

JUNE 11, 2024

The regular meeting of the City Council was held on Tuesday, June 11, 2024 in the City Hall Council Chambers, 111 North Main Street at 7:02 p.m. Present: Mayor Caggiano; Council Members Olsen, Panioto, Rosengren, Thibeault, and Tyler. Absent: Council Member Howe.

1. **CALL TO ORDER**

a. Mayor Caggiano read a proclamation for Migraine and Headache Awareness month and presented it to Ronetta Stokes.

2. **APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON MAY 14, 2024**

a. On motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: To approve the minutes of the regular City Council meeting held on May 14, 2024.

3. **PUBLIC PARTICIPATION**

Patricia Ulin, 21 Jerome Ave. – Spoke about the need for volunteers at the Bristol animal shelter.

4. **ANNOUNCEMENTS**

Council members reported on committees, activities, and events.

5. **ADOPTION OF CONSENT CALENDAR**

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To adopt twelve items as part of the Consent Calendar.

a. **New Hire Report For May 2024**

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 May, 2024.

b. **Tax Refunds In the Amount of \$21,699.77**

Request presented from Deputy Tax Collector Cole.

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	\$	3,720.08
Real Estate	+	<u>17,979.69</u>
Total		\$ 21,699.77

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c. Contract 2P24-102 Third Party Design Review for Northeast Middle School

Communication received from Purchasing Agent Rousseau.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To award Contract 2P24-102 Third Party Design Review for Northeast Middle School to Friar Architecture Inc. in the amount of \$24,800.00, and to refer to the Office of Corporation Counsel for contract review; and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said contract.

d. Positive Referral – Business Park Drive

Communication received from Bristol Planning Commission.

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 Planning Commission's positive referral for the proposed sale of property located at Business Park Drive, Map 3, Lot 10 and Lot 11.

e. Positive Referral – Downs Street

Communication received from Bristol Planning Commission.

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 Planning Commission's positive referral for a proposed utility easement for Eversource on Downs Street, Map 34, Lot 93.

f. Positive Referral – Wheeler Clinic

Communication received from Bristol Planning Commission.

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 Planning Commission's positive referral for the proposed short-term leasing of parking spaces for Wheeler Clinic LLC, Map 30, Lot 3.

g. Positive Referral – Church Avenue/Washington Street

Communication received from Bristol Planning Commission.

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 Planning Commission's positive referral for the proposed sale of part of municipal property located at 163 Church Avenue, Map 43, Lot 16 to 64 Washington Street, Map 43, Lot 19.

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h. Planning Commission tabled Candlewood Drive

Communication received from Bristol Planning Commission.

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 Planning Commission's decision to table the C.G.S. 8-24 Review of Candlewood Drive, Map 2, Lot 120-9.

i. Planning Commission tabled Violet Drive

Communication received from Bristol Planning Commission.

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 Planning Commission's decision to table the C.G.S. 8-24 Review of Violet Drive, Map 2, Lot 129-2.

j. Contract 2P24-102 Enhanced Commissioning Agent Services for Northeast Middle School.

Communication received from Board of Education Operations and Facility Manager Landon.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To award Contract 2P24-102 Enhanced Commissioning Agent Services for Northeast Middle School to Van Zelm Heywood & Shadford, Inc. in the amount of \$159,960.00 and to authorize the Mayor or Acting Mayor to execute any documents necessary to effect said contract.

k. Downs Street Bridge – Eversource Easement

Communication received from Public Works Director Rogozinski.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To authorize the Mayor to sign any and all documents associated with an easement to Yankee Gas Service Company, d.b.a. Eversource Energy, for the purpose of installing utilities on Lot 34-93 Downs Street.

l. Wheeler Clinic Leasing of City Property for Temporary Parking

Communication received from Public Works Director Rogozinski.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To authorize the Mayor to sign any and all documents associated with a lease and/or temporary easement with Wheeler Clinic Inc., (1 Hope St., Lot 30-4) to provide Wheeler with approximately 63 parking spaces on the City-owned property identified as Lot 30-3, Hope St. Said parking is for the purpose of Wheeler

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Clinic Inc. complying with City zoning requirements. The lease and or temporary easement shall be for the approximate time period of July 2024 to May 2025.

6. REPORTS AND COMMITTEE REPORTS

a. Ordinance Committee

As recommended by the Ordinance Committee and on motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: In accordance with Section 41(f) of the Charter of the City of Bristol, to waive the reading of the proposed amendments to Chapter 21 of the Code of Ordinances being introduced this date.

On motion of Council Member Panioto and seconded by Council Member Thibeault, it was unanimously voted: to adopt amendments to Chapter 21, Streets, Sidewalks and Public Places, Article II, Division 3 Contractor's License Sec. 21-66 through 21-76 of the Code of Ordinances of the City of Bristol, Connecticut, to read as follows. It was also moved that the City Clerk publish said 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. (Additions are underlined and deletions are bracketed.)

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

DIVISION 3. [CONTRACTORS LICENSE

Sec. 21-66. Required; exception.

No person shall lay in any street any new curb or sidewalk or relay any existing curb or sidewalk unless he is licensed as a curb and walk layer; provided, however, that the provisions of this section shall not prevent the making without such license of minor repairs to an existing sidewalk by the owner of the property in front of which such sidewalk is located or by such owner's agent without remuneration.

(Code 1960, § 36-17; Ord. of 5-1-62; Ord. of 7-5-72)

Sec. 21-67. Application.

The applicant for the license required by this division shall state in his application his actual place of business, together with the name under which the business is done, and shall notify the superintendent of public works of any subsequent change in either.

(Code 1960, § 36-17; Ord. of 5-1-62; Ord. of 7-5-72)

Sec. 21-68. Bond and insurance to be filed at time of application.

Every person making application for a license as a curb and walk layer shall file with the superintendent of public works a satisfactory bond, of a surety company authorized to do business in the city, in the sum of ten thousand dollars (\$10,000.00), and conditioned substantially that the applicant, his employees or agents shall faithfully perform such work in all respects and shall replace and restore that portion of any street in which the applicant,

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his servants or agents shall make any excavation, to as good a condition as that in which the same was before such work was performed. Such licensee shall also file with the superintendent of public works a satisfactory public liability insurance certificate in the minimum amount of one hundred thousand dollars (\$100,000.00) for personal injury and ten thousand dollars (\$10,000.00) for property damage, to indemnify and save the city and its agents harmless from all suits and actions brought against the city or any officer thereof for or on account of any injuries or damage received or sustained by any person in consequence of, or resulting from, any negligence in guarding such work, or any act or omission of the licensee.

(Code 1960, § 36-17; Ord. of 5-1-62; Ord. of 7-5-72; Ord. of 12-5-78)

Sec. 21-69. Issuance.

The superintendent of public works shall issue a license as a curb and walk layer to any person believed by the superintendent to be suitable and competent, who complies with the conditions governing such license.

(Code 1960, § 36-17; Ord. of 5-1-62; Ord. of 7-5-72)

Sec. 21-70. Licensee's duties.

The licensee under this division shall comply in all respects with the rules and regulations established by the superintendent of public works relative to the work for which he is licensed, and with the terms of the permits therefor which may be issued to him, and shall also pay all fines imposed upon him for violation of any such rules and regulations. He shall give personal supervision to the work done under his license and shall employ thereon only competent workmen.

(Code 1960, § 36-17; Ord. of 5-1-62; Ord. of 7-5-72)

Sec. 21-71. Suspension or revocation.

Whenever, in the opinion of the director of public works, any licensed curb and walk layer violates any of the provisions of this article, or any of the rules, regulations and specifications adopted by the director, the director may order the suspension or revoking of the license of such curb and walk layer.

(Code 1960, § 36-17; Ord. of 5-1-62; Ord. of 7-5-72)

Secs. 21-72—21-76. Reserved.

DIVISION 4. PERMITS

Sec. 21-77. Permit required for sidewalk and driveway apron construction.

No work on the construction of a sidewalk or driveway apron shall be started without first obtaining a permit from the director of public works which shall be posted and available for inspection.

(Code 1960, § 36-16; Ord. of 5-1-62; Ord. of 7-5-72)

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Sec. 21-78. Contractor's street work permit—Required.

No curb and walk layer shall commence any work upon any street in the city until he has applied for and secured a permit to do so issued by the director of public works.

(Code 1960, § 36-18; Ord. of 5-1-62; Ord. of 7-5-72)

Sec. 21-79. Same—Application.

Applications for the permit required by section 21-78 of this division shall be signed by the curb and walk layer, or his authorized agent. They shall specify the ownership and location of the property where the work is to be done, and shall contain an agreement to be signed by the curb and walk layer that he will do the contemplated work in accordance with the rules and regulations of the department of public works and the city specifications pertaining to such work, and that he will indemnify and save the city harmless from all damages caused by his acts or omissions while acting under the permit applied for.

(Code 1960, § 36-18; Ord. of 5-1-62; Ord. of 7-5-72)

Sec. 21-80. Same—To be kept on job during continuance of work.

The permit required by section 21-78 of this division shall be kept on the job during the continuance of the work and shall be available for inspection by all authorized persons.

(Code 1960, § 36-18; Ord. of 5-1-62; Ord. of 7-5-72)

DIVISION 5. PERMANENT PATCHING OF CITY STREETS**Sec. 21-81. General provisions.**

The permanent patching of all utility trenches and other excavations in streets maintained by the City of Bristol will be by the public works department or under contract to the city.

All utility contractors shall obtain an excavating permit for any trenches in the public street. (Ord. of 8-13-84)

Sec. 21-82. Excavation, backfilling and patching, general requirements.

Pavement and/or sidewalks shall be cut or sawn to straight neat lines, excavation without cutting or sawing will not be allowed. Cut line shall be parallel and six (6) inches minimum, outside either edge of the proposed trench. Tunneling under pavement or sidewalks will not be allowed. Bituminous material, cement concrete, ledge, rock and boulders over six (6) inches in any dimension shall be removed from the job, together with any clay, silt, or organic material. The public works inspector will check the material excavated and will allow re-use as backfill, sandy and/or gravelly material. Material not approved shall be disposed of off the job. Backfill shall be approved sandy gravelly

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material with no stones over six (6) inches in any dimension. Backfill shall be compacted in twelve-inch layers using mechanical compaction equipment.

The trench shall be filled to within eleven (11) inches of finished grade, eight (8) inches of approved processed gravel shall be spread and compacted, then three (3) inches of bituminous concrete shall be spread and compacted with the finished material flush with the adjacent existing surface. Bituminous concrete material shall be "hot mix," except during winter season when plants are closed "cold patch" will be used. During the period between temporary patch and permanent patch, the utility contractor shall be responsible for maintaining the patch and shall promptly correct all defects upon order of the director of public works. The contractor is an agent of the utility whose pipe, conduit, etc., is laid in the trench and has ultimate responsibility for the trench. In sanitary sewer laterals this is the serviced property owner. This procedure also includes new sanitary sewer construction and the ultimate responsibility shall be the city public works department.

(Ord. of 8-13-84)

Sec. 21-83. Fees, deposits, records and measurements for patches.

- (a) Annually the city may advertise and receive bids for permanent patching of utility trenches. Bids will be taken on repair of bituminous pavement, curbing and sidewalk. The lowest acceptable unit prices will be utilized with a twenty (20) per cent escalator for charging contractors, that year, for trench permanent patching. Trenches that are temporarily patched during a calendar year normally will be permanently patched the following year, the intent being that temporary patches shall go through one complete winter season.*
- (b) At the time of issuance of an excavation permit, the contractor shall deposit a fee equal to the estimated cost of the permanent patch. Upon completion, the actual patch will be measured and the contractor shall be billed for any permanent patch cost to the city that exceeds the amount deposited by the contractor. If the permanent patch cost to the city is less than the amount deposited with the city, the contractor will receive credit. Calculation of estimated patch costs will be based on trench length and width, (width shall be diameter of pipe plus thirty-six (36) inches, minimum forty-eight (48) inches, plus twelve (12) inches for every foot to depth of trench). Permits will not be issued to contractors owing the city any permanent patch fees. The city may institute legal action against contractors and those responsible for nonpayment of any permanent patch costs owed the city if any permanent patch fee is not paid within ninety (90) days of the due date.*
- (c) The public works department shall keep a written record of all trenches, with their dates of excavation, temporary patch and permanent patches, deposit fees received, estimated final fees and actual final fees, and the balances owed or the credits due, and the exact locations and types of utilities. The city shall maintain a separate fund for permanent patching of all city streets. All payments by contractors or others excavating in a public way shall be deposited in the fund, and payments for completed permanent patching shall be disbursed from the fund.*

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- (d) *The board of public works may reduce or waive the deposit otherwise required of a contractor under this section for good reason shown. Good reason shall include instances where the calculations required under this section exceed what otherwise is reasonably estimated to be the cost for permanently patching the excavation or other factually-based situations that would work a hardship on the contractor. When granting any reduction or waiver of the deposit requirement, the board of public works shall state its reason(s) on the record.*

(Ord. of 8-13-84; Ord. of 11-13-07)

Sec. 21-84. Detailed patching requirements.

Permanent patching shall be performed as follows:

- (a) *Sidewalks. Temporary bituminous material shall be removed. Existing walk faces shall be straight and true with no cracks or breaks, if not, shall be cut at next sound transverse joint. Subgrade material shall be removed to five (5) inches below finish grade one-half inch preformed full depth and width expansion joints shall be placed against existing concrete. Portland cement concrete shall be as specified in chapter 21 of the City Ordinances. Topsoil and seeding shall be repaired as specified in Chapter 21 of the City Ordinances. Bituminous concrete walks shall be repaired as specified in subsection (c).*
- (b) *Curbing. Curbing shall be replaced to conform to existing adjacent curb. Existing curb shall be cut to neat true lines. Concrete and granite curb replacement shall be not less than three (3) feet. Bituminous curb less than twenty-five (25) feet may be hand formed to proper cross section. Curbing shall conform to chapter 21 of the City Ordinances.*
- (c) *Pavement. Existing bituminous material shall be removed, existing pavement shall be cut to reasonably straight longitudinal lines, transverse jogs within ten (10) feet of each other shall not be accepted, transverse cuts shall be perpendicular to the longitudinal cut. Several small excavations shall be widened into one. If existing pavement has cracked due to trench settlement, the edge of the trench shall be cut beyond such cracks to firm true pavement. The subgrade shall be graded and compacted to three (3) inches below finished grade. The contractor shall add any necessary processed gravel to bring trench to subgrade, care shall be taken to keep processed gravel tight under adjacent pavement. Edge of existing bituminous shall be painted with hot liquid asphalt prior to paving. Transverse joints in new patch shall be cut square and painted with hot liquid asphalt. Bituminous material shall be placed in two (2) equal layers of one and one-half inches compacted. Finished surface shall meet existing surface neat and true. Edges of completed patch shall be sealed with an application of hot liquid asphalt three (3) inches minimum wide. Finish surface shall be lightly dusted with cement or fine quarry screenings. Patch shall be barricaded and traffic kept off for at least four (4) hours. Bituminous mixes, placement compaction, etc., shall be as specified in chapter 21 article III of the City Ordinances.*

Sec. 21-85 – 21-91. – Reserved.]

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Excavation & Work Within City Roadway Right of Way by Private Contractors and Public Utilities

Sec. 21-66. General.

No contractor, person or public utility shall work within any portion of the City roadway right of way without obtaining an excavation permit from the Department of Public Works. Work shall include, but is not limited to: the disturbance, excavation, construction, and demolition of roadway pavement, curbing, sidewalks, underground utilities (sewer, water, storm water, natural gas, electric, or telecommunication conduits), roadside barriers, signs, lights, and structures of any kind. Minor repairs to sidewalks, such as filling cracks with mortar, are not required to be performed by a licensed contractor, along with the installation of mail boxes and landscaping.

All work performed within the City roadway right of way shall be performed in a safe manner in accordance with Department of Public Works standards and specifications.

All contractors and persons performing work within the City roadway right of way shall restore all disturbed roadway pavement, curbing, utilities, and sidewalks, including lawn & seed, and any roadside barriers, signs, lights, and structures of any kind to their original condition as they existed prior to any work being performed by the contractor or persons performing the work.

Sec 21-67. License.

In order to obtain an excavation permit, all contractors and/or persons shall be licensed by the Department of Public Works. To become licensed, contractors shall submit an application (prepared by the Department of Public Works) demonstrating that said contractor has the knowledge, experience, and equipment to perform work in accordance with City of Bristol requirements. In addition, the contractor shall provide to the Department a certificate of insurance and a bond. As part of the review process, contractors or persons may be required to submit for review an applicable valid trade license issued by the State or Federal government or trade organization. However, the license subject to this City Ordinance is an additional license issued by the City as part of the authorization process to work within the roadway right of way. All licensed contractors or persons require the approval of the Director of Public Works.

The Department of Public Works shall prepare and submit the license application form to the Board of Public Works for review and approval.

Each contractor or person submitting an application for an excavation permit shall provide a bond of a surety company authorized to do business in the City in the minimum amount of \$20,000 (or equal to the value of the work as determined by the Department of Public Works), and conditioned substantially that the applicant, its employees, or agents shall faithfully perform such work in all respects, and shall replace and restore that

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portion of any street in which the applicant, its servants, or agents performed any excavation, to the original condition as before such work was performed. In accordance with the provisions of this ordinance, it is the intent of the City to authorize the Department of Public Works to set high bond limits based on the estimated value of the work as determined by the Department of Public Works.

Each contractor or person shall also file with the Department of Public Works a satisfactory public liability insurance certificate in the minimum amount of General liability \$1,000,000 (combined single limit) bodily injury/property damage coverage per occurrence and \$2,000,000 aggregate coverage, to indemnify and save the City and its agents harmless from all suits and actions brought against the City or any officer thereof, on account of any injuries sustained or damage caused by any person in consequence of, or resulting from, any negligence in guarding such work, or any act or omission of the licensee.

The Board of Public Works reserves the right to modify insurance and bonding requirements as required to safeguard the public.

Whenever, in the opinion of the Director of Public Works, any licensed contractor or person violates any of the provisions of this ordinance, or any of the rules, regulations, and specifications adopted by the Director, the Director may order the suspension or revocation of the license of such curb and walk contractor.

Sec 21-68. Permits.

All contractors or persons shall obtain a permit issued by the Department of Public Works prior to performing work within any portion of the City roadway right of way. Work shall include, but is not limited to: the disturbance, excavation, construction, and demolition of roadway pavement, curbing, sidewalks, underground utilities (sewer, water, storm water, natural gas, electric, or telecommunication conduits), roadside barriers, signs, lights, and structures of any kind. Minor repairs to sidewalks, such as filling cracks with mortar, are not required to be performed by a licensed contractor, along with the installation of mail boxes and landscaping.

Contractors or persons performing work to replace or install a driveway apron within the roadway right of way shall obtain a Driveway Permit issued by the Department of Public Works. Contractors or persons performing work to replace and install sidewalks within the roadway right of way shall obtain a Sidewalk Permit issued by the Department of Public Works. Contractors or persons performing all other work such as: excavation, construction, and demolition of roadway pavement, curbing, sidewalks, underground utilities (sewer, water, storm water, natural gas, electric, or telecommunication conduits), roadside barriers, signs, lights, and structures of any kind shall obtain an Excavation Permit.

The Department of Public Works shall prepare and submit the permit application form (Sidewalk, Driveway, and Excavation permits) to the Board of Public Works for review and approval. All contractors and/or persons shall submit the applicable permit application prior to completing work. Permit application forms shall include the following:

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A. Sidewalk and driveway permits:

1. Name of licensed contractor or person performing work along with contact information.
2. Location and type of work to be performed.

B. Excavation Permit

1. Name of licensed contractor or person performing work along with contact information.
2. Location and type of work to be performed.
3. Map indicating proposed work. Note that an A-2 survey survey may not be required by the Department of Public Works. However, the map shall indicate proposed work and existing roadway utilities and facilities. In addition, for house utility laterals, a field walk performed by the applicant and a Department of Public Works representative may be substituted for the submittal of a map.
4. All utilities shall be installed in accordance with City standards with respect to size, depth, location, materials, and bedding.

All contractors or persons shall provide the Department of Public Works information regarding the impact the work will have on traffic. The Department of Public Works may require a traffic control plan. Contractors or persons are advised that every road closure requires authorization and approval from the Director of Public Works or the Chief of Police, no other City entity or person is authorized to approve the closure of a City Street.

No work shall be performed prior to the approval of the permit by the Department of Public Works. Public Utilities performing emergency work shall submit a permit to the Department of Public Works within 48 hours of an emergency.

An application fee shall be charged to each contractor obtaining a Department of Public Works permit, issued in accordance with this ordinance. The application fee shall be set by the Board of Public Works. In accordance with the ordinance a separate application fee shall be established for work performed by public utility companies.

Sec. 21-69. Excavation of newly paved roadways.

Contractors shall be advised that the City enforces a moratorium on the issuance of excavation permits on newly-paved roads. No permit will be issued for a period of five (5) years after a roadway is paved to install main line utilities, and three (3) years to install laterals. If required, restoration shall include the milling and paving of the roadway curb-to-curb, or a full lane width at the contractor's expense, as agreed upon by the utility company and the Department of Public Works. Said work shall be performed by the Department of Public Works. Restoration of pavement for lateral installation, during the

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moratorium period, shall consist of milling a larger patch (2 ft. around perimeter of temporary patch) and repaving in accordance with Department of Public Works specifications. Work shall include the installation of a full pavement depth (4 inch min) in the area of the temporary patch.

Sec 21-70. Excavation within City streets.

Pavement and/or sidewalks shall be cut or sawn to straight neat lines. Excavation without cutting or sawing is not allowed. Cutline shall be parallel, and six (6) inches minimum, outside either edge of the proposed trench.

Tunneling under pavement or sidewalks is not allowed. Bituminous material, cement concrete, ledge, rocks and boulders over six (6) inches in any dimension, shall be removed from the job, together with any clay, silt, or organic material. The Public Works Inspector will check the material excavated and will allow re-use as backfill, sandy and/or gravelly material. Material not approved of shall be disposed of from the job site. Backfill shall be approved sandy gravelly material with no stones over six (6) inches in any dimension. Backfill shall be compacted in fifteen-inch lifts or layers using mechanical compaction equipment approved by the Department of Public Works.

The trench shall be filled to within eleven (11) inches of the finished grade, consisting of nine (9) inches of approved processed gravel which shall be spread and compacted, then two (2) inches of bituminous concrete temporary pavement which shall be spread and compacted, and the finished material flush with the adjacent existing surface.

The limits of permanent patch shall be established/confirmed at the completion of work/installation of temporary asphalt patch. Permanent patches shall extend 6-inches beyond the temporary patch, and require the contractor to re-cut the roadway asphalt. The City of Bristol may require the installation of additional roadway asphalt patch to improve road conditions, and may extend the permanent patch limits to include older patches or road defects. If the City requires the replacement of additional roadway, the cost of the additional work will be paid for by the City, or the utility company will pay the City the application cost of the required patch (not including the additional work) and the City will install the entire/desired permanent patch that is required to repair the utilities work and the road defect. All utility boxes shall be installed flush with pavement.

Bituminous concrete material shall be "hot mix," except during the winter season when plants are closed. "Cold patch" may be used with prior authorization and approval by the Department of Public Works. During the period between temporary patch and permanent patch, the utility contractor shall be responsible for maintaining the patch, and shall promptly correct all defects upon order of the Director of Public Works. Failure by the contractor to maintain the trench in a safe condition will result in the Department of Public Works performing the work and charging the contractor for said repairs.

The storage of materials or equipment within the City's right of way is not allowed, unless authorized by the Public Works Engineering Division, or the Director of Public

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Works. The site shall be cleaned and swept at the end of each day. The blocking of private driveways is prohibited.

Sec 21-71. Permanent patching and restoration of City streets.

All temporary pavement patches shall be removed and replaced after one year with a permanent pavement patch or pavement restoration.

Annually, the Department of Public Works will procure the services of a paving contractor to remove temporary pavement patches installed as part of the Department of Public Works permit defined in this ordinance. The procured paving contractor will install all permanent pavement patches installed within the last year. Permit holders are not authorized or permitted to install permanent roadway patches unless otherwise approved by the Board of Public Works.

At the time of issuance of an Excavation Permit, the contractor shall deposit a fee equal to the estimated cost of the permanent patch. Upon completion, the actual patch will be measured, and the contractor shall be billed for any permanent patch cost to the City that exceeds the amount deposited by the contractor. If the permanent patch cost to the City is less than the amount deposited with the City, the contractor will receive a credit. Calculation of estimated patch costs will be based on trench length and width (width shall be diameter of pipe plus thirty-six (36) inches, minimum forty-eight (48) inches, plus twelve (12) inches for every foot to depth of trench). Permits will not be issued to contractors owing the City any permanent patch fees. The City may institute legal action against contractors and those responsible for nonpayment of any permanent patch costs owed to the City if any permanent patch fee is not paid within ninety (90) days of the due date. The Department of Public Works shall calculate the unit pavement cost based on the pavement contractor's cost with a twenty (20) percent escalator for charging contractors, that year, for trench permanent patching.

The Public Works Department shall keep a written record of all trenches including: the dates of excavation, temporary patches and permanent patches, deposit fees received, estimated final fees and actual final fees, the balances owed or the credits due, and the exact locations and types of utilities. The City shall maintain a separate non-interest bearing fund for permanent patching of all City streets. All payments by contractors or persons excavating in a public right of way shall be deposited in the fund, and payments for completed permanent patching shall be disbursed from the fund.

All contractors shall be required to identify the temporary pavement trenches by spray painting the company's name at several locations, based on the size of the trench, as determined by the Department of Public Works. Work performed by Public Utility companies, or contractors performing the work for the public utility, shall identify the trench using the public utility companies' name.

Public utility contractors authorized by the Department of Public Works are permitted to install their own permanent patch. However, all work must be performed in accordance with Department of Public Works requirements and specifications. Based on roadway pavement, Public Utility Companies may be required by the Department of Public Works to

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restore roadway pavement by milling and paving roadway sections, either curb to curb or full travel lane widths. Said pavement restoration (milling and paving) shall be paid for at the sole expense of the public utility company or the utility company may fund the City performing the work.

All permanent pavement installation and roadway pavement restoration shall confirm with City standards and specifications. Existing bituminous material shall be removed, existing pavement shall be cut to reasonably straight longitudinal lines, transverse jogs within ten (10) feet of each other shall not be accepted, and transverse cuts shall be perpendicular to the longitudinal cut. Several small excavations shall be widened into one. If existing pavement has cracked due to trench settlement, the edge of the trench shall be cut beyond such cracks to firm true pavement. The subgrade shall be graded and compacted to four (4) inches below finished grade. The contractor shall add any necessary processed gravel to bring trench to subgrade, care shall be taken to keep processed gravel tight under adjacent pavement. The edge of existing bituminous shall be painted with hot liquid asphalt prior to paving. Transverse joints in new patch shall be cut square and painted with hot liquid asphalt. Bituminous material shall be placed in two (2) equal compacted layers of one and one-half inches. Finished surface shall meet existing surface neat and true. The edges of completed patch shall be sealed with an application of hot liquid asphalt three (3) inches minimum wide.

The Department of Public Works may expand the permanent patch limits and increase the area of the permanent patch to correct roadway defects that existed prior to work performed in accordance with the permit. Said work shall be paid for by the City.

Sec. 21-72 – 21-91. – Reserved

7. **OLD BUSINESS** – None.

8. **NEW BUSINESS**

a. On motion of Council Member Panioto and seconded by Council Member Thibeault, it was unanimously voted: To set a Special Election date of July 30, 2024 for the replacement of City Council District 3 and have the City Clerk notify the Secretary of State. This election will include Early Voting on July 24 – 27 per new state requirements.

Council member Thibeault clarified that there was only one vacancy in District 3 and Mayor Caggiano reiterated that Early Voting would take place July 24 – July 27.

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9. RESIGNATIONS

The following resignations were presented:

Maria Montelli-Tramazzo – Transportation Commission
Jaymie Bianca – Diversity Council
Olivia Chapdelaine – Diversity Council
Anthony Pellerin – Inland Wetlands Commission
Craig Vibert – Retirement Board
Andrew Howe – City Council District 3

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

10. APPOINTMENTS

The following appointments were presented:

City Arts and Culture Commission

Julie Crist – Appointment – term to 5/27.
 Replaced Tiffany Howe.
 Confirming motion by Council Member Thibeault.
 Motion passed in voice vote.

Board of Finance

Nicolle Duquette – Appointment – effective 7/1/2024; term to 6/28.
 Replaced Ron Burns.
 Confirming motion by Council Member Thibeault.
 Motion passed in voice vote.

William Campion – Appointment – effective 7/1/2024; term to 6/28.
 Replaced Mark Whitford.
 Confirming motion by Council Member Thibeault.
 Motion passed in voice vote.

Commission For Persons With Disabilities

Dan Micari – Reappointment – term to 6/27.
 Confirming motion by Council Member Olsen.
 Motion passed in voice vote.

Joe Krolikowski – Reappointment – term to 6/27.
 Confirming motion by Council Member Olsen.
 Motion passed in voice vote.

Barbara Bajurny – Reappointment – term to 6/27.
 Confirming motion by Council Member Olsen.
 Motion passed in voice vote.

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Bristol Historic District Commission

Andrew Collins – Appointment as a regular member – term to 1/29.
Confirming motion by Council Member Rosengren.
Motion passed in voice vote.

Inland Wetlands Commission

Laura Valentino – Appointment as alternate member – term to 1/27.
Replaced Anthony Pellerin.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Retirement Board

Matthew Ragaini – Appointment as #1338 Rep. – term to 7/28.
Replaced Craig Vibert.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote

Zoning Commission

David White – Reappointment – term to 6/27
Confirming motion by Council Member Tyler.
Motion passed in voice vote.

11. BOARD OF EDUCATION CONTRACT AMENDMENT REQUEST

- a.** Communication received from Board of Education Operations and Facility Manager Landon.

On motion of Council Member Thibeault and seconded by Council Member Olsen, it was unanimously voted: To approve the ability and allowance of D’Amato+Downes Joint Venture, D’Amato Construction, and/or Downes Construction to submit bids and self-perform on certain packages; and to authorize the Mayor or Acting Mayor to execute any documents necessary to amend their contract.

12. GRANT REQUEST

- a. Bristol Police Department – Department of Justice Bulletproof Vest Partnership Grant**

Communication received from Interim Chief of Police, Mark Morello.

On motion of Council Member Olsen and seconded by Council Member Tyler, it was unanimously voted: To authorize the Bristol Police Department, and accept, if granted, the FY24 U.S. Department of Justice Bulletproof Vest Partnership Grant for a total of \$39,975; the local match is \$19,966 or 50% of the grant total; and to authorize the Mayor or Acting Mayor to execute any documents necessary.

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b. School Readiness Council – Extension of Child Day Care Grant Contract

Communication received from School Readiness Liaison, Donna Osuch.

On motion of Council Member Thibeault and seconded by Council Member Panioto, it was unanimously voted: To authorize the Mayor or Acting Mayor to continue to execute Purchase of Service Contract #22OECCDC01BRS-A2 with the State of Connecticut Office of Early Childhood for Contract Period 6/27/2022 - 6/30/2025 in the amount of \$2,543,713.17; and to refer to the Board of Finance for necessary action.

13. CONTRACTS

a. Contract 2C24-096 Replacement of Bridge No. 04487 East Street Over Pequabuck River

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To award Contract 2C24-096 Replacement of Bridge No. 04487 East Street Over Pequabuck River to Schultz Corporation in the amount of \$2,599,499.52 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said contract.

b. Contract 2P24-076 Construction Engineering and Inspection Services for the Reconstruction of East Street Bridge over Pequabuck River

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Rosengren and seconded by Council Member Thibeault, it was unanimously voted: To award Contract 2P24-076 Construction Engineering and Inspection Services for the Reconstruction of East Street Bridge Over Pequabuck River to Wengell, McDonnell & Costello, Inc. (d.b.a. WMC Consulting Engineers) in the amount of \$364,600.00 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said contract.

c. Energy Efficiency Services Letter of Agreement with Eversource

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute an Energy Efficiency Services Letter of Agreement with Eversource Energy, and to refer to the Office of Corporation Counsel for review.

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d. Contract 2P24-073 Comprehensive Lighting Improvements at Municipal Buildings

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Olsen and seconded by Council Member Thibeault, it was unanimously voted: To award Contract 2P24-073 Comprehensive Lighting Improvements at Municipal Buildings to Resource Lighting and Energy, Inc. in the amount of \$204,136.00 and to refer to the Office of Corporation Counsel for contract review, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said contract.

e. Regional Emergency Medical Services Communications System Agreement (CMED Contract)

Communication received from Assistant Corporation Counsel Conlin.

On motion of Council Member Rosengren and seconded by Council Member Panioto, it was unanimously voted: To approve the 2024-2025 Regional Emergency Medical Services Communications System Agreement with the North Central CT Emergency Medical Services Council, Inc. and to authorize the Mayor or Acting Mayor to execute the agreement.

f. Intertown Agreement with the Town of Plymouth for Use of Bristol Animal Control Facility

Communication received from Assistant Corporation Counsel Conlin.

On amended motion of Council Member Tyler and seconded by Council Member Thibeault, it was unanimously voted: To enter into an Intertown Agreement with the Town of Plymouth for the use of the City of Bristol's Animal Control Facility on the terms proposed in the agreement.

On motion of Council Member Thibeault and seconded by Council Member Olsen, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute the Intertown Agreement on behalf of the City of Bristol.

14. CONNECTICUT LIGHT AND POWER COMPANY RESOLUTION

a. Communication received from Assistant Corporation Counsel Conlin.

On motion of Council Member Rosengren and seconded by Council Member Thibeault, it was unanimously voted: To approve a Resolution to grant CT Light and Power Company, d.b.a. Eversource Energy, a permanent easement on City Property on Kelley Street in conjunction with the Meadow Street Garage project.

The Resolution reads as follows –

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BE IT RESOLVED: That the City of Bristol grant and convey to the Connecticut Light & Power Company d/b/a Eversource Energy, a corporation chartered by the General Assembly of the State of Connecticut and having its principal office in Berlin, Connecticut, its successors and assigns, permanent rights for the installation and maintenance and repairs of electric (and gas) lines over, under and across land of the City of Bristol situated within the City of Bristol, as set forth in the easement presented to this meeting and which easement is more fully described on Map Q-666 filed in the Land Records of the City of Bristol, and said easement is hereby ordered filed with the records of this meeting; and

RESOLVED: That the Mayor of the City of Bristol be authorized to execute and deliver in the name of the City an easement presented to this meeting and to do any and all other acts to effectuate the foregoing.

A roll call vote was taken.

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

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

15. EXECUTIVE SESSION TO DISCUSS AND TAKE ANY NECESSARY ACTION ON LITIGATION MATTER, CHRYSALIS CENTER REAL ESTATE V. CITY OF BRISTOL, SUPERIOR COURT DOCKET NO. HHB-CV-23-6079198-S

At 7:59 p.m., on motion of Council Member Panioto and seconded by Council Member Thibeault, it was unanimously voted: To convene into Executive Session to discuss Chrysalis Center Real Estate v. City of Bristol, Superior Court Docket No. HHB-CV-23-6079198-S.

Present to discuss the matter of Chrysalis Center Real Estate v. City of Bristol: Mayor Caggiano; Council Members Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; and Assistant Corporation Counsels Conlin and Steeg; and Tax Assessor Tom DeNoto.

Discussion was held. No votes were taken.

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At 8:11 p.m., on motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To reconvene into Public Session.

On motion of Council Member Tyler and seconded by Council Member Thibeault, it was unanimously voted: To resolve litigation matter Chrysalis Center Real Estate v. City of Bristol, Superior Court Docket No. HHB-CV-23-6079198-S by a stipulation to judgment whereby the City, acting through its City Assessor, authorize a statutory tax exemption pursuant to Connecticut General Statutes section 12-81(7)(B), and that Corporation Counsel is authorized to execute said stipulation on behalf of the City of Bristol.

16. OTHER BUSINESS – None.

17. ADJOURNMENT

At 8:12 p.m., on motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: To adjourn.

ATTEST:_____

Erica Cabiya
Town & City Clerk