

ORDINANCE COMMITTEE MEETING
Meeting Minutes
111 NORTH MAIN STREET
MEETING ROOM 1-1 CITY HALL, 1ST FLOOR
TUESDAY MARCH 5, 2024 @ 5:00 p.m.

ATTENDEES:

Mayor Jeff Caggiano, Councilwoman Cheryl Thibeault, Chairman Sebastian Panioto, Councilwoman Jacqueline Olsen, Attorney Thomas W. Conlin, Ray Rogozinski (Public Works), Maria Theam (recording secretary), Wanda Hubbard (public), Deputy Chief Matthew Moskowitz.

1. CALL TO ORDER

Chairman Panioto called the meeting to order at 5:02 pm which was followed by the pledge of allegiance.

2. APPROVAL OF MINUTES

a. February 6, 2024

Motion to Approve by Councilwoman Thibeault, seconded by Councilwoman Olsen, all in favor.

3. Public Participation

Ms. Wanda Hubbard, residing at 73 Beleden Gardens, Bristol, CT 06010, raised concerns about a persistent humming noise affecting her residence. Having been a resident of Bristol for over 30 years, Ms. Hubbard initially attributed the noise to the nearby hospital. However, upon seeing a news segment, she discovered that the source of the noise was identified as emanating from Covanta. Ms. Hubbard reached out to city hall and was informed about this meeting.

Expressing her worry, Ms. Hubbard noted that she has informed her neighbors and friends about the issue. She emphasized that the noise has seemingly intensified over time, causing distress. Ms. Hubbard expressed concern that the noise might hinder the sale of her home.

Ms. Hubbard seeks clarity on the measures being taken to address the noise issue and its potential impact on her property sale.

The meeting facilitator acknowledged Ms. Hubbard's concerns and assured her that the matters are being looked into.

4. Old Business

a. Covanta – Spillover sound engineer report

Mayor Caggiano offered that Mark Van Weelden of Covanta acknowledged the presence of acoustic sound originating from the Covanta plant, primarily from the operation of fans. He informed the Mayor that the company has implemented certain modifications to address the issue. While some residents reported a noticeable difference, others continue to experience the sound. Covanta is committed to investing in additional infrastructure aimed at mitigating the sound levels further. The company acknowledges the issue and remains responsive to community concerns.

Mayor Caggiano addressed the possibility that the disturbance may be attributed to vibrations rather than purely sound. In an effort to monitor and address these concerns, the Mayor suggested engaging Marco Palmieri from the Bristol Burlington Health Department.

It was clarified that the sound levels currently do not meet the threshold for constituting a noise ordinance violation. Additionally, concerns were raised regarding the feasibility of shutting down operations at night to alleviate the disturbance. However, due to the nature of Covanta's operations, such a measure is not practicable.

In response to inquiries about the release of the full report, it was explained that Covanta, being a private entity, has not disclosed the entirety of its findings.

Mayor Caggiano provided Ms. Wanda Hubbard with the contact information of Mr. Marco Palmieri for further assistance.

b. Street Takeovers and illegal use of motor vehicles, ATV's and Dirt Bikes

The Committee engaged in a comprehensive dialogue regarding the ongoing challenges associated with the prevalent street takeover phenomenon. There was a deliberation on the proposed bill aimed at addressing the statement of purpose concerning this matter.

Attorney Thomas Conlin provided insights into Hartford's current examination of the street takeover issue, highlighting the concerns expressed by constituents. It was emphasized that Bristol should monitor the progress of the Raised Bill No. 337 at the General Assembly in Hartford before considering the enactment of any local ordinances.

A discussion ensued regarding the logistics of where seized items would be held.

Upon thorough consideration, Councilwoman Olsen proposed to table the issue for further review, a motion which was seconded by Chairman Panioto.

5. New Business

a. Discussion of Ordinance sections 21-23, 21-24 – Removal of snow from sidewalks, deposit of snow into public streets

A discussion ensued regarding the responsibility placed on the city to notify residents about clearing snow from sidewalks. It was noted that the burden currently falls on the Police Department to alert residents. Deputy Chief Moskowitz elaborated on the process, emphasizing the necessity for a written warning as the initial step. Properties not in compliance after the initial warning are identified, and if they remain uncleared, Public Works (PW) issues citations. The increased responsibilities placed on the police force were acknowledged, prompting consideration for the appointment of a citation officer dedicated to handling such matters.

Inquiries were made regarding the frequency of complaints regarding unshoveled sidewalks, with an average of 12-15 complaints held during any given shift. Efforts are made to notify homeowners, and it was noted that compliance is easier to achieve with private properties compared to commercial ones. Repeat commercial offenders such as Bristol Farms Plaza and Stephen Auto Mall were highlighted, with the Route 6 corridor witnessing the highest volume of complaints.

Councilwoman Thibeault proposed the introduction of a per diem citation officer to issue tickets for offenses. Ray Rogozinski emphasized the collaborative effort involving Building Department, Public Works, and the Police Department with particular attention to ordinance 21-24 concerning snow deposition in roadways. The complaint-driven nature of these issues was underscored, and considerations were made for a streamlined process to facilitate compliance.

Discussions delved into the potential distribution of responsibilities of departments among different ordinances, with Mayor Caggiano advocating for proactive measures to address issues efficiently. Concerns were raised regarding the feasibility of hiring off-duty officers and the evolving workforce dynamics impacting such arrangements. The Comptroller's role in managing billing for off-duty personnel was acknowledged, suggesting a focus on policy and procedural adjustments rather than immediate ordinance changes.

The conversation on this matter concluded with a commitment to further deliberation and consideration of the existing framework, with plans to reconvene next month for continued discussion.

b. Overnight parking ban – winter season section 14-32

Residents have been reaching out via calls and emails regarding concerns related to the winter parking ban. It has been observed that the emergency ban is either being overlooked or not fully understood by the public. Mr. Ray Rogozinski emphasized that the winter parking ban has historically remained in effect. He noted that the presence of a well-enforced emergency parking ban should ideally obviate the need for a winter parking ban. However, a significant number of non-compliant vehicles on the roadways pose challenges for efficient snow plowing operations, leading to further complaints.

Mr. Rogozinski suggested that the winter parking ban serves the purpose of raising awareness among residents, thereby facilitating improved plowing efforts and enhancing the effectiveness of the emergency ban. He proposed exploring the possibility of implementing a reverse 911 system to disseminate notifications to residents, potentially rendering the winter parking ban unnecessary. While acknowledging the long-standing nature of the winter parking ban, Mr. Rogozinski highlighted concerns regarding waivers granted to certain entities, such as Hiltbrand Road, which pose logistical challenges for Public Works.

Various suggestions were put forth, including the issuance of bans preceding anticipated snowstorms and the consideration of zoned bans as opposed to a city-wide ban. Challenges related to parking availability and compliance enforcement in areas with narrow roads and multi-family residences were also discussed.

Councilwoman Thibeault emphasized an increase in complaints received during winter months, particularly regarding snow being moved inconveniently by plows and/or not being plowed close enough to the curbs. Attorney Thomas Conlin emphasized the potential hazards posed when vehicles are plowed in, which can lead to further complaints and damages.

Despite the challenges, Councilwoman Thibeault and Deputy Chief Moskowitz expressed agreement on maintaining the parking ban due to its importance in mitigating issues during storms and ensuring public safety. They emphasized the importance of residents familiarizing themselves with the ban's regulations, given its long-established presence in the community.

Mr. Rogozinski suggested enhancing communication efforts to ensure residents are adequately informed in advance of parking ban dates, particularly regarding the emergency ban's daytime enforcement. Deputy Chief Moskowitz noted improvements in communication efforts resulting in fewer complaints.

In conclusion, Chairman Panioto recommended maintaining the existing parking ban regulations.

6. ADDITIONAL PUBLIC PARTICIPATION

None.

7. COMMITTEE MEMBER COMMENTS

Councilwoman Thibeault raised a suggestion for the earlier distribution of the meeting agenda. No comments were provided by Councilwoman Olsen.

8. ADJOURNMENT

Motion to adjourn by Chairman Panioto at 6:05 p.m. Seconded by Councilwoman Thibeault. All in favor.

Respectfully Submitted,

Maria Theam
Recording Secretary



Bristol Resource Recovery Facility Noise Survey Summary

**170 Enterprise Drive
Bristol CT**

Covanta has recently contracted with an independent outside noise expert and has conducted acoustic testing at and around the Covanta Bristol CT (Facility).

Testing was conducted every day between December 7th to December 18th. This noise survey included 12 locations off-site at different distances and directions from the Facility. This offsite testing was conducted from 8:30PM to 10PM. All locations were below City of Bristol's Noise Ordinance noise limits for both Residential and Business Types of Zones.

This survey did detect an unusual noise phenomenon. It is believed the sound may be emanating from the facility's two ID fans that exhaust into the stack. Covanta is moving forward to explore the potential causes of this phenomenon.

Covanta has engaged acoustic engineers to help define the root cause(s) of this sound, and, if necessary, to explore abatement options. As such, we are undertaking the following:

- (1) Investigate ID fan motors. The ID fan motors are designed and rated for the intended application, but over time the motors have been supplied from different manufacturers. As a result, there are minor variations in motor speeds. This variation is potentially contributing to the noise phenomenon. We are investigating possibly replacing one ID fan motor so that the fan speeds will match.
- (2) Conduct computational fluid dynamic modeling: Their acoustic engineers have conducted these types of analyses at other non-Covanta facilities and have designed modifications to fans and fan housings with the expressed purpose of abating sound issues. We are engaging them to conduct computation fluid dynamic modeling at the Facility.

We intend to keep officials updated as to both the root cause(s) and our intentions for any corrective action to be taken along with specific timing.

Mark Van Weelden



Department of Public Works | 860.584.6125

MEMORANDUM

DATE: March 5, 2024

TO: Mayor Jeffrey Caggiano
Ordinance Committee
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: **ORDINANCE COMMITTEE – ELIMINATION/REVISIONS TO WINTER PARKING BAN (Ordinance Sec 14-32)**

It is my understanding that the City Council Ordinance Committee is investigating the elimination of the Winter Parking Ban that prohibits parking on City streets from December 15 to March 15, during the hours of 2:00 AM to 6:00 AM. The City Ordinance (14-32) is currently enforced by Bristol Police Department with the issuance of parking tickets. The purpose of the parking ban is to facilitate Department of Public Works winter snow removal and deicer treatment operations of City roads. The presence of vehicles poses the following problems to the Department during winter operations:

1. Plowing around vehicles, in particular, in the downtown area where roads are narrow. Vehicles parked in the roadway not only increases the probability of a plow truck hitting a parked vehicle, but on some roadways with vehicles parked on both sides of the road, the presence of vehicles prevents DPW trucks from traveling and plowing the road.
2. Roadway salt treatment will result in salt hitting adjacent vehicles.
3. The accumulation of snow around vehicles results in snow remaining on the roadway after DPW plowing operations. The affected area is not limited to the length of the vehicle (20 FT), rather it also includes the area before and after a parked vehicle totaling approximately 40 FT. When DPW plows around a vehicle, and the owner eventually moves the vehicle, snow is left behind on the roadway. DPW has to return to re-plow the roadway section. Since it is after the storm event, re-plowing often results in the Department plowing snow onto cleared sidewalks and driveway openings.

In addition to the Winter Parking Ban, specified in City Ordinance 14-32, DPW also issues Emergency Parking Bans pursuant to City Ordinance 14-39 that restricts parking during winter storms, outside the dates and/or hours of the Winter Parking Ban specified in City Ordinance 14-32. If the Emergency Parking Bans were effective, it would be DPW's recommendation to eliminate the Winter Parking Ban. However, Emergency Parking Bans are not effective, they are issued as press releases on social media (DPW, City, Mayor and Police) and television networks. As a result, they do NOT reach a large number of residents, and vehicles are often on City roads, hampering DPW snow removal operations during a storm. One of the primary benefits of the Winter Parking Ban is that it educates residents as to the problems with vehicles parked on City streets during winter operations. It is DPW's position that the presence of the Winter Parking Ban reinforces Emergency Parking Bans, and makes them more effective. In particular, during nighttime hours when residents are not able to access press releases announcing Emergency Parking Bans on social media.

It should be noted that the City of New Britain and the City of Waterbury do not have Winter Parking Bans, although I would say that they do experience persistent problems with snow removal as a result. Larger cities like Bridgeport and New Haven restrict parking to one side, and there are a number of cities, such as Meriden, that do have Winter Parking Bans. Smaller towns such as Burlington, Plymouth, and Wolcott do not have winter parking ban. However, these towns do not have as much traffic or multi-family housing, and have larger lots, resulting in less on-street parking. In the City of Bristol, the areas that I believe find the winter parking most problematic, and need more parking due to the presence of multi-family housing, include downtown, Federal Hill, and the West End. These are areas with narrow streets, and pose the highest risk of vehicles parked on the road during snow operations.

The DPW currently experience problems with plowing Chestnut St, Platt St Harrison St, Prospect St, High St Judd St, Lakeside Dr Beths Ave, Hillbrand Rd and Boardman St to name a few. On these roads, non-compliance with both the Winter Parking Ban and Emergency Parking Ban results in difficulties in clearing the road of snow. The Department of Public Works' primary concern with the elimination of the Winter Parking Ban is the inability to contact residents and ensure compliance with designated Emergency Parking Bans. DPW would support the elimination of the Winter Parking Ban if the City had a reverse 911 system that enabled DPW to issue an alert notifying residents of an Emergency Parking Ban. Absent implementing a reverse 911 system, or an improved mechanism to communicate the issuance of an Emergency Parking Ban to residents, the Department of Public Works recommendation is to maintain the winter parking ban "as is."

If a revision to the Winter Parking Ban Ordinance were to be made, DPW would investigate creating a mechanism to allow a waiver to the Winter Parking Ban, conditioned on establishing an improved notice and enforcement system associated with Emergency Parking Bans. One potential option, that may sound better than it actually is, would be to issue winter parking tags. The parking tags would be issued by DPW and would allow vehicles to be parked on City Streets during the period of the Winter Parking Ban. Residents would be required to display the parking tags on their vehicles. The tags would indicate vehicle license plates. As a requirement of obtaining a parking tag, residents would be required to provide an email address that can be used by DPW to notify residents of Emergency Parking Bans. In theory, Police could still enforce parking restrictions. They would ticket vehicles that do not display a parking tag. Counterfeit parking tags would be a problem. However, Police would have the ability to cross-reference tags with a DPW database. I am not aware of a community having a similar system, and additional investigation is required. However, most current parking ban policies pre-date current technology. It should also be noted that if the Winter Parking Ban is eliminated, DPW would issue additional Emergency Parking Bans for potential storms, and issue Emergency Parking Bans earlier in order to "get the word out" to residents.

The City's current Winter Parking Ban has been in place since at least 1960 and is ingrained in the public. Residents know not to park on City streets during the winter, or they will be ticketed. If the City were to revise the City Ordinance, or is investigating the elimination of the Ordinance, I would strongly recommend implementing a pilot/test program in designated areas of the City. Limiting initial revisions to a few streets would enable the Department to evaluate the impact of removing or relaxing the Winter Parking Ban without potentially requiring the re-establishment and re-education of the entire City driving population, if the elimination of the Winter Parking Ban proves problematic. I would also strongly recommend that the City Council Ordinance Committee refer this matter to the City's Board of Public Works for input and comment.

Please feel free to contact me with any questions or concerns at 860-584-6113.



Department of Public Works | 860.584.6125

MEMORANDUM

DATE: December 2, 2022

TO: Mayor Jeffrey Caggiano
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: **Department of Public Works – Sidewalk Snow & Ice Policy/Procedures**

In accordance with City Ordinance 21-23, property owners abutting a public roadway sidewalk are required to clear the sidewalk of snow and ice within 12 hours after a storm ending between the hours of 3:00 AM and 9:00 PM, and within 9 hours after a storm ending between 9:00 PM and 3:00 AM. For the purposes of the ordinance, end of storm is defined as the end of precipitation, or in the event that an emergency parking ban is established pursuant to Ordinance 14-39, end of storm shall be defined as the end of the emergency parking ban.

All complaints associated with property owners' failure to clear snow and ice from sidewalks are directed to the Bristol Police Department to investigate. Once investigated, the Police Department notifies Public Works of the violation, and Public Works clears the sidewalk. If the property owner is available at the time of the Police investigation, the Police Department will issue a citation or warning. Public Works documents conditions prior to, and after, the Department's snow and ice removal using time/date photographs. Public Works submits an invoice for work performed. Depending on the Department's workload, sidewalk clearing can occur either on overtime or regular time. A summary of common complaints, along with DPW response, is provided below:

1. Property Owner Concern: Bristol Police provided notice and Public Works performed work prior to the resident having an opportunity to clear the sidewalks. DPW Response: Sidewalks were cleared to improve public safety. At the time of the Police investigation, sidewalks were not cleared in accordance with City Ordinance, and an additional grace period of time would increase safety risk.
2. Property Owner Concern: Public Works indicates that they cleared the sidewalks, however, there is still snow and ice on them. DPW Response: Clearing sidewalks 24-48 hrs. after the snow event is problematic. Snow turns to ice and DPW uses a large amount of salt to melt the sidewalks.
3. Property Owner Concern: Public Works cleared the sidewalks and damaged the property owner's yard. DPW Response: DPW will loam and seed the area in the spring, however, property owners are advised that they have a right to submit a claim.
4. Property Owner Concern: Public Works charges too much to clear sidewalks. DPW Response: Clearing sidewalks 24-48 hours after storm is time consuming, however, our average cost is \$100-\$150 per property.

5. Property Owner Concern: Public Works plowed the snow from the road onto my sidewalks.
DPW Response: Along a typical length of road, DPW acknowledges that snow from the road is deposited on sidewalks, however, property owners are required to clear sidewalks. The Department does clear large deposits of snow from intersections without charging the property owner.

Once DPW performs the sidewalk clearing, an invoice is issued to the property owner. Surprisingly, Public Works collects approximately 95% of billed amount (businesses pay at a higher rate than residential properties). After 30 days, unpaid invoices issued by Public Works are forwarded to the City's Corporation Counsel for additional processing. The Corporation Counsel re-issues the bill, and if not paid in 30 days, a lien is placed on the property.

A copy of the proposed policy/procedure is attached.

Please feel free to contact me with any questions or concerns at 860-584-6113.

CITY OF BRISTOL – PUBLIC WORKS

24.60 CITY SIDEWALKS SNOW & ICE COMPLAINT/SIDEWALK CLEARING POLICY

1. Policy Name

24.60 City Sidewalks Snow & Ice Complaint/Sidewalk Clearing Policy

2. Policy Statement

Pursuant to City Ordinance 21-23, property owners are responsible to clear snow and ice from sidewalks located along City Streets abutting their property. Specifically, City Ordinance 21-23 requires property owners with sidewalks abutting a public roadway to clear the sidewalk of snow and ice within 12 hours after a storm which ends between the hours of 3:00 AM and 9:00 PM and within 9 hours after a storm which ends between 9:00 PM and 3:00 AM. For the purposes of the ordinance, the end of the storm is defined as either the end of precipitation or in the event that an emergency parking ban established pursuant to Ordinance 14-39, the end of a storm shall be defined as the end of the emergency parking ban.

The primary purpose of City Ordinance 21-23 and this policy is to ensure that sidewalks along City streets are cleared of snow and ice. The policy defines the procedure dictating when the Department of Public Works will be utilized to clear sidewalks. **The policy also includes provisions to charge property owners who are in violation of City Ordinance 21-23 which requires property owners to clear snow & ice from sidewalks.** Obtaining reimbursement ensures that general taxpayers will not incur the costs associated with property owner's violation of City Ordinance 21-23.

3. Policy

- A. Complaint of Snow/Ice on City Sidewalks: **ALL COMPLAINTS OF SNOW OR ICE ON SIDEWALKS LOCATED ALONG CITY STREETS SHALL BE DIRECTED TO THE BRISTOL POLICE DEPARTMENT.**
 - a. The Police Department address un-cleared sidewalks on a complaint-driven basis. When a complaint is received, the Police Department investigates to confirm that the sidewalks have not been cleared, and provides the Department of Public Works with the addresses of the un-cleared sidewalks in question.
 - b. The Police Department investigation may or may not result in the property owner being contacted or being issued a written citation or warning for un-cleared sidewalks (violation of City Ordinance 21-23). However, the lack of notice to property owners shall not relieve the property owner of the responsibility to clear said sidewalks in accordance with the City Ordinance (the purpose of this policy is to clear sidewalks of snow and ice in order to improve safety).
 - c. The notice from the Police Department to the Department of Public Works that sidewalks have not been cleared of snow & ice shall serve as authorization to the Department of Public Works to initiate the removal of snow & ice from the sidewalk.

- d. The City recognizes that the Board of Education may have previously cleared snow & ice from sidewalks along City streets in areas of City schools. The purpose of the Board of Education's policy was to ensure sidewalks were cleared for students walking to schools. However, other than Board of Education properties owned in fee, the **Board of Education program to clear sidewalks along City roads ceased in 2017 and is no longer in place**. Property owners abutting sidewalks previously cleared of snow & ice by the Board of Education are currently subject to all provisions of City Ordinance 21-23.
- B. Once the Police Department provides notice of un-cleared sidewalks to Public Works, the Department shall arrange to perform required work to clear identified sidewalks of snow & ice.
 - a. No additional notice to the property owner by the Department of Public Works is required (the primary purpose of this policy is to clear sidewalks of snow and ice in order to improve safety).
 - b. Once the Police Department provides Public Works with notice of identified un-cleared sidewalks, the Department of Public Works Department shall be authorized to commence work immediately. With that said, due to the Department's workload, work associated with clearing snow & ice from the sidewalks may be delayed by 24-48 hours.
 - c. Prior to any snow & ice removal by the Department of Public Works, the Department shall take a time/date and location stamped photograph of the sidewalk scheduled to be cleared of snow and ice. Additional photographs shall be taken to document conditions at the completion of the Department's work. Said photographs shall be included in the Department's invoice issued to the property owner
 - d. Due to sidewalk ice conditions, the clearing of sidewalks by the Department of Public Works may take multiple applications of salt/deicer treatments to eliminate icing safety hazards.
 - e. Snow and ice clearing shall consist of clearing the entire width of the sidewalk. Clearing of only a portion of the sidewalk, such as a shovel width, is insufficient. Sidewalks must be cleared the full width to be in compliance with the City Ordinance.
 - f. The Department of Public Works is responsible to clear sidewalks along City-owned properties, except properties designed as Park, Water, or Board of Education facilities. Said properties include City-owned bridges.
- C. At the completion of the Department of Public Works' sidewalk-clearing work, the Department shall invoice the property owner for the cost of the work performed by the Department.
 - a. All of the Department labor and equipment cost to perform snow & ice removal, including transportation to the site, shall be included in the invoice issued to the property owner. The purpose of issuing an invoice to the property owner is to reimburse the Department of the cost of removing snow & ice from sidewalks along City streets defined as the property owner's responsibility in City Ordinance 21-23. Obtaining reimbursement ensures that general taxpayers do not incur the costs associated with the property owner's violation of City Ordinance 21-23.

- b. Public Work's invoice to the property owner shall include time/date & location stamped photographs taken by the Department prior to, and at the completion of, the snow & ice clearing.
 - c. The Department recognizes that at a number of intersections throughout the City, the Department snow plowing operations results in the stockpile of snow that exceeds the "normal" amount deposited on sidewalks. If the snow stockpiled at an intersection is less than 18 inches, the property owner shall be required to clear sidewalks of snow and ice in accordance with City Ordinance 21-23. However, if the accumulated stockpile snow is greater than 15 inches in height and three times the height of the snow accumulation of a typical sidewalk, the Department of Public Works shall arrange to remove the stockpiled snow. Pursuant to City Ordinance 21-23 the property owner is responsible for the remaining portion of the sidewalks. The determination of the stockpiled snow's height shall be determined solely by the Department.
- D. All Department of Public Works invoices not paid after a period of 30 days will be forwarded to the City's Corporation Counsel for additional processing.
- a. Corporation Counsel will re-issue/re-invoice the property owner for work performed by the Department of Public Works
 - b. After a period of 30 days, invoices that remain unpaid are subject to property lien. The office of Corporation Counsel will file said lien on City tax & land records.

4. Responsible Division

Department of Public Works Administrative and Street Division

5. Approval authority:

Board of Public Works

6. Approval Date:

December 15, 2022

7. Effective Date:

December 22, 2022