

AUGUST 14, 2024

The regular meeting of the City Council was held on Wednesday, August 14, 2024 in the City Hall Council Chambers, 111 North Main Street at 7:14 p.m. Present: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler.

1. **CALL TO ORDER**

a. Mayor Caggiano and Council Members welcomed Mark Dickau to the Council. A moment of silence was held for Fern Gisele-Kornichuk. Patrick Nelligan was recognized for 42 years of service in the Army.

2. **APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON JULY 9, 2024 AND SPECIAL CITY COUNCIL MEETING HELD ON JULY 22, 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 July 9, 2024 and the special City Council meeting held on July 22, 2024.

3. **PUBLIC PARTICIPATION**

Michael Erosenko, 40 Palmorr Place – Congratulated Mark Dickau on winning the special election and becoming a member of City Council.

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 Olsen, it was unanimously voted: To adopt three items as part of the Consent Calendar.

a. **New Hire Report For July 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 July, 2024.

b. **Tax Refunds In the Amount of \$20,056.97**

Request presented from Tax Collector Bednaz.

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

\$ 6,381.58

Real Estate

	+ <u>13,675.39</u>
Total	\$ 20,056.97

c. Hold Harmless Agreement

Communication received from Assistant Corporation Counsel Conlin.

As part of the Consent Calendar adoption and on motion of Council Member Thibeault and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign Hold Harmless agreements in favor of Inland Commercial Real Estate Services, LLC and Winstanley Property Management, LLC, for the Bristol Police Department to conduct training exercises at 383 Middle Street, Bristol.

d. Referral of 396 Jerome Avenue to Planning Commission

Communication received from Assistant Corporation Counsel Conlin.

Council Member Olsen inquired about the purpose of acquiring this property. Purchasing Agent Rousseau explained that it is a federal grant to acquire the property and demolish the structures for flood mitigation. Public Works Director Rogozinski added that once the structures were demolished it would be designated as Open Space.

On motion of Council Member Olsen and seconded by Council Member Tyler, it was unanimously voted: To refer property known as 396 Jerome Avenue, Assessor Map 53, Lot 134-2-1 to the Planning Commission for a C.G.S. 8-24 review and report on the proposed acquisition by the City of Bristol.

e. Tax Assessment Freeze Application for 122 High Street

Communication received from Assistant Corporation Counsel Steeg.

Council Member Olsen asked how long the tax freeze lasts. Mayor Caggiano explained that this property was in poor, blighted condition and is now in good condition. The purpose of this motion is to give the current owner, who restored the condition of the property, an abatement by ordinance. The tax freeze is five years.

On motion of Council Member Olsen and seconded by Council Member Panioto, it was unanimously voted: To approve a Tax Assessment Freeze application for 122 High Street, Bristol for the rehabilitation of a blighted property with the restoration of a 10 family structure per Bristol Code of Ordinances Sec. 5-57.

f. School Readiness Grants

Communication received from School Readiness Liaison Osuch.

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Council Member Thibeault noted a \$302 increase in one of the grants listed. Mayor Caggiano stated that the state provided us with this updated information last minute.

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To accept funding from the State of Connecticut for the following School Readiness grants: Priority Grant for \$3,344,410 (updated amount), Priority CDC Infant and Toddler Expansion Grant for \$108,000, Priority Quality Enhancement Grant for \$18,756, Priority COLA for \$193,275; to refer the four grants to the Board of Finance for appropriation and any other necessary action; and to authorize the Mayor or Acting Mayor to execute any and all necessary documents related to the application, funding, and implementation of the School Readiness grants from the Connecticut Office of Early Childhood for the period of July 1, 2024 - June 30, 2025.

6. REPORTS AND COMMITTEE REPORTS

a. Mayor's Opioid Task Force

Mayor Caggiano reported that the City is using \$86,000 of the opioid settlement money, which was approved at Joint Board, for the establishment of a pilot program to re-house individuals with substance abuse, and homelessness comorbidities, who are currently encamped at Prospect Street.

b. Salary Committee

Chief Morello submitted a request for two Community Wellness Officers. The positions would be funded through tax revenue from local cannabis sales.

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To increase our sworn staffing level by two positions. These positions would be assigned as community outreach and wellness officers as described.

c. Ordinance Committee

As recommended by the Ordinance Committee and on motion of Council Member Panioto and seconded by Council Member Thibeault, 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 Section 2-80 of the Code of Ordinances being introduced this date.

On motion of Council Member Panioto and seconded by Council Member Olsen, 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, September 10, 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.

Sec. 2-80. Same—early retirement option.

Each member who shall have reached his fifty-fifth birthday and shall have at least [ten (10)] five (5) years of service shall have the option, to be exercised by a written notice to the retirement board and with the consent of the retirement board, to retire at any time thereafter. The amount of pension benefits payable to such retired member shall be computed as provided in section 2-77 of this division, except that the date of such early retirement shall be used in determining his years of service and average annual pay, and the amount thus obtained will be reduced, such reduction to be determined by the actuary in accordance with accepted actuarial practice, if such retirement benefit is to commence prior to the earliest date on which he might otherwise have qualified for retirement as specified under section 2-76 of this division. The contingent annuitant and the fifteen-year certain options provided for in section 2-78 and 2-79 of this division may be elected by a member who elects to retire early under this section, in which case the term "retirement date" shall be deemed to mean early retirement date wherever applicable in sections 2-78 or 2-79.

(Code 1960, § 47-15; Ord. of 2-4-69; Ord. of 2-2-71; Ord. of 11-5-80)

d. Ordinance Committee

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 Section 2-86 of the Code of Ordinances being introduced this date.

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 introduce the following amendments to the Code of Ordinances; and that the time and place of Tuesday, September 10, 2024 at 4:50 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.

Sec. 2-86. Vesting.

- (a) *If any member shall cease to be an employee of the city, except upon death or as a retired member, then he shall be entitled to a return of all of his own contributions under this division plus regular interest thereon compounded annually, as provided under section 2-75 of this division. In lieu of such return of contributions, however, any member who shall elect to leave his contributions in the retirement fund shall be entitled at his normal retirement date, if he shall then be living and if such contributions are left in the retirement fund, to the following percentage of the amount of pension benefit as computed under the provisions of section 2-77 of this division, such percentage to depend upon the number of his years of service as an employee of the City of Bristol, except that the date of his termination of employment shall be used in determining his years of service and average annual pay. For the purposes of this section, "normal retirement date" shall mean the earliest date on which*

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the member might otherwise have qualified for retirement according to section 2-76 of this division.

<i>Years of Service</i>	<i>Percent of Accrued Benefit Vested</i>
0 to [10] <u>less than 5</u>	0
[10] <u>5</u> or more	100

- (b) *Anything contained herein to the contrary notwithstanding, in no event shall the vested benefit to which the terminated member is entitled be of lesser value than the amount of his own contributions; including interest as hereinabove provided, at the date of his termination of employment, as determined in accordance with accepted actuarial practice. Any terminated member, by written notice filed with the retirement board, may elect at any time to withdraw his own contributions to the retirement fund plus regular interest thereon compounded annually. Any such terminated member who shall so elect to withdraw his own contributions shall have no further rights whatsoever in and to any benefits under this division.*

(Code 1960, § 47-16; Ord. of 2-4-69; Ord. of 2-2-71; Ord. of 11-5-80)

e. Ordinance Committee

On motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: to adopt amendments to Chapter 10, Solid Waste, Article I, In General, Secs. 10-6 and 10-7 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.

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 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

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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 works shall schedule weekly collection of all curbside collected rubbish 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 practice of salvaging or removing materials from curbside 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.

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 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 curbside 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's 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. 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 classifies as a non-residential property, 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. The purchase and repair of said barrels shall be at the owner's sole expense.

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The department of public works shall schedule bi-weekly (once every two (2) weeks) collection of all curbside 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)

7. OLD 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 voted with one abstention: To reconsider the vote passed by the Bristol City Council on July 9, 2024 to give one (1) year written notice to terminate the lease with D'Amato Associates, LLC for the portion of city owned property located at 75 Battisto Road, Assessor's Map 3, Lot 31.

The following explanation was provided by Corporation Counsel: At the Bristol City Council on July 9, 2024, it was 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 city owned property located at 75 Battisto Road, Assessor's Map 3, Lot 31, as recommended by the Animal Control Building Committee. Said vote by the Bristol City Council was unanimous.

Since the vote by the Bristol City Council on July 9, 2024, there has been a changed situation that has developed which the Bristol City Council should now reconsider, including the renegotiation of the lease, which was the subject of the termination vote.

On motion of Council Member Tyler and seconded by Council Member Rosengren, it was unanimously voted: To stricken the Motion that was voted on by the City Council at its July 9, 2024 in its entirety and be amended as follows:

The terms of the current lease dated August 21, 2020, with D'Amato Associates, LLC (tenant) for a portion of the city owned property known as 75 Battisto Road, Assessor's Map 3, Lot 31 be modified as follows:

1. The new terms of this Lease shall be for the period of September 1, 2024 through August 31, 2031;
2. From September 1, 2024 through August 31, 2025, the rent due the City of Bristol shall be \$3,300.00 per year (\$275.00/month);
3. From September 1, 2025 through August 31, 2026, the rent due the City of Bristol shall be \$6,600.00 per year (\$550.00/month);

4. From September 1, 2026 through August 31, 2027, the rent due the City of Bristol shall be \$6,831.00 per year (\$569.25/month);
5. From September 1, 2027 through August 31, 2028, the rent due the City of Bristol shall be \$7,070.08 per year (\$589.17/month);
6. From September 1, 2028 through August 31, 2029, the rent due the City of Bristol shall be \$7,317.53 per year (\$609.79/month);
7. From September 1, 2029 through August 31, 2030, the rent due the City of Bristol shall be \$7,573.64 per year (\$631.14/month);
8. From September 1, 2030 through August 31, 2031, the rent due the City of Bristol shall be \$7,838.72 per year (\$653.23/month);
9. Tenant shall not assign the Leased Premises, or any portion thereof, without the prior written consent of Landlord. Should the Tenant sublease any portion of the Leased Premises, the Tenant shall remain as Guarantor of the lease. In addition, the Tenant shall require his tenant to obtain insurance coverage in accordance with Paragraph 7 of the modified Lease;
10. All other provisions of the August 21, 2020 Lease, which are restated in the new modified Lease, shall remain in full force and effect.

It was further moved that the Mayor, or acting Mayor, be authorized to execute any necessary documents to effectuate the same subject to review by the Corporation Counsel.

8. NEW BUSINESS

a. Concessions Contract for Rockwell Theater

On motion of Council Member Thibeault and seconded by Council Member Rosengren, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute a contract for the provision of concessions operations at the Rockwell Theater within the Bristol Arts & Innovation Magnet School with Legacy Hospitality & Entertainment Group, LLC for a one year term, subject to review by the Office of Corporation Counsel.

Council Member Thibeault and Purchasing Agent Rousseau explained that there is no financial risk with this contract, only financial gain.

9. RESIGNATIONS

The following resignations were presented:

Richard Raymond – Zoning Board of Appeals Sec. 2-9

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10. APPOINTMENTS

The following appointments were presented:

Building Code of Appeals

Michael Labarre – Reappointment – term to 8/2029.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Economic and Community Development

Elizabeth Cowdell – Appointment – term to 12/25.

Replaced Carolyn Verikas.

Confirming motion by Council Member Olsen.

Motion passed in voice vote.

Mark Dickau – Mayoral Appointment – term to 11/25.

Replaced Sebastian Panioto.

School Readiness Council

Erick Rosengren – Mayoral Appointment – term to 11/25.

Replaced Andrew Howe.

Dina Schaffrick – Reappointment – term to 8/26.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Courtney Sugarman – Reappointment – term to 8/26.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Kristina Tanguay – Reappointment – term to 8/26.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Amber Lipscomb – Reappointment – term to 8/26.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Brenda Moore – Reappointment – term to 8/26.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Valerie Pelletier – Reappointment – term to 8/26.

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Jennifer St. John – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Valerie Toner – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Michelle Herens – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Matt Baronowski – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Yesenia Fuentes – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Wendy McGrath – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Dr. Susan Lee – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Maureen Eaton – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Cecilia Garay – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Sarah Holmes – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Jillian Romann – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Donna Koser – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.

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Motion passed in voice vote.

Alyssa McGhee – Reappointment – term to 8/26.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Maegan Adams – Appointment – term to 8/2026
Replaced Michelle Fanguillo.
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Bristol Historic District Commission

Keith Elder – Appointment as alternate – term to 8/29.
Confirming motion by Council Member Rosengren.
Motion passed in voice vote.

Alicia Jennings – Appointment as alternate – term to 8/29.
Confirming motion by Council Member Rosengren.
Motion passed in voice vote.

Housing Code of Appeals

Steve Coan – Appointment as alternate – term to 6/25.
Replaced Erick Rosengren.
Confirming motion by Council Member Olsen.
Motion passed in voice vote.

Transportation Commission

Steve Coan – Appointment – term to 7/27
Replaced Maria Montelli-Tramazzo
Confirming motion by Council Member Thibeault.
Motion passed in voice vote.

Youth Commission

Ryan Broderick – Reappointment – term to 6/27
Confirming motion by Council Member Rosengren.
Motion passed in voice vote.

Deborah Ahl – Reappointment – term to 6/27
Confirming motion by Council Member Rosengren.
Motion passed in voice vote.

Jonathan Lukasiewicz – Reappointment – term to 6/27
Confirming motion by Council Member Rosengren.
Motion passed in voice vote.

Donna Osuch – Appointment – term to 8/27
 Confirming motion by Council Member Rosengren.
 Motion passed in voice vote.

Zoning Board of Appeals

Miles Jennings – Appointment as alternate – term to 7/27
 Replaced Michael Erosenko.
 Confirming motion by Council Member Thibeault.
 Motion passed in voice vote.

Richard Raymond – Reappointment – term to 7/25
 Confirming motion by Cheryl Thibeault.
 Motion passed in voice vote.

Mayoral appointments of Council assignments:

Mark Dickau to replace Sue Tyler on Diversity Council
 Mark Dickau to replace Andrew Howe on Energy Commission
 Cheryl Thibeault to replace Andrew Howe on Board of Fire Commissioners
 Mark Dickau to replace Jacqueline Olsen on Ordinance Committee
 Jacqueline Olsen to replace Andrew Howe on Park Board
 Mark Dickau to replace Cheryl Thibeault on Public Works Board
 Mark Dickau to replace Andrew Howe on Real Estate Committee
 Mark Dickau to replace Erick Rosengren on Salary Committee
 Mark Dickau to replace Andrew Howe on South Side HVAC Committee

11. ECONOMIC AND COMMUNITY DEVELOPMENT

a. Resolution – Connecticut City & Town Development Act

Communication received from Assistant Corporation Counsel Conlin.

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

On motion of Council Member Panioto and seconded by Council Member Thibeault, it was unanimously voted: To approve a Resolution enabling the City Council and City of Bristol to assume, and extend, all powers and obligations authorized under the Connecticut City and Town Development Act, Chapter 114 of the General Statutes of Connecticut, and reserving said powers and obligations of the City Council of the City of Bristol for an additional five years.

The Resolution reads as follows –

WHEREAS, on August 8, 1975, the Connecticut General Assembly passed, and the Governor signed, the City and Town Development Act, Public Act 75-2 of the July, 1975, Special Session of the General Assembly (hereinafter referred to in this resolution as the “Act”) and is amended to date; and

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WHEREAS, in order to exercise the powers conferred under the Act – for a period which cannot exceed five years – the City Council of the City of Bristol (hereinafter referred to as the “City Council”) must find and determine by resolution pursuant to Connecticut General Statute section 7-485, as amended that such conditions exist as described in the Act; and,

WHEREAS, as further conditions precedent to exercise of the powers conferred under the Act, such resolution may only be adopted after a public hearing thereof, upon at least five days’ notice published at least once in a newspaper of general circulation within the City of Bristol; and,

WHEREAS, no action in the exercise of any powers granted under the provisions of the Act can be undertaken by the City Council without the approval of each such action by the City Council, which approval must be by separate resolution adopted in accordance with the Act; and,

WHEREAS, any action taken by the City of Bristol under the provisions of the Act which required the issuance of bonds secured by general fund revenues (secured bonds may not exceed five percent of the grand list) are subject to a referendum if more than five percent of the electors so petition; and,

WHEREAS, the ability to exercise the powers conferred upon the City of Bristol by the Act is of key importance for the revitalization of the City of Bristol, and

WHEREAS, it is in the public interest that the resolution required under the provisions of the Act, as a condition precedent to the exercise of the powers conferred by the Act, be approved by the duly elected City Council; and,

WHEREAS, notice of this resolution has been placed on record at the office of the City Clerk for public inspection; and,

WHEREAS, 1) a summary of this resolution and 2) notice of a public hearing upon this resolution has been published in a newspaper of general circulation within the City of Bristol at least five days and not more than fourteen days before the aforesaid public hearing; and,

WHEREAS, a public hearing upon said resolution has been held in accordance with the provisions of the Act.

IT IS THEREFORE, HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRISTOL, that based upon the testimony at the aforesaid public hearing, materials submitted in support of this resolution, and the general knowledge of the members of this City Council, it is hereby found and determined that such conditions as referenced in the Act exist:

1. That an unreasonable number of residents of the City of Bristol are subject to hardship in finding employment and adequate, safe and sanitary housing;

2. That conditions of blight and deterioration exist in parts of the City of Bristol, and the City would substantially benefit from the renovation, rehabilitation or construction of commercial or residential properties;
3. That private enterprise is not meeting such need for employment, housing, the reduction of blight and deterioration, or the renovation, rehabilitation or construction of residential properties;
4. That the need for employment and adequate, safe and sanitary housing will be lessened and the City of Bristol will be revitalized by the exercise of the powers granted under the Act;
5. That adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, and maintenance and insurance of all development property;
6. That a feasible method exists and shall be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced as a consequence of the exercise of any power granted under the Act and such families and individuals shall not suffer disproportionate injuries as a result of action authorized by the Act for the public benefit;
7. That development property shall not be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services; and
8. That the acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development, growth and prosperity of the City of Bristol.

BE IT FURTHER RESOLVED, that prior to City Council actions taken in accordance with the provisions of the Act to issue bonds or notes, to establish reserve funds, or to exempt in whole or in part development properties from municipal property taxes, the City of Bristol must provide its written recommendation on each such action; and

BE IT FURTHER RESOLVED, that it is hereby found and declared that anything contained in this resolution to the contrary notwithstanding, it is the intention of this Council that by adopting this resolution it is conferring upon the City of Bristol, pursuant to Connecticut General Statute section 7-485, as amended, powers, rights, and obligations conferred upon municipalities under the provisions of the Act and the City of Bristol will have sufficiently complied with the Act so as to be able to exercise all the powers conferred upon municipalities under the Act; and

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BE IT FURTHER RESOLVED that this resolution shall become effective upon the passage of said resolution by the Bristol City Council for a period of five years.

A roll call vote was taken.

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

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

Corporation Counsel Krawiecki responded to Mr. Dudko’s comment from the Public Hearing by explaining that eminent domain is not connected to the City and Town Development Act.

b. Purchase and Sale Agreement Lot #6, Southeast Bristol Business Park

Communication received from Economic and Community Development Director Malley.

On motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: To authorize Mayor Jeffrey Caggiano, or Acting Mayor, to execute a Purchase and Sale Agreement and to complete the property transaction, subject to the approval of Corporation Counsel, with High Energy X-Rays International Corporation, d.b.a. HEXi Corp, or its assigns, for the sale of the Southeast Bristol Business Park property known as "Lot 6" as reflected on the map known as *Roadway Plan* from A-N Consulting Engineers dated August 2006 for the purchase price of \$156,000; and that this matter be referred to the Planning Commission for completion of a C.G.S. 8-24 Report, and to the City Council Real Estate Committee for completion of a C.G.S. 7-163e Public Hearing for the sale of municipally owned property.

12. CONTRACTS

a. Contract 2P24-099 Design of the Pequabuck River Trail Interconnecting Rockwell Park, West End, Brackett Park, Memorial Boulevard, and Middle Street

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Thibeault and seconded by Council Member Olsen, it was unanimously voted: To award Contract 2P24-099 Design of the Pequabuck River Trail Interconnecting Rockwell Park, West End, Brackett Park, Memorial Boulevard and Middle

Street to Stantec Consulting Services Inc. in an amount of \$395,000, 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.

b. Letter of Intent with Greenskies Clean Energy LLC

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Olsen and seconded by Council Member Rosengren, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute a Letter of Intent with Greenskies Clean Energy LLC as a solar development partner to enter into a non-residential renewable energy solutions ("NRES") revenue sharing agreement with the City of Bristol.

c. Amend Contract 2P23-051 Construction Manager At Risk

Communication received from Purchasing Agent Rousseau.

On motion of Council Member Rosengren and seconded by Council Member Panioto, it was unanimously voted: To amend Contract 2P23-051 Construction Manager At Risk for Construction of a New Northeast Middle School with D'Amato+Downes Joint Venture to reflect an increase in the total amount not to exceed \$11,706,923, and to authorize the Mayor or Acting Mayor to execute any documents necessary to amend the contract.

13. EXECUTIVE SESSION TO DISCUSS AND TAKE ACTION AS NECESSARY IN THE LITIGATION MATTER OF: US DISTRICT COURT, CIVIL CASE NO: 3:22cv-00378 (MPS) RAMON ANTONIO LOPEZ VS. PAUL GROMAN, ET AL.

At 8:33 p.m., on motion of Council Member Rosengren and seconded by Council Member Panioto, it was unanimously voted: To convene into Executive Session to discuss and take any action as necessary in the litigation matter of: US District Court, Civil Case No: 3:22cv-00378 (MPS) Ramon Antonio Lopez vs. Paul Groman, et al.

Present to discuss the matter: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin and Steeg; outside Counsel Keith Trumbo; and Police Chief Morello.

Discussion was held. No votes were taken.

At 8:46 p.m., on motion of Council Member Tyler and seconded by Council Member Thibeault, it was unanimously voted: To reconvene into Public Session.

On motion of Council Member Dickau and seconded by Council Member Panioto, it was unanimously voted: To resolve litigation matter, U.S. District Court Case No. 3:22cv-00378 (MPS) Ramon Antonio Lopez v. Paul Groman, et al., by settling for the amount of \$50,000.00 as

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a full and final settlement of all pending claims, and that the Corporation Counsel or his designee be authorized to execute any and all documents to effectuate resolution of this matter.

14. OTHER BUSINESS – None.

15. ADJOURNMENT

At 8:47 p.m., on motion of Council Member Dickau and seconded by Council Member Tyler, it was unanimously voted: To adjourn.

ATTEST: _____
Erica Cabiya
Town & City Clerk