

JULY 9, 2024

The regular meeting of the City Council was held on Tuesday, July 9, 2024 in the City Hall Council Chambers, 111 North Main Street at 7:00 p.m. Present: Mayor Caggiano; Council Members Olsen, Panioto, Rosengren, Thibeault, and Tyler. Absent: Council Member Howe.

1. CALL TO ORDER

a. Mayor Caggiano introduced the following special guests: Camryn Patton, Miss Connecticut's Teen; and the following coaches and athletes that attended the Nike Outdoor National Track & Field Championship in Eugene, Oregon: Tamara Stafford-Kirk, Head Boys Coach; Kiara Bonilla-Jusion, Head Girls Coach; Anthony Lowell, Assistant Coach; Amanda Martin, Assistant Coach; and athletes – Cassias Breland, Nathanyel Davis, Gabriela Drewniak, Isaiah Fabrizio, Aiden Georgakopoulos, Noah Georgakopoulos, Wyatt Gibson, Sadie Greaves, Rowan Hennessey, Logan Jackson, Lynae Lewis, Julieen Lopez, Anthony Paulino, William Postell, Landon Sisson, Sophia Stark, Tristian Toussaint.

2. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON JUNE 11, 2024 AND SPECIAL CITY COUNCIL MEETING HELD ON JUNE 25, 2024

a. On motion of Council Member Olsen and seconded by Council Member Panioto, it was unanimously voted: To approve the minutes of the regular City Council meeting held on June 11, 2024 and the special City Council meeting held on June 25, 2024.

3. PUBLIC PARTICIPATION

Daniel Sutula, 135 Debra Lane – Feels he has been over-assessed on land designated as open space and would like compensation for legal fees.

4. ANNOUNCEMENTS

Council members reported on committees, activities, and events.

5. ADOPTION OF CONSENT CALENDAR

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

a. New Hire Report For June 2024

Communication received from the Human Resources Department.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To place on file the New Hire Report for the month of June, 2024.

b. Tax Refunds In the Amount of \$15,190.19

Request presented from Tax Collector Bednaz.

JULY 9, 2024

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

Motor Vehicle	\$ 7,353.30
Personal Property	4,119.56
Real Estate	+ <u>3,717.33</u>
Total	\$ 15,190.19

c. Alzheimer’s Foundation of America Grant for Memory Cafe’

Communication received from Bristol Senior Center Director Krueger.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To approve the Bristol Senior Center's submission of a grant application to the Alzheimer's Foundation of America for \$6,000, to authorize the Mayor or Acting Mayor to execute any and all documents associated with the application/grant, and to refer the matter to the Board of Finance for any necessary action.

d. AARP Connecticut Livable Cities Grant for the Brain Health Initiative

Communication received from Bristol Senior Center Director Krueger.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To approve the submission of a grant application for \$5,000 to the AARP Connecticut Livable Cities Grant, to authorize the Mayor or Acting Mayor to execute any and all documents, and to refer the matter to the Board of Finance for any necessary action.

e. Change Order for Sav-Mor Cooling Heating, LLC

Communication received from the Board of Education.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To approve the change order for Sav-Mor Cooling Heating, LLC totaling \$79,185.04 as recommended by the Greene-Hills HVAC Project Committee.

f. Agreement between Flock Safety and the City of Bristol

Communication received from Assistant Corporation Counsel Conlin.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To approve an agreement between Flock Safety and the City of Bristol in the amount of \$72,000.00 and to authorize the Mayor or Acting Mayor to execute any and all documents to effect said contract.

JULY 9, 2024

g. Negative Referral – Candlewood Drive, Map 2, Lot 120-9

Communication received from Bristol Planning Commission.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To place on file the negative referral from the Bristol Planning Commission for the C.G.S. 8-24 Review of Candlewood Drive, Map 2, Lot 120-9.

h. Negative Referral – Violet Drive, Map 2, Lot 129-2

Communication received from Bristol Planning Commission.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To place on file the negative referral from the Bristol Planning Commission for the C.G.S. 8-24 Review of Violet Drive, Map 2, Lot 129-2.

i. Contract 2C23-059 Rehabilitation of Bridge 04488 Mellen Street over Pequabuck River

Communication received from Purchasing Director Rousseau.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To amend Contract 2C23-059 Rehabilitation of Bridge 04488 Mellen Street over Pequabuck River with Arborio Corporation in the amount of \$116,430.96 for a revised total contract value of \$2,279,473.98, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said contract.

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 Tyler, 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 10 of the Code of Ordinances being introduced this date.

On motion of Council Member Panioto and seconded by Council Member Tyler, it was unanimously voted: In accordance with Section 41(f) of the Charter of the City of Bristol, to introduce the following amendments to the Code of Ordinances; and that the time and place of Tuesday, August 6, 2024 at 4:45 p.m., in Meeting Room 1-1, City Hall, 111 North Main Street, Bristol, Connecticut be set for the holding of a public hearing thereon by the Ordinance Committee; and that the City Clerk publish notice of said public hearing and the proposed amendments to the Code of Ordinances as required by City Charter.

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

JULY 9, 2024

Sec. 10-6. Curbside collected rubbish.

The board of public works shall institute weekly curbside collection of household rubbish materials from residential dwelling units. Only materials meeting the definition of "acceptable curbside collected rubbish" can be disposed of and will be collected by the city.

Residential household rubbish (for single through five (5) residential dwelling units per building) shall be sorted and packaged as follows:

(a) Containers for household rubbish must be city issued. The department of public works will only collect rubbish contained in a city issued container.

(b) All household rubbish containers shall be placed curbside no sooner than 3:00 p.m. the day preceding the collection day nor later than 6:00 a.m. on the designated collection day. Containers shall not be placed within five (5) feet of all obstructions (parked vehicles, mail boxes, other solid waste containers, trees bushes, etc.) Empty containers shall be removed from curbside no later than twelve (12) hours after collection.

(c) Solid waste that does not meet the requirements of "acceptable curbside collected rubbish" will not be collected. Recyclable materials are not allowed in rubbish barrels. All rubbish must be placed in a bag contained within the barrel and the barrel lid must be closed.

(d) Household syringes shall be disposed of in accordance with all state and federal regulations and/or procedures established by the board of public works.

(e) No curbside acceptable recyclable materials shall be placed in the rubbish container.

(f) Barrels containing materials classified as "unacceptable curbside collected rubbish" will not be collected.

All curbside collected rubbish containers are subject to inspection by the collector and/or the city to determine proper separation and segregation of recyclable solid waste and other solid waste as set forth in this article.

City issued barrels damaged through normal wear and tear shall be repaired or replaced at city expense by the department of public works. The city provides each residential property one (1) rubbish barrel per unit. Any additional barrels can be purchased by the resident at a fee approved by the board of public works.

The director or their designee, upon receipt of notice of a violation shall give written notice to the generator of the solid waste that a violation has occurred. If warranted, the director shall issue a second notice of violation which shall advise the generator that subsequent violations shall be cause for penalties in accordance with this article, [and that future recyclable solid waste from said dwelling unit shall not be collected at the sole option of the city] and may include fines and charges by the Department of Public Works to recover the Department's cost associated with taking corrective action to comply with the City Ordinance. Penalties may include termination of solid waste curbside collection services from said dwelling, recovering

JULY 9, 2024

the cost of segregating the placement of unauthorized materials contained within the City issued curbside barrels, cost of providing properties an additional barrel to contain solid waste, and the cost of picking up solid waste displaced by overfilled barrels. Each day any violation of this section is willfully continued after official notice, from either the Director of Public Works or the Director of Health to halt or correct such violation, shall be deemed a separate offense and be penalized as such pursuant to ordinance section 1-11. The Department of Public Works reserves the right to issue and enforce all fines or penalties against the property owner associated with the assigned DPW solid waste barrel. All penalties and fines are subject to the issuance of property liens by the City of Bristol to recover costs.

All properties receiving curbside rubbish collection services as of January 1, 2018 shall be classified as residential unless otherwise defined by the board of public works the department of public works shall be authorized to suspend or cease curbside rubbish collection service to any property that does not meet the definition of residential property. Any property owner that converts a residential property to a commercial, industrial or condominium use shall notify the department of public works within thirty (30) days. Upon receipt of the said notice or an investigation performed by the department of public works determines that the property is classified as a non-residential property, the suspension or elimination of curbside rubbish collection services may result.

The board of public works reserves the right to approve owner supplied barrels such as bear proof barrels, however the barrels must meet city collection requirements and be approved by the director of public works. The purchase and repair of said barrels shall be at the owner's sole expense.

The board of public works reserves the right to establish a weight limit for all materials deposited in the city issued curbside collected rubbish barrel.

The department of public shall schedule weekly collection of all curb side collected rubbish barrels. The director of public works and the board of public may revise or alter said collection day from time to time or as required due to city holidays.

The practice of salvaging or removing materials from curb side barrels is prohibited. In addition, the placement of materials into a City-supplied barrel placed curbside is prohibited. Said material shall include the placement of bags, recycling, debris, or bulk items, but shall not include small litter items that are less than 3 inches in diameter.

The Board of Public Works may authorize the Department of Public Works curbside collection services to non-Bristol properties at a cost approved by the Department of Public Works. The service provided shall be in accordance with all applicable City ordinances and Board policies, and shall be limited to properties that are adjacent to the City line, or are in the area of an existing solid waste collection route.

(Ord. of 3-9-21)

Sec. 10-7. Curbside collected recycling.

JULY 9, 2024

The board of public works may institute bi-weekly (once every two (2) weeks) curbside collection of household recyclables materials from residential dwelling units. Only materials meeting the definition of "acceptable curbside collected recycling" can be disposed of and collected by the city.

Residential household recycling (for single through five (5) residential dwelling units per building) shall be sorted and packaged as follows:

(a) Containers for household recycling must be city issued. The department of public works will only collect recycling contained in a city issued containers.

(b) All household recycling containers shall be placed curbside no sooner than 3:00 p.m. the day preceding the collection day nor later than 6:00 a.m. on the designated collection day. Containers shall not be placed within five (5) feet of all obstructions (parked vehicles, mail boxes, other solid waste containers, trees, bushes, etc.) Empty containers shall be removed from curbside no later than twelve (12) hours after collection.

(c) Solid waste that does not meet the requirements of acceptable curb side collected recyclable materials will not be collected; All recyclable materials shall be placed in the container loose, bagging of recyclable materials is not allowed. The barrel lid must be closed.

All household curbside collected recyclable containers are subject to inspection by the collector and/or the city to determine proper separation and segregation of recyclable solid waste and other solid waste as set forth in this article.

City issued barrels damaged through by normal wear and tear shall be repaired or replaced at city expense by the department of public works. The city provides each residential property one (1) rubbish barrel per unit. Any additional barrels can be purchased by the resident at a fee approved by the board of public works.

The director or their designee, shall give written notice to the generator of the solid waste that a violation has occurred. If warranted, the director shall issue a second notice of violation which shall advise the generator that subsequent violations shall be cause for penalties in accordance with this article, [and that future recyclable solid waste from said dwelling unit shall not be collected at the sole option of the city] and may include fines and charges by the Department of Public Works to recover the Department's cost associated with taking corrective action to comply with the City Ordinance. Penalties may include termination of solid waste curbside collection services from said dwelling, recovering the cost of segregating the placement of unauthorized materials contained within the City issued curbside barrels, cost of providing properties an additional barrel to contain solid waste, and the cost of picking up solid waste displaced by overfilled barrels. Each day any violation of this section is willfully continued after official notice, from either the Director of Public Works or the Director of Health to halt or correct such violation, shall be deemed a separate offense and be penalized as such pursuant to ordinance section 1-11. The Department of Public Works reserves the right to issue and all fines or penalties against the property owner associated with the assigned DPW solid waste barrel.

JULY 9, 2024

All penalties and fines are subject to the issuance of property liens by the City of Bristol to recover costs.

All properties receiving curbside recycling collection service as of January 1, 2018 shall be classified as residential unless otherwise defined by the board of public works. The department of public works is authorized to suspend or cease curbside rubbish collection service to any property that does not meet the definition of residential property. Any property owner that converts residential property to commercial, industrial or condominiums shall notify the department of public works within thirty (30) days. Upon receipt of the said notice or an investigation performed the department of public works that determine the property is classified as a non-residential property, suspension or elimination of curb side rubbish collection services may result.

The board of public works reserves the right to approve owner supplied barrels such as bear proof barrels, however the barrels must meet city collection requirements and be approved by the director. The purchase and repair of said barrels shall be at the owner's sole expense.

The department of public shall schedule bi-weekly (once every two (2) weeks) collection of all curb side collected recycling barrels. The director of public works and the board of public works may revise or alter said collection day from time to time or as required due to city holidays.

The Board of Public Works may authorize the Department of Public Works curbside collection services to non-Bristol properties at a cost approved by the Department of Public Works. The service provided shall be in accordance with all applicable City ordinances and Board policies, and shall be limited to properties that are adjacent to the City line, or are in the area of an existing solid waste collection route.

(Ord. of 3-9-21)

b. Real Estate Committee

On motion of Council Member Tyler and seconded by Council Member Rosengren, it was unanimously voted: To authorize the Mayor or Acting Mayor to renew a lease agreement with Bristol Hospital, Inc. and/or its assigns for the benefit of the Bristol Women, Infants, and Children ("WIC") program for City owned property located at 11 Bellevue Avenue, Bristol, Connecticut for a term of one year commencing on or about July 18, 2024 through on or about July 18, 2025 with a 5% increase in rent; and to refer this matter to Corporation Counsel to effectuate the same. The total rent paid by the tenant shall be \$1,703.52 per month for a total of \$20,442.24 per year.

c. Real Estate Committee

On motion of Council Member Tyler and seconded by Council Member Olsen, it was unanimously voted: To proceed with 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. This boundary line adjustment or sale of approximately 5,124.7 +/- feet will resolve a current encroachment issue. This transfer shall have no effect on the proposed new firehouse to be built. In exchange, the City of Bristol shall receive the sum of \$3,250.00.

JULY 9, 2024

The portion of the lot to be conveyed shall merge with the property known as 64 Washington Street. It was further voted that the Mayor or Acting Mayor be authorized to sign any documents necessary to effectuate this motion and that this matter be referred to the Corporation Counsel.

7. OLD BUSINESS – None.

8. NEW BUSINESS

a. Battisto Road, Assessor's Map 3, Lot 31

Communication received from Assistant Corporation Counsel Steeg.

On motion of Council Member Tyler and seconded by Council Member Rosengren, it was unanimously voted: That the City of Bristol (landlord) give one (1) year written notice to D'Amato Associates, LLC (tenant) of its intention to terminate the lease of a portion of the property located at 75 Battisto Road, Assessor's Map 3, Lot 31, as recommended by the Animal Control Building Committee. In addition, the Bristol Water & Sewer Department may require this portion of property to address future PFAS issues. It was further voted that the Mayor or Acting Mayor be authorized to sign any documents necessary to effectuate this motion and that this matter be referred to the Corporation Counsel.

9. RESIGNATIONS

The following resignations were presented:

Carolyn Verikas – Economic and Community Development Board
Anthony Lorenzetti – Planning Commission

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:

Tax Assessor

Thomas DeNoto – Reappointment – term to 7/2028
 Confirming motion by Council Member Rosengren.
 Motion passed in voice vote.

Bristol Burlington Health District

Jack Yu – Reappointment – term to 7/27.
 Confirming motion by Council Member Olsen.
 Motion passed in voice vote.

James Moylan – Reappointment – term to 7/27.
 Confirming motion by Council Member Olsen.

JULY 9, 2024

Motion passed in voice vote.

Planning Commission

William Veits – Reappointment – term to 7/29.

Confirming motion by Council Member Panioto.

Motion passed in voice vote.

Zoning Board of Appeals

Jerald Rafaniello – Reappointment – term to 7/27.

Confirming motion by Council Member Olsen.

Motion passed in voice vote.

11. BOARD OF EDUCATION CONTRACT AMENDMENT REQUEST

- a.** Communication received from Purchasing Agent Rousseau.

On motion of Council Member Tyler and seconded by Council Member Olsen, it was unanimously voted: To amend Contract 2P23-051 Construction Manager at Risk for Northeast Middle School with D'Amato+Downes Joint Venture to remove the ability to self-perform trade work, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said contract amendment.

12. GRANTS

a. Naugatuck Valley Council of Governments – Phase II assessment and Phase III Remediation Plan for 43 East Main Street

Communication received from Grants Administrator Leger.

On motion of Council Member Thibeault and seconded by Council Member Panioto, it was unanimously voted: To authorize the Mayor or Acting Mayor to authorize an application for an Assessment grant from the Naugatuck Valley Council of Governments (NVCOG) for up to \$75,000, to perform a Phase II Assessment and Remediation Plan (Phase III) for the city-owned parcel at 43 East Main Street.

b. State and Local Cybersecurity Grant Program

Communication received from Grants Administrator Leger.

On motion of Council Member Panioto and seconded by Council Member Olsen, it was unanimously voted: To authorize the Mayor or Acting Mayor to authorize an application for a grant from the State and Local Cybersecurity Grant Program (SLCGP) for \$788,183.64, to address the area of Mitigation Commensurate with Risk; to authorize the Mayor to sign any and all contracts related to the provision of this grant and its subsequent implementation; and to refer this matter to the Board of Finance.

JULY 9, 2024

13. PUBLIC HEARING DATE FOR CITY AND TOWN DEVELOPMENT ACT

Communication received from Economic and Community Development Director Malley.

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To schedule a City Council Public Hearing prior to August 23, 2024 to consider the City and Town Development Act.

14. RESOLUTION – ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT

a. Communication received from Grant Administrator Leger.

On motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: To approve the 2024-2025 Annual Action Plan for the City of Bristol as approved by the Economic & Community Development Board on June 6, 2024, and to refer to the Board of Finance for action. *(Council Members Tyler and Thibeault recused themselves due to membership on boards listed in table as financial recipients.)*

The Resolution reads as follows –

BE IT RESOLVED: by the City Council of the City of Bristol, Connecticut, that the 2024-2025 Annual Action Plan for the Community Development Block Grant, as approved by the Economic & Community Development Board on June 6, 2024 is hereby approved, with a U.S. Department of Housing & Urban Development (HUD) allocation in the amount of \$565,213, with Subrecipient awards as delineated in the table below; and that the Mayor or Acting Mayor is hereby authorized to execute any and all documents relating to this grant including final agreements; and to submit all required documents to the U.S. Department of Housing and Urban Development for its approval and allocation of funds;

BE IT FURTHER RESOLVED: that the Year 50 CDBG Annual Action Plan be referred to the Board of Finance for action regarding the appropriation of funds, subject to final approval of the Annual Action Plan by HUD.

2024-25 Bristol Proposed CDBG Allocation -- Program Year 50

Project/Category	Amount
Housing Rehabilitation	
Residential Rehabilitation*	\$250,812
Support Staff (for Rehab program & projects)	\$125,610
Sub-Total	\$376,422
Public Service (up to 15% of new funding maximum= \$84,781)	
Boys and Girls Club - Cambridge Park Outreach	\$16,000
BristolWorks!	\$4,000

JULY 9, 2024

Grace Community Food Pantry	\$4,281
Human Resources Agency - Case Management	\$9,000
Prudence Crandall - Emergency Shelter	\$8,500
Salvation Army Bristol Corps	\$11,000
Shepard Meadows - Scholarships	\$5,000
St. Vincent DePaul Homeless Shelter	\$17,000
United Way of West Central CT -- Walsh Summer Work	\$3,000
YWCA -- Sexual Assault Crisis Services	\$4,000
Fair Housing	\$3,000
Sub-Total	\$84,781
Public Facilities Projects	\$0
Planning & Administration (up to 20% of new funding maximum=	
\$113,043)	\$104,010
GRAND TOTAL	\$565,213

\$240,000 for Single Family Residential Rehab Program, \$10,812 for Multi-Family Program.
THEN add \$55,000 from PI and Reprogrammed funds = \$305,812 for Housing Rehab

A roll call vote was taken.

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

RESOLUTION ADOPTED: YES – 4; NO – 0; ABSTAIN – 2.

15. LOCAL BRIDGE PROGRAM AGREEMENTS

a. Andrew Street Culvert

Communication received from Public Works Director Rogozinski.

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents required to execute the State/Local Bridge Program agreement to replace the Andrew Street culvert (CT Project 9017-0011).

b. Field Street Culvert

Communication received from Public Works Director Rogozinski.

JULY 9, 2024

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents required to execute the State/Local Bridge Program agreement to replace the Field Street culvert (CT Project 9017-0041).

16. EXECUTIVE SESSION TO REVIEW AN AGREEMENT BETWEEN THE CITY AND LOCAL #773, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AND TAKE NECESSARY ACTION

At 7:56 p.m., on motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To convene into Executive Session to discuss an agreement between the City and Local #773, International Association of Firefighters, and take necessary action.

Present to discuss the agreement: Mayor Caggiano; Council Members Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; and Assistant Corporation Counsels Conlin, Steeg, and Matney; and Human Resources Director Mark Penney.

Discussion was held. No votes were taken.

At 8:39 p.m., on motion of Council Member Panioto and seconded by Council Member Thibeault, it was unanimously voted: To reconvene into Public Session.

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To approve a four-year labor agreement between the City of Bristol and Local #773, International Association of Firefighters, effective July 1, 2024 through June 30, 2028, and to refer the agreement to the Board of Finance.

17. OTHER BUSINESS – None.

18. ADJOURNMENT

At 8:40 p.m., on motion of Council Member Panioto and seconded by Council Member Tyler, it was unanimously voted: To adjourn.

ATTEST:_____

Erica Cabiya
Town & City Clerk