

MAY 12, 2020

The regular meeting of the City Council was held on May 12, 2020 in the City Hall Council Chambers, 111 North Main Street at 7:23 p.m. Present: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Preleski, and Rosado. Present by teleconference: Council Members Barney and Kelley.

1. MOMENT OF REFLECTION FOR MEMBERS OF THE COMMUNITY IN RECOVERY FROM CORONAVIRUS AND THOSE WHO HAVE PASSED AWAY.

Mayor Zoppo-Sassu requested a Moment of Reflection for the members of our community who were lost to coronavirus and for those who continue to recover.

2. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING ON APRIL 14, 2020.

On motion of Council Member Hahn and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting on April 14, 2020.

3. ADOPTION OF CONSENT CALENDAR.

On motion of Council Member Preleski and seconded, it was unanimously voted: To remove the amendment to Contract 2P19-037 with D'Amato + Downes a Joint Venture from the Consent Calendar and move it to Committee Reports.

On motion of Council Member Rosado and seconded, it was unanimously voted: To remove the report for the Senior Property Tax Relief Program from the Consent Calendar.

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

4. ACCEPTANCE AND IMPLEMENTATION OF SENIOR TAX RELIEF PROGRAM, APPROVED.

Communication presented from Board of Finance regarding the report for a phased in Senior Property Tax Relief Program.

On motion of Council Member Rosado and seconded, it was unanimously voted: That the City accept, approve, and implement the Senior Tax Relief Program recommendations of the Board of Finance.

5. NEW HIRE REPORT FOR APRIL, PLACED ON FILE.

Communication presented from the Human Resources Department.

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As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To place on file the New Hire Report for the month of April, 2020.

6. MOTOR VEHICLE AND REAL ESTATE TAX REFUNDS IN AMOUNT OF \$25,104.82, APPROVED.

Request presented from the Tax Collector.

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

Motor Vehicle	\$ 290.30
Real Estate	<u>24,814.52</u>
Total	\$ 25,104.82

7. RECOMMENDATION FROM PLANNING COMMISSION REGARDING PLACEMENT OF SCHAFFRICK PROPERTIES KNOWN AS LOT 11-REAR AND LOT 12-5 PERKINS STREET ON OPEN SPACE PROPERTIES LIST, PLACED ON FILE.

Recommendation presented from the Planning Commission regarding the approval of Lot 11-Rear and Lot 12-5 Perkins Street.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: That the City place on the list of Open Space properties for future grant applications the Schaffrick properties, described as Assessor's Map 60 Lots 11-Rear and 12-5 Perkins Street, because providing adequate open space for all Bristol residents is a goal of the 2015 Bristol Plan of Conservation and Development updated to April 1, 2018.

8. CONTRACT 2P20-045 PROFESSIONAL SERVICES RELATIVE TO EVALUATION/RETIMING OF CITY OWNED TRAFFIC SIGNALS TO VANASSE HANGEN BRUSTLIN, INC. FOR \$63,500, APPROVED.

Communication from the Purchasing Agent regarding the evaluation and retiming of traffic signal systems within the City.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To award Contract 2P20-045 Professional Services Relative to Evaluation/Retiming of City Owned Traffic Signals to Vanasse Hangen Brustlin, Inc. in the amount of \$63,500 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

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9. CONTRACT 2C20-060 REROOF OF FIREHOUSE 2 TO AVT CONSTRUCTION, INC. FOR \$65,444, APPROVED.

Communication from the Purchasing Agent regarding the roof replacement at Firehouse 2.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To award Contract 2C20-060 Reroof of Firehouse 2 to AVT CONSTRUCTION, INC. in the amount of \$65,444 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

10. CONTRACT 2P20-054 PROFESSIONAL SERVICES RELATIVE TO ANALYSIS OF MECHANICAL SYSTEMS WITHIN BRISTOL POLICE DEPARTMENT FACILITY TO VAN ZELM, HEYWOOD AND SHADFORD, INC. FOR \$40,255, APPROVED.

Communication from the Purchasing Agent regarding the mechanical systems within the Bristol Police Department.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To award Contract 2P20-054 Professional Services Relative to Analysis of Mechanical Systems within Bristol Police Department Facility to Van Zelm, Heywood and Shadford, Inc. in the amount of \$40,255 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

11. AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO EXECUTE SUBORDINATION AGREEMENT WITH CONNECTICUT LIGHT & POWER CO. D/B/A EVERSOURCE ENERGY REGARDING 894 MIDDLE STREET, APPROVED.

Communication presented from Assistant Corporation Counsel Conlin regarding a subordination agreement with Connecticut Light & Power d/b/a Eversource Energy.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute a Subordination Agreement on behalf of the City of Bristol with Connecticut Light & Power Company, d/b/a Eversource Energy, regarding property located at 894 Middle Street.

12. AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO EXECUTE PARKING TICKET VIOLATIONS AGREEMENT WITH CONNECTICUT DEPARTMENT OF MOTOR VEHICLES, APPROVED.

Communication presented from the Assistant Corporation Counsel Conlin regarding the Parking Ticket Violations Agreement with Connecticut Department of Motor Vehicles.

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As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute the Parking Ticket Violations Agreement on behalf of the City of Bristol with Connecticut Department of Motor Vehicles.

13. CONTRACT 2C20-065 GYM FLOOR REPLACEMENT AT NORTHEAST MIDDLE SCHOOL TO KENVO FLOOR CO., INC. FOR \$156,662, APPROVED.

Recommendation presented from the Board of Education Operations Committee regarding the gym floor replacement at Northeast Middle School.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: Resolved, to award Contract 2C20-065 Gym Floor Replacement at Northeast Middle School to Kenvo Floor Co., Inc. in the amount of \$156,662 and to authorize the Mayor or Acting Mayor to execute.

14. CONTRACT 2C20-064 MECHANICAL IMPROVEMENTS AT SOUTH SIDE ELEMENTARY SCHOOL TO ALL STATE CONSTRUCTION, INC. FOR \$2,982,000, APPROVED.

Communication from the Purchasing Agent regarding the mechanical improvements at South Side Elementary School.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To approve Contract 2C20-064 Mechanical Improvements at South Side Elementary School to All State Construction, Inc. in the amount of \$2,982,000 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

15. CONTRACT 2C20-066 FIREHOUSE HEADQUARTERS RENOVATIONS TO MILLENNIUM BUILDERS, INC. FOR \$1,087,000, APPROVED.

Communication from the Purchasing Agent regarding the renovations at Firehouse Headquarters.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To approve Contract 2C20-066 Firehouse Headquarters Renovations to Millennium Builders, Inc. in the amount of \$1,087,000 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

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16. PURCHASE/LEASE OR EASEMENT OVER PORTION OF CITY OWNED LOT 4-17 ENTERPRISE DRIVE BY D'AMATO REALTY ONE LLC REFERRED TO REAL ESTATE COMMITTEE, PLANNING COMMISSION, BOARD OF PUBLIC WORKS, AND BOARD OF WATER COMMISSIONERS FOR REVIEW.

Communication from the Director of Public Works regarding a request from D'Amato Realty One, LLC to purchase/lease or obtain an easement over a portion of Lot 4-17 Enterprise Drive.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To refer the purchase/lease or obtaining of an easement over a portion of City owned property known as Lot 4-17 Enterprise Drive by D'Amato Realty One LLC to the Real Estate Committee, Planning Commission pursuant to the requirements of Connecticut General Statutes Sec. 8-24, Board of Public Works, and Board of Water Commissioners for review.

17. AMENDMENT TO CONTRACT 2P19-037 CONSTRUCTION MANAGER AS CONSTRUCTOR FOR RENOVATIONS AT MEMORIAL BOULEVARD INTRADISTRICT ARTS MAGNET SCHOOL WITH D'AMATO + DOWNES A JOINT VENTURE FOR \$8,332,505, APPROVED.

Communication from the Purchasing Agent regarding an amendment to the Contract relative to Construction Manager for Renovations at Memorial Boulevard IntraDistrict Arts Magnet School.

Council Member Preleski explained this amendment was taken off the Consent Calendar because it was still being worked and had no dollar amount at the time of the agenda.

Mayor Zoppo-Sassu stated there was no additional money added to this Contract.

On motion of Council Member Preleski and seconded, it was unanimously voted: To amend Contract 2P19-037 Construction Manager as Constructor for Renovations at Memorial Boulevard IntraDistrict Arts Magnet School with D'Amato + Downes a Joint Venture in the amount of \$8,332,505, subject to approval by the Building Committee, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract Amendment.

18. PUBLIC HEARING SCHEDULED FOR JUNE 2, 2020 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 15-41 THROUGH SEC. 15-45, DIVISION 1. POSSESSION OF ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE.

As recommended by the Ordinance Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: To authorize a Public Hearing on

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Tuesday, June 2, 2020 at 4:50 p.m. in the First Floor Meeting Room, City Hall, 111 North Main Street, Bristol, CT on proposed amendments to the Bristol Code of Ordinances Sec. 15-41 through Sec. 15-45, Division 1 – POSSESSION OF ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE 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.

ARTICLE III. - ALCOHOLIC LIQUOR

DIVISION 1. – Reserved. [POSSESSION OF ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE

Sec. 15-41. - Intent.

The city council finds that the unregulated possession of alcoholic liquor by persons under the age of twenty-one (21) is detrimental to the general welfare, health and safety of the citizens of the city, and especially its youth.

Sec. 15-42. - Definitions.

Alcoholic liquor shall have the same meaning as the same term is defined in Title 30, Chapter 545, Section 30-1 of the Connecticut General Statutes.

Host shall mean to organize a gathering of two (2) or more persons, or to allow the premises under one's control to be used with one's knowledge for a gathering of two (2) or more persons, for personal, social or business interaction.

Sec. 15-43. - Possession of alcoholic liquor restricted.

No person under the age of twenty-one (21) shall possess any container of alcoholic liquor, whether opened or unopened, within the city except when accompanied by or in the presence of his or her parent, legal guardian, or spouse who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property.

Sec. 15-44. - Restrictions regarding hosting of event or gathering at which alcoholic liquor is present.

No person shall host an event or gathering at which alcoholic liquor is consumed by or dispensed to any person who has not attained the age of twenty-one (21) years unless said person is accompanied by or in the presence of his or her parent, legal guardian, or spouse who has attained the age of twenty-one (21) years. This prohibition shall apply to any event or gathering within the city, whether conducted on public or private property.

Sec. 15-45. - Restrictions regarding sale or delivery of alcoholic liquor.

Except as provided in section 15-43 above, no person shall sell or deliver alcoholic liquor to any person under the age of twenty-one (21) within the city.]

Sec. 15-41 – Sec. 15-45 Reserved.

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19. APPROVAL FOR CITY TO INITIATE PROPOSAL TO AMEND ZONING REGULATIONS FOR TEMPORARY AND SEASONAL OUTDOOR DINING FOR EATING AND DRINKING ESTABLISHMENTS DURING COVID-19 EMERGENCY.

Mayor Zoppo-Sassu explained there was an opportunity to have outside dining in the downtown zone, but not in other areas. She noted a workgroup was being considered to expedite issues that arise from an outdoor dining component for restaurants reopening during the COVID-19 emergency.

Corporation Counsel Clift responded there was a need to amend the zoning regulations to permit an expedited process that would include the Bristol-Burlington Health District, Building Department, Zoning Enforcement, the Fire Marshal, and the Police Chief. This need was temporary and seasonal.

Council Member Preleski indicated that the intent of this action was to move along the application process.

On motion of Council Member Kelley and seconded, it was unanimously voted: To authorize the City to initiate a proposal to amend the Bristol Zoning Regulations that facilitates the approval of temporary outdoor dining associated with restaurants or similar eating or drinking establishments for the duration of the COVID-19 emergency. It was also voted to authorize the Mayor Ellen A. Zoppo-Sassu, or Acting Mayor, to sign any and all documents necessary and proper to carry out the purposes of this motion.

20. RESIGNATIONS.

The following resignations were presented:

*Amanda Sawyer, School Readiness Council.
Heidi Joseph, Mayor's Task Force on Aids.*

On motion of Council Member Fortier and seconded, it was unanimously voted: To place on file the resignations and send letters of thanks.

21. APPOINTMENTS.

The following appointments were presented:

NAUGATUCK VALLEY COUNCIL OF GOVERNMENTS BRISTOL TASK FORCE LIAISON

Peter Kelley – Appointment – no term.

Mayor's Appointment – No confirming motion required.

ACTING MAYOR

Peter Kelley – Appointment – term to August, 2020.

Mayor's Appointment – No confirming motion required.

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CITY ARTS & CULTURE COMMISSION

Samantha Mary Cloutier – Reappointment – term to April, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Juliet Norton – Reappointment – term to April, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

INLAND WETLANDS COMMISSION

Zachary Fisk – Reappointment – term to May, 2023.

Mayor’s Appointment – No confirming motion required.

Michael Robinson – Reappointment – term to May, 2023.

Mayor’s Appointment – No confirming motion required.

BRISTOL PARKING AUTHORITY

Todd Larue – Reappointment – term to April, 2022.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Mike Massarelli – Reappointment – term to April, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Andrea Adams – Reappointment – term to April, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

22. RESOLUTION REGARDING APPROVAL OF 2020-2021 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT, ADOPTED.

Communication presented from the Grants Administrator regarding the 2020-2021 Community Development Block Grant Annual Action Plan.

Mayor Zoppo-Sassu requested that Council Member Fortier take over as Acting Chairperson for this agenda item regarding the CDBG Annual Action Plan. The Mayor stated that she and Council Member Preleski would recuse themselves since they filed conflict statements for the CDBG applications due to close relationships with one or more of the applicants.

Council Member Fortier, Acting Chairperson read the Bristol CDBG Fund Allocation for Year 46.

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

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BE IT HEREBY RESOLVED by the City Council of the City of Bristol, Connecticut, that the Community Development Block Grant Annual Action Plan 2020-2021, as approved by the Board of Economic and Community Development at its May 7, 2020 meeting is hereby approved; and authorize the Mayor or Acting Mayor to sign any necessary documents and certifications.

BE IT FURTHER RESOLVED that this matter be referred to the Board of Finance for the appropriation of funds as designated by the ECD Policy Committee.

A roll call vote was taken.

<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney (by teleconference)		Council Member Preleski
“ ” Fortier		Mayor Zoppo-Sassu
“ ” Hahn		
“ ” Kelley (by teleconference)		
“ ” Rosado		

RESOLUTION ADOPTED: *YES* – 5; *NO* – 0; *ABSTAIN* – 2.

(Mayor Zoppo-Sassu and Council Member Preleski recused themselves from the meeting and abstained from voting on this matter. The Mayor resumed her duties as Chairperson after this item was voted on.)

23. RESOLUTION REGARDING APPROVAL OF 5-YEAR CONSOLIDATED PLAN, ADOPTED.

Communication presented from the Grants Administrator regarding the approval of the 5-year Consolidated Plan for 2020-2024.

Council Member Fortier read the Consolidated Plan Goals for 2020-2024.

Council Member Fortier 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 5-Year Consolidated Plan for 2020-2024, as approved by the Economic and Community Development at its May 7, 2020 meeting is hereby approved; and authorize the Mayor or Acting Mayor to sign any necessary documents and certifications.

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A roll call vote was taken.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney (by teleconference)			
“ ” Fortier			
“ ” Hahn			
“ ” Kelley (by teleconference)			
“ ” Preleski			
“ ” Rosado			
Mayor Zoppo-Sassu			

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

24. EXECUTIVE SESSION TO DISCUSS WORKER’S COMPENSATION MATTER OF FRED HAINES VS. CITY OF BRISTOL, PMA CLAIM #W001289470.

At 8:22 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To convene into Executive Session to discuss the Worker’s Compensation matter of Fred Haines vs. City of Bristol, PMA Claim #W001289470.

Present to discuss the Worker’s Compensation matter of Fred Haines vs. City of Bristol, PMA Claim #W001289470: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Preleski, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Lacey and Assistant Corporation Counsel Steeg. Present by teleconference: Council Members Barney and Kelley; and Attorney Erik Bartlett.

Discussion was held. No votes were taken.

At 8:36 p.m., on motion of Council Member Hahn and seconded, it was unanimously voted: To reconvene into Public Session.

(Assistant Corporation Counsel Lacey left the Executive Session at 8:29 p.m. and returned to the Executive Session at 8:31 p.m.)

25. APPROVAL OF FULL AND FINAL SETTLEMENT OF \$90,000 IN MATTER OF FRED HAINES VS. CITY OF BRISTOL, CLAIM #W001289470.

On motion of Council Member Hahn and seconded, it was voted: That the City of Bristol enter into a full and final settlement of any and all Worker’s Compensation claims in the matter of Fred Haines vs. City of Bristol, Claim #W001289470 in consideration of a payment of \$90,000.

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26. ADJOURNMENT.

At 8:37 p.m., on motion of Council Member Hahn and seconded, it was unanimously voted: To adjourn.

ATTEST: _____

Therese Pac
Town & City Clerk