

NOVEMBER 12, 2024

The regular meeting of the City Council was held on Tuesday, November 12, 2024 in the City Hall Council Chambers, 111 North Main Street at 7:10 p.m. Present: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler.

1. CALL TO ORDER**2. APPROVAL OF OCTOBER MINUTES**

On motion of Council Member Rosengren and seconded by Council Member Thibeault, it was unanimously voted: To approve the minutes of the regular meeting held on October 8, 2024 and the special meeting held on October 24, 2024.

3. PUBLIC PARTICIPATION

Logan Williams, 44 Hull Street – Expressed his dissatisfaction with the choices made by some elected officials and their political party in regards to the recent Ethics Board meetings.

Michael Petosa, 30 Walnut Street – Suggested that a guide be created to help citizens understand the Ethics Board process in order to prevent the Board from being used as a political tool in the future.

Richard Bouchard, 523 South Street – Requested help for an issue with his street caused by the installation of a water pipe.

Mike Erosenko, 40 Palmorr Place – Thanked Council members who helped to look for his missing dog, Max.

4. ANNOUNCEMENTS

Council members reported on committees, activities, and events.

5. ADOPTION OF CONSENT CALENDAR

On motion of Council Member Olsen and seconded by Council Member Rosengren, it was unanimously voted: To adopt eleven items (a – c and f – m) as part of the Consent Calendar.

a. New Hire Report For October 2024

Communication received from the Human Resources Department.

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

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b. Tax Refunds In the Amount of \$24,162.28

Request presented from Tax Collector Bednaz.

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

Motor Vehicle	\$12,196.26
Personal Property	176.73
Real Estate	+ <u>11,789.29</u>
Total	\$24,162.28

c. Change Orders for D’Amato+Downes Joint Venture for Northeast Middle School

Communication received from BOE Operations and Facilities Manager Landon.

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To approve Change Orders for D’Amato+Downes Joint Venture totaling \$102,178.29 as recommended by the Northeast Middle School Building Committee and to authorize the Mayor or Acting Mayor to execute any documents necessary to amend their contract.

d. Change Orders for D’Amato+Downes Joint Venture for Memorial Boulevard Intradistrict Arts Magnet School Committee

Communication received from BOE Operations and Facilities Manager Landon.

Purchasing Director Rousseau explained that a flood last winter was the reason for this Change Order and explained the remediation work that was completed. Council Member Thibeault asked about steps that were put into place to prevent this from happening again. Council Member Rosengren inquired about a shut off valve. Council Member Panioto asked which account the money would come from to pay this Change Order. Council Member Olsen explained that the Water and Sewer Department does have steps in place to monitor water levels.

On motion of Council Member Thibeault and seconded by Council Member Olsen, it was unanimously voted: To approve Change Order 550 for D’Amato+Downes Joint Venture totaling \$657,449.16 as recommended by the Memorial Boulevard Intradistrict Arts Magnet School Committee and to take any action necessary.

e. Change Orders for D’Amato+Downes Joint Venture for Memorial Boulevard Intradistrict Arts Magnet School Committee

Communication received from BOE Operations and Facilities Manager Landon.

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On motion of Council Member Thibeault and seconded by Council Member Olsen, it was unanimously voted: To approve Change Order 549 & 551 for D'Amato+Downes Joint Venture totaling \$0 as recommended by the Memorial Boulevard Intradistrict Arts Magnet School Committee and to take any action necessary.

f. Letter of Authorization – Northeast Middle School

Communication received from BOE Operations and Facilities Manager Landon.

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To approve the Letter of Authorization for the lowest bidders as recommended by the Northeast Middle School Building Committee based on the scope reviews by D'Amato+Downes Joint Venture and to authorize the Mayor or Acting Mayor to execute any documents necessary to amend their contract.

g. East Street Bridge Contract Amendment

Communication received from Public Works Director Rogozinski.

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute an amendment to Contract 2C24-096 with Schultz Corporation in the amount of \$85,000, increasing the contract from \$2,599,499.52 to \$2,684,499.52.

h. Solar Installation Landfill Permit Applications

Communication received from Public Works Director Rogozinski.

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute any and all federal, state, and local permit applications required to obtain authorization to install solar panels on the City's Lake Avenue landfill. Said approval includes CT DEEP landfill Stewardship Permit modification and a CT DEEP Landfill Disruption Permit.

i. North Main Street Streetscape Contract Amendment

Communication received from Public Works Director Rogozinski.

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute an amendment to Contract 2C24-042 with Martin Laviero Contracting Inc. in the amount of \$6,930.00, increasing the contract from \$2,223,588.60 to \$2,230,518.60.

j. Mellen Street Bridge Contract Amendment

Communication received from Public Works Director Rogozinski.

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As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To authorize the Mayor to execute an amendment to Contract 2C24-061 with Arborio Corporation in the amount of \$69,205.35 increasing the contract from \$2,279,473.98 to \$2,348,679.33.

k. Century Drive – Eversource Easement

Communication received from Public Works Director Rogozinski.

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To submit a referral to the City's Planning Commission in accordance with State Statute 8-24 requesting a positive referral for the City to grant an easement to Eversource Electric within the right of way of Century Drive for the purpose of installing an electrical switch gear.

l. Flock Safety – Additional Cameras

Communication received from Police Chief Morello

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To approve an agreement between Flock Safety and the City of Bristol in the amount of \$12,000 for two additional cameras and to authorize the Mayor or Acting Mayor to execute any and all documents to effect said contract.

m. Letter of Authorization – Downtown Traffic Signals

Communication received from Public Works Director Rogozinski.

As part of the Consent Calendar adoption and on motion of Council Member Olsen and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute a Project Authorization Letter with the State of Connecticut in the amount of \$179,176 to fund the design of three downtown traffic signals (North Main Street at Center Street, South Street at George Street, CT Route 72 (School Street) at Main Street).

6. REPORTS AND COMMITTEE REPORTS

a. Real Estate Committee

As recommended by the Real Estate Committee and on motion of Council Member Tyler and seconded by Council Member Olsen, it was unanimously voted:

To refer the following property to the Planning Commission for a Connecticut General Statute Section 8-24 report: Map 43, Lot 99B-1, 125 Frederick Street. The purpose of the referral is to ascertain if the City of Bristol should accept title to this property in lieu of a pending foreclosure action for back real estate taxes.

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7. **OLD BUSINESS** – None.8. **NEW BUSINESS** – None.9. **RESIGNATIONS**

The following resignations were presented:

Jordan Lopez – Diversity Council, Sec. 2-9

Maureen Eaton – School Readiness Council

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

10. **APPOINTMENTS****a. Appointment of Linda Milia as Acting Director of Human Resources**

Communication received from Human Resource Analyst Connolly.

On motion of Council Member Thibeault and seconded by Council Member Panioto, it was unanimously voted: To appoint Linda Milia as the Acting Director of Human Resources effective October 28, 2024.

The following appointments were presented:

Economic and Community Development

LaQuita Kearney Gonzales – Appointment – term to 12/24

Replaced Andrew Rasmussen-Tuller.

Confirming motion by Council Member Rosengren.

Motion passed in voice vote.

City Historian

Tom Dickau– Reappointment – term to 11/26

Confirming motion by Council Member Tyler.

Motion passed in voice vote.

Transportation Commission

Steve Coan – Appointment as Sr. Citizen at Large – term to 1/26

Confirming motion by Council Member Tyler.

Motion passed in voice vote.

Joe Hoxha – Appointment as regular member – term to 11/27

Confirming motion by Council Member Tyler.

Motion passed in voice vote.

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11. EXECUTIVE SESSION – ODELL REALTY LLC V. CITY OF BRISTOL, AGREEMENT BETWEEN THE CITY OF BRISTOL AND DEPUTY POLICE CHIEF, AND WILLIAM MASON V. CITY OF BRISTOL

At 8:02 p.m., on motion of Council Member Rosengren and seconded by Council Member Olsen, it was unanimously voted: To convene into Executive Session to discuss items a. – d. below.

a. Present to discuss and take any action as necessary on litigation matter, Superior Court Docket No.: HHB-CV-23-6078227-S Odell Realty LLC vs. City of Bristol: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Matney, and Assessor Tom DeNoto.

b. Present to discuss and take any action as necessary on litigation matter, Superior Court Docket No.: HHB-CV-23-6078228-S Odell Realty LLC vs. City of Bristol: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Matney, and Assessor Tom DeNoto.

c. Present to review and discuss an agreement between the City and Deputy Police Chief Robert Osborne and take any necessary action: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Matney, and Police Chief Mark Morello.

d. Present to discuss and take any necessary action on William Mason v. City of Bristol - Fire Department: Claim No: 7234947; DOI: 05/23/22 – Heart & Hypertension, Claim No: 7234949; DOI: 05/23/22 – Hearing Loss, and Claim No: 7152273; DOI: 02/08/21 – Right Knee: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Matney, and Attorney Nicole A. Fluckiger from McGann, Bartlett & Brown, LLC.

Discussion was held. No votes were taken.

At 8:21 p.m., on motion of Council Member Panioto and seconded by Council Member Rosengren 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 resolve litigation matter, Superior Court Docket No.: HHB-CV-23-6078227-S Odell Realty LLC vs. City of Bristol, by Stipulation for Judgment which authorizes the Assessor to adjust the Grand List value of the Property to \$10,000.00 and further to authorize the Corporation Counsel to execute the Stipulation for Judgment.

On motion of Council Member Olsen and seconded by Council Member Thibeault, it was unanimously voted: To resolve litigation matter, Superior Court Docket No.: HHB-CV-23-6078228-S Odell Realty LLC vs. City of Bristol, by Stipulation for Judgment which authorizes

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the Assessor to adjust the Grand List value of the Property to \$10,000.00 and further to authorize the Corporation Counsel to execute the Stipulation for Judgment.

No action was taken on the review of the agreement between the City and Deputy Chief Osborne.

On motion of Council Member Tyler and seconded by Council Member Thibeault, it was unanimously voted: To enter into a Full and Final settlement in the matter of William Mason v. City of Bristol for Claim No. 7234947 in consideration of a payment of Twenty Thousand (\$20,000) Dollars. This settlement resolves the outstanding Connecticut General Statutes Section 7-433c claims entitled “Benefits for Policemen or Firemen Disabled or Dead as a result of Hypertension or Heart Disease”.

It was further moved that the City of Bristol enter into a Full and Final Settlement for any and all workers’ compensation claims filed by William Mason for an additional amount of Sixty Five Thousand (\$65,000.00) Dollars. The dates of these claims are listed below, but are not limited to, are for:

May 2, 1989	December 10, 1998	April 8, 2017
May 23, 1991	February 10, 1999	February 20, 2018
August 1, 1991	November 21, 2002	October 19, 2020
November 11, 1991	July 12, 2003	February 8, 2021
January 30, 1995	February 6, 2004	May 23, 2022

It was further voted that the Mayor, Acting Mayor, Corporation Counsel or Assistant Corporation Counsel be authorized to execute the Full and Final Settlement.

12. OTHER BUSINESS – None.

13. ADJOURNMENT

At 8:25 p.m., on motion of Council Member Rosengren and seconded by Council Member Thibeault, it was unanimously voted: To adjourn.

ATTEST: _____

Erica Cabiya
Town & City Clerk