

FEBRUARY 11, 2025

The regular meeting of the City Council was held on Tuesday, February 11, 2025 in the City Hall Council Chambers, 111 North Main Street at 7:20 p.m. Present: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler.

1. **CALL TO ORDER** – Mayor Caggiano presented members of Bristol’s CERT team with the Bristol All Heart Award for their service to the city, particularly for their work in opening shelters during cold weather protocols.

2. **APPROVAL OF MINUTES**

On motion of Council Member Rosengren and seconded by Council Member Olsen, it was unanimously voted: To approve the minutes of the regular meeting held on January 14, 2025.

3. **PUBLIC PARTICIPATION**

Marion Cockayne, 93 Tuttle Road – Ms. Cockayne stated that she did not feel there was a safety issue on Tuttle Road and therefore, no need for sidewalks to be added in front of her house.

Mayor Caggiano invited her to speak at the Public Works meeting on February 20th because this topic will be on the agenda.

Diane Kosis, 20 Oak Road, Southington – Ms. Kosis played a recording of the sound from Reworld. She expressed frustration with the constant noise, and what she feels is the City’s lack of action to help residents.

Motion by Council Member Tyler and seconded by Council Member Panioto to move agenda item number seven, Old Business, to be taken up fourth on the agenda. Vote was unanimous.

4. **OLD BUSINESS**

Council Member Thibeault explained that Bristol Burlington Health District is attempting to work with Reworld to mitigate the noise. She summarized a memo from Reworld highlighting actions taken to mitigate the noise and actions that will be taken in the future.

Discussion with Ms. Kosis ensued.

5. **ANNOUNCEMENTS**

Council members reported on committees, activities, and events.

6. **ADOPTION OF CONSENT CALENDAR**

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

FEBRUARY 11, 2025

a. New Hire Report for January 2025

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 January, 2025.

b. Tax Refunds in the Amount of \$24,976.66

Request presented from Tax Collector Bednaz.

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	\$16,846.28
Real Estate	<u>+ 8,130.38</u>
Total	\$24,976.66

c. Land Use Training Report for Boards and Commissions

Communication received from City Planner Flanagan.

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 Training Report for Land Use boards and commissions pursuant to C.G.S. Section 8-4c.

d. Department of Aging \$50,000 Federal Grant

Communication received from Director of Aging Krueger.

As part of the Consent Calendar adoption and on motion of Council Member Rosengren and seconded, it was unanimously voted: To accept funding from the U.S. Department of Treasury for the following grant: Federal Grant No. SLFRP0128 in the amount of \$50,000 for the Bristol Department of Aging from the Coronavirus State and Local Fiscal Recovery Funds to help with the renovation of the parking lot; to refer this grant 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 this grant agreement.

e. Positive Referral from the Planning Commission for the City's Participation in the Highlands Conservation Region

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 Planning Commission's positive referral in support of the City of Bristol's participation in the Highland Conservation Region.

FEBRUARY 11, 2025

f. Positive Referral from the Inland Wetlands and Watercourses Agency of the Conservation Commission for the City's Participation in the Highlands Conservation Region

Communication received from Bristol Inland Wetlands and Watercourses Agency of the Conservation 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 a positive referral from the Inland Wetlands and Watercourses Agency of the Conservation Commission encouraging the City of Bristol to participate in the Highland Conservation Region.

7. 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: That the City of Bristol adopt the following enforcement policies when the owner of adjoining private property has installed structures or has personal property encroaching on City of Bristol property, then the following enforcement actions shall be taken:

1. If the encroached city-owned property has been permanently conserved as "open space" or the city-owned property has wetlands, ponds, lakes or streams, then the encroaching adjoining property owner must remove all structures and personal property off of the city-owned property;
2. If the adjoining private property owner has structures or personal property which is encroaching city-owned property not considered as "open space" or does not have wetlands, ponds, lakes or streams, then the city has two options depending on the unique circumstances of the encroachment:
 - a. The city can pursue removing all structures and personal property off of the city-owned property; or
 - b. Enter into a boundary line adjustment with the encroaching neighbor with all expenses, including but not limited to survey costs, attorney's fees, recording fees, etc. being the responsibility of the encroaching property owner.

It was further moved that this matter be referred to the Corporation Counsel to effectuate this new policy.

b. Ordinance Committee

Recommendation of Ordinance Committee to publish amendments and additions to the Bristol Code of Ordinances Chapter 19, Police, Article II. Department, Sec. 19-17. Ranks and Grades in the Police Force.

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

FEBRUARY 11, 2025

On motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: that Sec. 19-17. Ranks and grades in the police force of the Code of Ordinances of the City of Bristol, Connecticut, is hereby amended to read as follows. It was further moved that the City Clerk publish said amendments and 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.

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

Sec. 19-17. Ranks and grades in the police force.

The police department of the city shall have a police force table of organization containing but not limited to the following positions:

- (1) Chief;
- (2) Deputy chiefs;
- (3) [Lieutenants;] Captains;
- (4) [Sergeants;] Lieutenants;
- (5) [Detectives; and] Sergeants;
- (6) [Patrol officers.] Detectives;
- (7) Patrol officers.

(Code 1960, § 9-2; Ord. of 1-2-80; Ord. of 11-12-02; Ord. of 12-8-20)

c. Ordinance Committee

Recommendation of Ordinance Committee to publish amendments and additions to the Bristol Code of Ordinances Chapter 2, Administration, Article II. Officers and Employees, Division 6. Police and Fire Retirement, Sec. 2-97.3. Retirement Benefits and Their Payment – Generally.

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

On motion of Council Member Panioto and seconded by Council Member Rosengren, it was unanimously voted: that Sec. 2-97.3 Retirement benefits and their payment - Generally of the Code of Ordinances of the City of Bristol, Connecticut, is hereby amended to read as follows. It was further moved that the City Clerk publish said amendments and 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.

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

FEBRUARY 11, 2025

Sec. 2-97.3. Retirement benefits and their payment—Generally.

- (a) Each member who retired prior to April 12, 2005 shall be entitled to the benefits set forth in the ordinance at the time of the member's retirement, provided that in no event will a member's benefits be less than the benefits he or she is entitled to receive pursuant to the applicable collective bargaining agreement.
- (b) Each member who (i) retires due to normal retirement pursuant to subsection 2-97.1(a); or (ii) who is retired for disability or is a member of the veteran reserve will receive a pension in an amount equal to seventy (70) percent of his or her compensation. For purposes of this subsection, in the event that a member receives a pay out of his or her unused sick leave, compensation shall include twenty-five (25) percent of the amount of unused sick leave paid to the member.

A member's benefit payable under this subsection shall be increased as required to reflect increases in the salaries of active employees at the same rank and step the retiree held at retirement including non-bargaining [police captains] deputy chiefs. Benefits payable under this subsection to any retired police chief shall be increased as required to reflect increases in the salaries of active, full-time, non-bargaining employees as approved by the city council, but will not reflect increases in the compensation of any police chief contained in a personal employment agreement as required by Charter section 35. In no event shall an increase under this subsection exceed two and one-quarter (2.25) percent per year.

- (c) A member shall be fully vested in his or her benefit from the plan if he or she terminates employment with the city as a police officer after he or she has completed at least ten (10) years of continuous service. Such member shall receive a pension on the earlier of (i) the date he or she attains age sixty-five (65) or (ii) the date he or she would have completed twenty-five (25) years of continuous service had he or she remained employed by the city as a police officer, provided that he or she has not withdrawn his or her contributions. If a member is entitled to a pension under this subsection, he or she will receive a pension in an amount equal to two and eight-tenths (2.8) percent of his or her compensation, multiplied by his or her years of continuous service. For purposes of this subsection, compensation shall be determined as of the date the member terminated employment as a police officer, and shall not include any amount paid with respect to unused sick leave. In no event shall the vested benefit to which the terminated member is entitled be of lesser value than the amount of his or her own contributions. A member's benefit under this subsection shall not be adjusted to reflect increases in the salaries of active employees.
- (d) Notwithstanding any provision of this section to the contrary, a police officer shall not be eligible to receive a pension if:
 - (1) The member is discharged for just cause and such discharge is not reversed upon appeal, or
 - (2) The member resigns after he or she has been informed that he or she is under investigation for an offense which constitutes just cause for discharge, and he or she is not exonerated of such offense.
- (e) If a member has completed ten (10) or more years of service, and is found by a physician appointed by the city to be unable to perform the duties of his or her position due to a disability that was not incurred during the performance of his or her duties, such member shall be eligible to receive pension payments in an amount equal to two and eight-tenths (2.8) percent of his or her compensation, multiplied by his or her years of continuous

FEBRUARY 11, 2025

service. In no event shall such member's pension benefit be less than twenty-eight (28) percent of his or her compensation, or more than seventy (70) percent of his or her compensation. For purposes of this subsection, compensation shall be determined as of the date the member terminated employment as a police officer, and shall not include any amount paid with respect to unused sick leave.

- (f) If a member was not a regular member of the police force on the payroll on January 1, 1972, but was employed as a police officer during the period from July 1, 1981 to June 30, 1985, the portion of the member's benefit accrued between July 1, 1981 and June 30, 1985 shall be adjusted after retirement as described in this subsection. The amount of the adjustment of such portion of the member's benefit shall be calculated under both the cost of living adjustment provision in effect from July 1, 1981 to June 30, 1985 and the escalator clause. Such member shall be credited with an amount attributable to the method that yields the greatest adjustment in the member's benefit, but in no event will be credited with amounts under both methods. In no event shall a member's benefit be adjusted under this subsection exceed seventy (70) percent of his or her compensation, or if greater, the maximum benefit permissible on June 30, 1985 increased to reflect the applicable cost of living increases.*
- (g) If a member (or in the case of a death benefit, the surviving spouse) does not elect to have payment of his or her retirement benefit begin at the earliest date such payments could have been made, the member or surviving spouse may elect a retroactive benefit commencement date. If a member or surviving spouse so elects, he or she shall receive a retroactive payment representing amounts to which he or she was otherwise entitled treated as if benefits commenced no earlier than the earliest date on which he or she could have retired.*
- (h) A member who has retired on or after their normal retirement date shall be allowed to receive benefits pursuant to this division if such member is still employed by the city in a position not covered under this pension system. A member shall retire no later than the date such member attains age sixty-five (65).*

(Ord. of 4-10-07; Ord. of 4-9-13; Ord. of 10-10-17)

Council Member Dickau inquired about the closure of Edgewood School. Mayor Caggiano explained that he was working with the Board of Education on a solution, but the decision lies with the Board of Education.

Joan Pelkey, 353 Perkins Street – Ms. Pelkey, a staff member at Edgewood School, spoke about the working conditions and read an update that was recently sent by the Superintendent.

Council Member Dickau posed additional questions related to Bristol schools.

7. OLD BUSINESS – This item was moved up to number four on the agenda.

8. NEW BUSINESS

Council Member Dickau reported on two instances of racist and discriminatory materials encountered in the city.

FEBRUARY 11, 2025

9. RESIGNATIONS

The following resignations were presented:

Alison Willette – Diversity Council Sec. 2-9

Miles Jennings – Zoning Board of Appeals Sec. 2-9

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

10. APPOINTMENTS

The following appointments were presented:

Fire Commission

Sean Moore – Reappointment – term to 2/28

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

Public Works Board

David Hartley – Reappointment – term to 2/28.

Confirming motion by Council Member Rosengren.

Motion passed in voice vote.

Retirement Board

David Maikowski – Reappointment – term to 2/28

Confirming motion by Council Member Thibeault.

Motion passed in voice vote.

11. RESOLUTIONS

a. Communication received from Assistant Corporation Counsel Conlin.

On motion of Council Member Panioto and seconded by Council Member Thibeault, it was unanimously voted: To approve a resolution authorizing the Mayor of the City of Bristol to execute and deliver in the name of the city an easement to the Connecticut Light and Power Company dba Eversource Energy, and to do any and all other acts to effectuate the same.

The Resolution reads as follows –

RESOLVED, that the City of Bristol grant and convey to The Connecticut Light and Power Company dba Eversource Energy, a corporation chartered by the General Assembly of the State of Connecticut and having its principal office in the Town of Berlin, in the State of Connecticut, its successors and assigns, permanent rights for the installation, maintenance and repair of electric (and gas) lines over, under and across land of the Company situated in the City of Bristol and State of Connecticut, as set forth in the proposed easement presented to this meeting, which is hereby ordered filed with the records of this meeting; and

FEBRUARY 11, 2025

BE IT FURTHER RESOLVED, that Jeffrey Caggiano, the Mayor of the City of Bristol be and he hereby is authorized to execute and deliver in the name of the City of Bristol 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 Dickau		
“ ” Olsen		
“ ” Panioto		
“ ” Rosengren		
“ ” Thibeault		
“ ” Tyler		
Mayor Caggiano		

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

b. Communication received from Public Works Director Rogozinski.

On motion of Council Member Thibeault and seconded by Council Member Dickau, it was unanimously voted: To approve a resolution authorizing the Mayor to sign any and all documentation required for the city to enter into and participate in the Highlands boundary as maintained by the U.S. Fish and Wildlife Service for the Highlands Conservation Act grant program.

The Resolution reads as follows –

WHEREAS, the Highlands regions, encompasses more than three million acres of Pennsylvania, New York, New Jersey, and Connecticut; and

WHEREAS, the Highlands region is an area of national significance, possessing substantial natural beauty, containing contiguous forest and productive farmland, numerous cultural and historic sites, plentiful recreation opportunities, and the protection and supply of important drinking water sources for over fifteen million people; and

WHEREAS, the U.S. Congress, in bipartisanship, passed the Highlands Conservation Act, Public Law 10-421 that was signed into law by the President of the United States on November 30, 2004, designating the Highlands as a significant national conservation priority region; and

WHEREAS, the Highlands Conservation Act authorizes the Secretary of the Interior and the Secretary of Agriculture to provide financial assistance to Highlands States to preserve and protect high priority conservation land in the Highlands region; and

WHEREAS, the United States Fish and Wildlife Service manages a voluntary grant program to assist Highlands States, local units of government, and private forest and farm landowners in the conservation of land and natural resources in the Highlands region in coordination with willing sellers; and

FEBRUARY 11, 2025

WHEREAS, land preservation efforts in the Highlands region should link the parks, historic sites, wetlands, wildlife habitats, streams, rivers, reservoirs, watershed, trails, scenic and natural lands and other protected areas unique to the region for the enjoyment of future generations; and

NOW THEREFORE BE IT RESOLVED that the City of Bristol supports being officially included in the federal Highlands boundary, as maintained by the U.S. Fish and Wildlife Service for the Highlands boundary as maintained by the U.S. Fish and Wildlife Service for the Highlands Conservation Act grant program, thereby qualifying for financial and technical assistance provided by the U.S. Congress.

City of Bristol support shall include authorization for the Mayor to sign any and all documentation required for the City to enter into and participate in the Highlands boundary as maintained by the U.S. Fish and Wildlife Service for the Highlands Conservation Act grant program.

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.

12. MUNICIPAL GRANTS-IN-AID RE-CERTIFICATION

- a.** Communication received from Assistant Corporation Counsel Conlin.

On motion of Council Member Thibeault and seconded by Council Member Olsen, it was unanimously voted: To authorize the Mayor to certify to the State of Connecticut Office of Policy and Management, the municipal grant in aid in the amount of \$4,856,624.00 for the 2025 Fiscal Year.

13. CONTRACT 2P21-026B RENOVATION AND IMPROVEMENTS AT CITY HALL

- a.** Communication received from Public Works Director Rogozinski.

On motion of Council Member Rosengren and seconded by Council Member Thibeault, it was unanimously voted: To authorize the Mayor to execute a contract amendment in the amount of \$57,500 to Contract 2P21-026B - City Renovation and Improvements at City Hall with Quisenberry Arcari Malik, LLC. Said amendment increases the contract from \$1,611,096 to \$1,668,596.

FEBRUARY 11, 2025

14. EXECUTIVE SESSION

At 8:43 p.m., on motion of Council Member Olsen and seconded by Council Member Tyler, it was unanimously voted: To convene into Executive Session.

a. Present to discuss and take any action as necessary on the matter of Laurie Carter v. City of Bristol, WCC# 7087388: Mayor Caggiano; Council Members Dickau, Olsen, Panioto, Rosengren, Thibeault, and Tyler; Corporation Counsel Krawiecki; Assistant Corporation Counsels Conlin, Steeg, and Matney.

Discussion was held. No votes were taken.

At 8:51 p.m., on motion of Council Member Rosengren and seconded by Council Member Thibeault it was unanimously voted: To reconvene into Public Session.

On motion of Council Member Tyler and seconded by Council Member Olsen, it was unanimously voted: that the City of Bristol enter into a Full and Final Settlement in the matter of Laurie Carter v. City of Bristol for Workers' Compensation claim #7087388 for the total amount of Fifty Thousand (\$50,000.00) Dollars. The dates of these claims are listed below, but are not limited to the following: June 11, 2007, January 29, 2009, and February 1, 2011.

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

15. OTHER BUSINESS – None.

16. ADJOURNMENT

At 8:53 p.m., on motion of Council Member Thibeault and seconded by Council Member Panioto, it was unanimously voted: To adjourn.

ATTEST: _____

Erica Cabiya
Town & City Clerk