Works Director Rogozinski regarding the contract for engineering and inspection services relative to the monitoring of construction at the Mellen Street Bridge.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To award Contract 2P23-041 Construction Engineering & Inspection (“CE&I”) Services for the Rehabilitation of Mellen Street Bridge over Pequabuck River to Wengell, McDonnell & Costello, Inc. in the amount of \$305,700.

f. 2023 Neighborhood Assistance Act Tax Credit Program and forwarding of the applications to the CT Department of Revenue Services

Communication received from Grants Administrator, Dawn Leger. The 2023 NAA applicants are: Boys & Girls Club of Bristol, Bristol Historical Society, The Family Center, Inc./dba Imagine Nation A Museum Early Learning Center, Greater Bristol Realty Corporation, Liberty Baptist Church, Nutmeg Symphony Orchestra, Prudence Crandall Center Inc., Shepard Meadows Equestrian Center, United Way of West Central CT, and Wheeler Clinic, Inc.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the organizations that applied for the 2023 Neighborhood Assistance Act Tax Credit Program and to forward the applications to the CT Department of Revenue Services for consideration.

g. Inland Wetlands permit to pave the portion of Minor Street west of Hill Street

This item was removed from the Consent Calendar.

Communication received from Public Works Director Rogozinski regarding paving 490 feet of Minor Street. Council Member Olsen inquired about the funding for this project. Public Works Director Rogozinski stated it would come out of the current Road Improvements fund and explained that this portion of the road is a burden on the department from a maintenance perspective.

On motion of Council Member Panioto and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute any and all documents associated with an Inland Wetlands permit to pave the portion of Minor Street (490 feet) west of Hill Street.

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h. Permits to construct Hope Street Parking Garage

Communication received from Public Works Director Rogozinski regarding the execution of permits necessary to the construction of the Hope Street Parking Garage.

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 any and all documents associated with obtaining required permits to construct the Hope Street Parking Garage; permits shall include City Zoning permits and may include various state permits as required.

i. Approval for the Parks, Recreation, Youth & Community Services Department to apply for an Opioid Response grant from Amplify, Inc.

Communication received from the Parks, Recreation, Youth & Community Services Department regarding a grant application for \$5,000 to support opioid prevention efforts in Bristol.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the submission by the Parks, Recreation, Youth, & Community Services Department for a \$5,000 State Opioid grant from Amplify, Inc. to support the local prevention council, B.E.S.T., with opioid prevention efforts in Bristol.

j. CT Department of Transportation Community Connectivity grant application

Communication received from Public Works Director Rogozinski regarding the Community Connectivity grant.

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 any and all documents associated with the submittal of CT Department of Transportation Community Connectivity Grant application.

6. REPORTS AND COMMITTEE REPORTS

a. Salary Committee

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the hiring of four temporary laborers at \$15.40/hour for forty (40) hours/week in the Department of Water & Sewer for the 2023 summer season.

b. Salary Committee

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the Memorandum of Agreement between the City and AFSCME Local #233 to hire up to ten (10) per diem Dispatchers and to forward to the Board of Finance for informational purposes.

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c. Salary Committee

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the Memorandum of Agreement between the City and AFSCME Local #233 to upgrade positions in the bargaining unit as presented, and to forward to the Board of Finance for funding purposes.

d. Salary Committee

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve a part-time position of Accounting Clerk – Accounts Receivable , AFSCME Local #233, Salary Code 5, for \$18.75 hours/week effective July 1, 2023 and to refer to the Board of Finance for informational purposes.

e. Real Estate Committee

On motion of Council Member Tyler and seconded, it was unanimously voted: To accept the offer from Jacqueline Palance and Elaine Myhill, and/or their assigns in the amount of \$6,000.00 for City owned property identified as Assessor’s Map 12, Lots 9, 10, 11, & 12 Marconi Avenue; to refer this matter to Corporation Counsel to prepare and/or review any necessary documents; and to authorize the Mayor or Acting Mayor to execute any necessary documents to effectuate the same.

f. Real Estate Committee

On motion of Council Member Tyler and seconded, it was unanimously voted: To grant to Forestville American Legion Post 209 the use of City owned property known as 43 Main Street (Assessor’s Map 41, Lot 8-1, aka the “Lauretti” property) from May 27, 2023 through May 29, 2023 for a staging area for their Memorial Day Parade; to refer this matter to Corporation Counsel for insurance compliance; and to authorize the Mayor or Acting Mayor to execute any necessary documents to effectuate the same.

g. Ordinance Committee

Recommendation of Ordinance Committee to publish amendments and additions to Sec. 2-23 of the Bristol Code of Ordinances.

On motion of Council Member Tyler and seconded, it was unanimously voted: To adopt amendments to the Bristol Code of Ordinances Sec. 2-23, Removal and Sanctions of Public Officials, and that the City Clerk publish said amendments and additions to the Code of Ordinances, and that they become effective upon the expiration of 14 days from the date of their publication in a newspaper of general circulation in the City of Bristol.

h. Ordinance Committee

Recommendation of Ordinance Committee to publish amendments and additions to Sec. 23-1 of the Bristol Code of Ordinances.

On motion of Council Member Tyler and seconded, it was unanimously voted: To adopt amendments to the Bristol Code of Ordinances Sec. 23-1, Adoption; Formation and Powers, and that the City Clerk publish said amendments and additions to the Code of Ordinances, and that they become effective upon the expiration of 14 days from the date of their publication in a newspaper of general circulation in the City of Bristol.

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i. Ordinance Committee

Recommendation of Ordinance Committee to publish amendments and additions to Sec. 22-85 of the Bristol Code of Ordinances.

On motion of Council Member Tyler and seconded, it was unanimously voted: To adopt amendments to the Bristol Code of Ordinances Sec. 22-85, Legal Proceedings, and that the City Clerk publish said amendments and additions to the Code of Ordinances, and that they become effective upon the expiration of 14 days from the date of their publication in a newspaper of general circulation in the City of Bristol.

7. OLD BUSINESS – None.

8. NEW BUSINESS – None.

9. RESIGNATIONS

The following resignations were presented:

Jeffrey Hayden, Planning Commission

David Scarritt, Inland Wetlands and Watercourses Agency of the Conservation Comm.

Karen Hintz, Energy Commission

Leah Zukauskas, School Readiness Council

Ashley Verceles, Library Board of Directors

On motion of Council Member Thibeault and seconded, it was unanimously voted: To accept the resignations and send letter of thanks.

10. APPOINTMENTS

The following appointments were presented:

INLAND WETLANDS

Zachary Fisk – Reappointment - term to 5/2026

Confirming motion by Council Member Howe.

Motion passed in voice vote.

Michael Robinson – Reappointment - term to 5/2026

Confirming motion by Council Member Howe.

Motion passed in voice vote.

James Ritchie – Appointment as regular member - term to expire 5/2025

Replaced David Scarritt.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

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PLANNING COMMISSION

Chris Nardi – Appointment as regular member - term to expire 7/2027.

Replaced Jeffrey Hayden.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

RETIREMENT BOARD

Thomas Denoto – Reappointment - term to 5/2028.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

FAIR RENT COMMISSION

Jon FitzGerald - Appointment - regular member, representing “Homeowners,” - term to 5/2026.

Confirming motion by Council Member Howe.

Motion passed in voice vote.

Timothy Gamache - Appointment - regular member, representing “Tenants,” - term to 5/2026.

Confirming motion by Council Member Rosengren.

Motion passed in voice vote.

David Haberfeld - Appointment - regular member, representing “Landlords,” - term to 5/2026.

Confirming motion by Council Member Panioto.

Motion passed in voice vote with one abstention by Council Member Tyler.

Adam Brothwell - Appointment - regular member, representing, “Homeowners,” - term to 5/2025.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Cristina Costa - Appointment - regular member, representing “Tenants,” - term to 5/2024.

Confirming motion by Council Member Rosengren.

Motion passed in voice vote.

Bryan Brown - Appointment - regular member, representing “Landlords,” - term to 5/2025.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Susan Pyzynski - Appointment - regular member, representing “Homeowners,” - term to 5/2024.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

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Brian Brady - Appointment - alternate member, representing, "Homeowners," - term to 5/2026.

Confirming motion by Council Member Rosengren.

Motion passed in voice vote.

SCHOOL READINESS COUNCIL

Michelle Fangiullo – Appointment – No term.

Replaced Leah Zukauskas.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

SUPERINTENDENT OF WATER & SEWER DEPARTMENT

Robert Longo – Reappointment – term to 5/2027

Confirming motion by Council Member Rosengren.

Motion passed in voice vote.

11. ***PRESENTATION BY CT DOT*** – *This item was moved to follow item #3 Public Participation on motion of Council Member Thibeault.*

12. **APPROVAL OF INSTALLATION OF MARKER AT THE PROPERTY KNOWN AS TORY'S DEN**
 On motion of Council Member Thibeault and seconded, it was unanimously voted: To table this item for the June meeting in order to hear from a member of the Daughters of the American Revolution.

13. **RESOLUTION REGARDING 2023-2024 ANNUAL ACTION PLAN FOR CITY OF BRISTOL, ADOPTED.**

Communication presented from the Grants Administrator regarding a request to approve the 2022-2023 Annual Action Plan for the City of Bristol.

Council Member Thibeault 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 the 2023-2024 Annual Action Plan for the Community Development Block Grant, as approved by the Economic & Community Development Board on May 4, 2023 is hereby approved, with a U.S. Department of Housing & Urban Development (HUD) allocation in the amount of \$588,210; and that the Mayor or Acting Mayor is hereby authorized to execute any and all documents relating to this grant including final agreements; and to submit all required documents to the U.S. Department of Housing and Urban Development for its approval and allocation of funds;

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BE IT FURTHER RESOLVED that the Year 49 CDBG Annual Action Plan be referred to the Board of Finance for action regarding the appropriation of funds, subject to final approval of the Annual Action Plan by HUD.

A roll call vote was taken.

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

RESOLUTION ADOPTED: YES – 6; NO – 0; ABSTAIN – 0.

(Council Member Tyler recused herself from the meeting since she was on the Board of the St. Vincent de Paul Society.)

14. CONTRACT 2P23-064 DIAL-A-RIDE TRANSPORTATION SERVICES

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve Contract 2P23-064 Dial-a-Ride Transportation Services with Human Resources Agency of New Britain, Inc. at a per cost ride of \$17.70 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to acknowledge said agreement.

15. AWARD CONTRACT 2C23-059 REHABILITATION OF BRIDGE 04488 MELLEN STREET OVER PEQUABUCK RIVER

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve Contract 2C23-059 Rehabilitation of Bridge 04488 Mellen Street over Pequabuck River to Arborio Corporation in the amount of \$2,163,038.00 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said contract.

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16. EXTENSION OF CONTRACT 2P22-051B WITH QUISENBERRY, ARCARI, & MALIK FOR PHASE II OF CONSTRUCTION OF NEW NORTHEAST MIDDLE SCHOOL

Communication received from Bristol Public Schools Administrative Assistant.

On motion of Council Member Rosengren and seconded, it was unanimously voted: To approve the extension of Contract 2P22-051B Professional Architectural/Engineering Services with Quisenberry, Arcari, & Malik relative to Phase II of the construction of a new Northeast Middle School in the amount of \$3,608,000.00, and to send to the Board of Finance for approval.

17. CHANGE ORDERS FOR D'AMATO+DOWNES JOINT VENTURE FOR MEMORIAL BOULEVARD INTRADISTRICT ARTS MAGNET SCHOOL

Communication received from Bristol Public Schools Operations and Facility Manager.

On motion of Council Member Rosengren and seconded, it was unanimously voted: To approve the change orders for D'Amato+Downes Joint Venture totaling \$39,550.55, as recommended by the Memorial Boulevard Intradistrict Arts Magnet School Committee and to take any action necessary.

18. RESOLUTION AUTHORIZING THE MAYOR OR ACTING MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE WATER DEPARTMENT AND THE CITY OF BRISTOL RELATING TO THE PAYMENT OF DEBT SERVICE AND OTHER FINANCING COSTS RELATED TO SCADA SYSTEM IMPROVEMENTS.

Communication received from Water and Sewer Department.

On motion of Council Member Thibeault and seconded, it was unanimously voted: To waive the reading of the Resolution.

On motion of Council Member Thibeault and seconded, it was unanimously voted: To approve the following resolution appropriating \$5,200,000 upgrade of the Water Department's SCADA system –

BE IT HEREBY RESOLVED, that the Agreement between the Water Department and the City of Bristol pertaining to the payment of debt service and financing costs associated with the City's issuance of bonds, notes and temporary notes, and obligations to finance SCADA system improvements to the City's drinking water treatment and remote distribution facilities, in the form presented to this meeting, is hereby approved; the Mayor or Acting Mayor is hereby authorized to execute and deliver such Agreement, with such changes as the Mayor or Acting Mayor may approve and the signature of the Mayor or Acting Mayor on such Agreement shall be conclusive evidence of such approval.

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A roll call vote was taken.

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

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

19. EXECUTIVE SESSION TO REVIEW AN AGREEMENT BETWEEN THE CITY AND POLICE CHIEF BRIAN GOULD AND TO DISCUSS LITIGATION MATTER OF CITY OF BRISTOL VS. TURCO GOLF, INC., ET AL, SUPERIOR COURT DOCKET NO. HHB-CV-23-6077690-S.

At 8:50 p.m. on motion of Council Member Thibeault and seconded, it was unanimously voted: To convene into Executive Sessions to review an agreement between the City and Chief Brian Gould and take action and to discuss litigation matter of City of Bristol vs. Turco Golf, Inc., et al, Superior Court Docket No. HHB-CV-23-6077690-S and to take any action as necessary.

Present to review an agreement between the City and Chief Brian Gould: Mayor Caggiano; Council Members Howe, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Matney; Police Chief Brian Gould; and Human Resources Director Penney.

Present to discuss the litigation matter of City of Bristol vs. Turco Golf, Inc., et al, Superior Court Docket No. HHB-CV-23-6077690-S: Mayor Caggiano; Council Members Howe, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Matney.

Discussion was held. No votes were taken.

At 9:06 p.m., on motion of Council Member Thibeault and seconded, it was unanimously voted: To reconvene into Public Session.

a. Approval of Employment Addendum Agreement With Chief of Police

On motion of Council Member Tyler and seconded, it was unanimously voted: To approve the Employment Addendum Agreement, dated May 9, 2023, with Police Chief Brian Gould, to refer the matter to Corporation Counsel and to authorize the Mayor or Acting Mayor to execute any necessary documents to effectuate the same.

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b. Approval to Enter Into Settlement in the matter of City of Bristol vs. Turco Golf, Inc., et al.

On motion of Council Member Thibeault and seconded, it was unanimously voted: That the City of Bristol accept the total sum of \$12,000.00 from Turco Golf, Inc. and Westchester Fire Insurance Company which forms the basis of an action pending in the New Britain Superior Court bearing docket number HHB-CV23-6077690-S. This settlement resolves any rights or claims that the city may have as it relates to the design, installation of drainage and track lining of the two synthetic turf athletic fields at Bristol's two public high schools.

It was further voted to authorize the Mayor, Acting Mayor, Corporation Counsel, or Assistant Corporation Counsel to execute any necessary documents to effectuate this settlement.

20. OTHER BUSINESS – None.

21. ADJOURNMENT

At 9:08 p.m., on motion of Council Member Thibeault and seconded, it was unanimously voted: To adjourn.

ATTEST: _____

Erica Cabiya
Town & City Clerk