

JUNE 9, 2020

The regular meeting of the City Council was held on June 9, 2020 in the City Hall Council Chambers, 111 North Main Street at 7:04 p.m. Present: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado.

1. MOMENT OF REFLECTION FOR PERSONAL CONCERNS AROUND COUNTRY AND WORLD.

Mayor Zoppo-Sassu requested a Moment of Reflection for everybody's personal concerns around the country and the world.

2. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING ON MAY 12, 2020.

On motion of Council Member Hahn and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting on May 12, 2020.

3. PUBLIC PARTICIPATION.

Ronetta Stokes stated that June 29th was Chronic Migraine Awareness Day. She explained that migraines are a debilitating neurological disorder that can affect people differently with varying symptoms. She noted that awareness and support was important.

Mayor Zoppo-Sassu presented Ms. Stokes with a Proclamation naming June as Migraine Awareness Month.

4. ADOPTION OF CONSENT CALENDAR.

On motion of Council Member Fortier and seconded, it was unanimously voted: To adopt the six matters as part of the Consent Calendar.

5. NEW HIRE REPORT FOR MAY, PLACED ON FILE.

Communication presented from the Human Resources Department.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To place on file the New Hire Report for the month of May, 2020.

6. MOTOR VEHICLE, PERSONAL PROPERTY AND REAL ESTATE TAX REFUNDS IN AMOUNT OF \$43,569.99, APPROVED.

Request presented from the Tax Collector.

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

Motor Vehicle	\$ 6,653.05
Personal Property	9.13
Real Estate	<u>36,907.81</u>
Total	\$ 43,569.99

7. CONTRACT 2C20-076 PERMANENT PATCHING OF UTILITY TRENCHES IN CITY STREETS TO WILLIAM M. LAYDON CONSTRUCTION, LLC FOR \$85,950, APPROVED.

Communication from the Purchasing Agent regarding the permanent patching of utility trenches in City streets.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2C20-076 Permanent Patching of Utility Trenches in City Streets to William M. Laydon Construction, LLC in the amount of \$85,950 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

8. ACCEPTANCE OF BRISTOL STORM WATER CONTROL TRUST ANNUAL REPORT FOR CALENDAR YEAR 2019.

Communication received from the Chairman of the Bristol Storm Water Control Trust regarding their 2019 Annual Report.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To accept the 2019 Bristol Storm Water Control Trust Annual Report.

9. AUTHORIZATION FOR DEPARTMENT OF PUBLIC WORKS TO CONTINUE FULL SERVICES TO FORMALLY UNACCEPTED PORTION OF BIRD ROAD, APPROVED.

Communication from the Director of Public Works to maintain the Department of Public Works services for a portion of Bird Road.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To authorize the Department of Public Works to continue in perpetuity the current policy of providing full Department of Public Works services to the southern/formally unaccepted portion of Bird Road. Said services shall include the collection of refuse & recycling, pavement repairs & resurfacing along with snow removal and winter ice treatments.

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10. CONTRACT AMENDMENT FOR SOUTH SIDE SCHOOL HVAC PROJECT WITH WESTON AND SAMPSON FOR \$55,950, APPROVED.

Recommendation presented from the South Side School HVAC Replacement Building Committee.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: Resolved, to amend a contract with Weston and Sampson in the amount of \$55,950 regarding the South Side School HVAC project.

11. AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO NEGOTIATE AND ENTER INTO LEASE AGREEMENT WITH BRISTOL HOSPITAL, INC. FOR BENEFIT OF BRISTOL WIC PROGRAM FOR 11 BELLEVUE AVENUE AND WITH BRISTOL HOSPITAL, INC. FOR BENEFIT OF BRISTOL PARENT AND CHILD CENTER FOR 51 HIGH STREET, APPROVED.

As recommended by the Real Estate Committee and on motion of Council Member Hahn, Chair and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to negotiate and enter into a lease agreement with Bristol Hospital, Inc. and/or its assigns for the benefit of the Bristol Woman Infant Child (“WIC”) program for City owned property located at 11 Bellevue Avenue, Bristol, Connecticut for a term of one year commencing on or about June 15, 2020 through on or about June 15, 2021. The total rent paid by the Tenant shall be \$1,500 per month or \$18,000 per year.

It was also voted to authorize the Mayor or Acting Mayor to negotiate and enter into a lease agreement with Bristol Hospital, Inc. and/or its assigns for the benefit of the Bristol Parent and Child Center for City owned property located at 51 High Street, Bristol, Connecticut for a term of one year commencing on or about June 15, 2020 through on or about June 15, 2021. The total rent paid by the Tenant shall be \$1,500 per month or \$18,000 per year.

It was further voted to refer this matter to the Corporation Counsel’s Office to effectuate the same.

12. REQUEST TO SELL CITY OWNED PROPERTY LOCATED ON GINA STREET REFERRED TO REAL ESTATE COMMITTEE, PLANNING COMMISSION, AND BOARD OF PUBLIC WORKS FOR REVIEW.

On motion of Council Member Hahn and seconded, it was unanimously voted: To bring to the table an item regarding an email about Gina Street.

Council Member Hahn explained he received a request from Vincent Verrillo regarding purchasing a triangular parcel on Gina Street.

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As recommended by the Real Estate Committee and on motion of Council Member Hahn, Chair and seconded, it was unanimously voted: To refer the request to sell City owned property located on Gina Street to the Real Estate Committee, the Planning Commission pursuant to a Connecticut General Statutes Sec. 8-24 review, and the Board of Public Works for review.

13. EXCLUSIVE RIGHT TO SELL LISTING CONTRACT WITH KELLER WILLIAMS REALTY FOR LOT 35C GLENN STREET, APPROVED.

On motion of Council Member Hahn and seconded, it was unanimously voted: To bring to the table an item regarding Glenn Street.

Council Member Hahn explained that Lot 35C Glenn Street was combined with Lot 35B Lake Avenue and Lot 35D Glenn Street to make the City owned property more marketable for sale.

Council Member Barney stated that she preferred the Request for Proposal process and would vote against this process.

As recommended by the Real Estate Committee and on motion of Council Member Hahn, Chair and seconded, it was voted: That the City of Bristol enter into an Exclusive Right to Sell Listing Contract with Keller Williams Realty for the property known as Lot 35C Glenn Street. Lot 35B Lake Avenue, Lot 35D Glenn Street and Lot 35C Glenn Street having been merged into Lot 35C Glenn Street. Said Listing Agreement to commence on June 10, 2020. It was further voted to refer this matter to the Corporation Counsel to prepare and/or review any necessary documents and to authorize the Mayor, or Acting Mayor to execute any necessary documents to effectuate the same.

(Council Member Barney voted "No".)

14. PUBLIC HEARING SCHEDULED FOR JUNE 30, 2020 REGARDING A PURCHASE AGREEMENT WITH D'AMATO REALTY ONE, LLC FOR PORTION OF PROPERTY LOCATED AT ASSESSOR'S MAP 4, LOT 17 ENTERPRISE DRIVE AND AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO ENTER INTO A PURCHASE AGREEMENT.

On motion of Council Member Hahn and seconded, it was unanimously voted: To bring to the table an item regarding D'Amato Realty One, LLC.

As recommended by the Real Estate Committee and on motion of Council Member Hahn, Chrm., and seconded, it was unanimously voted: To schedule a public hearing pursuant to Connecticut General Statutes Sec. §7-163e on June 30, 2020 at 5:00 p.m. in the City Hall Council Chambers, City Hall, 111 North Main Street, Bristol regarding entering into a purchase agreement with D'Amato Realty One, LLC for a portion of City owned property located at Assessor's Map 4, Lot No. 17 Enterprise Drive, Bristol, Connecticut. It was also voted to authorize the Mayor or Acting Mayor to enter into a purchase agreement and execute any necessary documents.

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15. APPROVAL TO ELIMINATE PARKS OFFICE COORDINATOR EFFECTIVE JUNE 10, 2020.

Mayor Zoppo-Sassu explained that this job elimination was due to the continuing effort to reorganize and align the merging of the Parks and Recreation and the Youth and Community Services departments.

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To eliminate the position of Parks Office Coordinator, effective June 10, 2020 and to refer this matter to the Board of Finance for informational purposes.

16. CHANGE OF TITLE AND JOB DESCRIPTION OF RECREATION AND OUTREACH COORDINATOR (COMMUNITY ENGAGEMENT COORDINATOR-NEW TITLE) IN DEPARTMENT OF PARKS, RECREATION, YOUTH AND COMMUNITY SERVICES, EFFECTIVE JUNE 10, 2020, APPROVED.

As recommended by the Salary Committee and on motion of Council Member Fortier, Chair and seconded, it was unanimously voted: To approve a change of title and job description of the Recreation and Outreach Coordinator (Community Engagement Coordinator-new title) in the Department of Parks, Recreation, Youth and Community Services, effective June 10, 2020.

17. APPROVAL TO ELIMINATE POSITION OF LIGHT TRUCK DRIVER AND ADD POSITION OF PARK MAINTAINER IN DEPARTMENT OF PARKS, RECREATION, YOUTH AND COMMUNITY SERVICES, EFFECTIVE JUNE 10, 2020.

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To eliminate the position of Light Truck Driver and add a position of Park Maintainer in the Department of Parks, Recreation, Youth and Community Services, effective June 10, 2020 and to refer this matter to the Board of Finance for informational purposes.

18. AMENDMENT TO BRISTOL CODE OF ORDINANCES SEC. 15-41 THROUGH SEC. 15-45, DIVISION 1, POSSESSION OF ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE, ADOPTED.

On motion of Council Member Preleski and seconded, it was unanimously voted: To bring on the table an item from the Ordinance Committee.

As recommended by the Ordinance Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: To amend and adopt the Bristol Code of Ordinances Sec. 15-41 through Sec. 15-45, Division 1 – POSSESSION OF

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ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE. It will be effective upon the expiration of fourteen days of its newspaper publication, and reads as follows –

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

ARTICLE III. - ALCOHOLIC LIQUOR

DIVISION 1. – Reserved. [POSSESSION OF ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE

Sec. 15-41. - Intent.

The city council finds that the unregulated possession of alcoholic liquor by persons under the age of twenty-one (21) is detrimental to the general welfare, health and safety of the citizens of the city, and especially its youth.

Sec. 15-42. - Definitions.

Alcoholic liquor shall have the same meaning as the same term is defined in Title 30, Chapter 545, Section 30-1 of the Connecticut General Statutes.

Host shall mean to organize a gathering of two (2) or more persons, or to allow the premises under one's control to be used with one's knowledge for a gathering of two (2) or more persons, for personal, social or business interaction.

Sec. 15-43. - Possession of alcoholic liquor restricted.

No person under the age of twenty-one (21) shall possess any container of alcoholic liquor, whether opened or unopened, within the city except when accompanied by or in the presence of his or her parent, legal guardian, or spouse who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property.

Sec. 15-44. - Restrictions regarding hosting of event or gathering at which alcoholic liquor is present.

No person shall host an event or gathering at which alcoholic liquor is consumed by or dispensed to any person who has not attained the age of twenty-one (21) years unless said person is accompanied by or in the presence of his or her parent, legal guardian, or spouse who has attained the age of twenty-one (21) years. This prohibition shall apply to any event or gathering within the city, whether conducted on public or private property.

Sec. 15-45. - Restrictions regarding sale or delivery of alcoholic liquor.

Except as provided in section 15-43 above, no person shall sell or deliver alcoholic liquor to any person under the age of twenty-one (21) within the city.]

Sec. 15-41 – Sec. 15-45 Reserved.

19. NO ACTION TAKEN ON REQUEST TO PURCHASE REDSTONE HILL ROAD PROPERTY.

Communication presented from neighboring residents of 560 and 594 Redstone Hill Road.

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Council Member Barney stated that neighbors of 560 and 594 Redstone Hill Road suggested the City purchase the property for use as a park. She noted the owner does not have the property for sale.

20. REFERRAL TO CITY ARTS & CULTURE COMMISSION AND DIVERSITY COUNCIL TO EXPLORE INTERSECTION OF ARTS, CULTURE, DIVERSITY AND MEET JOINTLY TO DISCUSS AREAS WHERE THEY CAN WORK TOGETHER.

Council Member Barney suggested that Bristol facilitate conversations about diversity and inclusivity between the City Arts & Culture Commission and the Diversity Council.

On motion of Council Member Barney and seconded, it was unanimously voted: To refer to the City Arts & Culture Commission and the Diversity Council to explore the intersection of arts, culture, and diversity and to meet jointly to discuss areas where the Commission and Council can work together.

21. RESIGNATIONS.

The following resignations were presented:

Ethan Grabowski, Youth Commission.

Michael LaMothe, Board of Finance.

Richard Lacey, Full-time Assistant Corporation Counsel, effective June 27, 2020.

Jeffrey Steeg, Part-time Assistant Corporation Counsel.

On motion of Council Member Hahn and seconded, it was unanimously voted: To place on file the resignations and send letters of thanks to Ethan Grabowski and to Michael LaMothe.

22. APPOINTMENTS.

The following appointments were presented:

ASSISTANT CORPORATION COUNSEL (FULL-TIME)

Jeffrey Steeg – Appointment, effective June 28, 2020 – unexpired term to September, 2024.
Replaced Richard Lacey.

Confirmation motion by Council Member Preleski.

Motion passed in voice vote.

ASSISTANT CORPORATION COUNSEL (PART-TIME)

Richard Lacey – Appointment, effective June 28, 2020 – unexpired term to November, 2021.
Replaced Jeffrey Steeg.

Confirmation motion by Council Member Hahn.

Motion passed in voice vote.

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COMMISSION FOR PERSONS WITH DISABILITIES

Tracy Dragon Beland – Reappointment – term to June, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Gloria Ewings – Reappointment – term to June, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Greg Klimek – Reappointment – term to June, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

ECONOMIC AND COMMUNITY DEVELOPMENT

Michael Zammett – Appointment – unexpired term to December, 2022.

Replaced Robert Passamano.

Confirmation motion by Council Member Hahn.

Motion passed in voice vote.

BOARD OF FINANCE

Nicholas Jones, Jr. – Reappointment – term to June, 2024.

Confirming motion by Council Member Preleski.

Motion passed in voice vote.

Ron Burns – Reappointment – term to June, 2024.

Confirming motion by Council Member Preleski.

Motion passed in voice vote.

BRISTOL HISTORIC DISTRICT COMMISSION

Lanita Thomas, alternate member – Appointment – unexpired term to January, 2021.

Replaced Larry Nelson.

Confirmation motion by Council Member Hahn.

Motion passed in voice vote.

YOUTH COMMISSION

Ramon Peters, Under 21 Years of Age – Appointment – unexpired term to March, 2021.

Replaced Ethan Grabowski.

Confirmation motion by Council Member Hahn.

Motion passed in voice vote.

ZONING BOARD OF APPEALS

Richard Balsam – Appointment – unexpired term to July, 2020.

Replaced Morris Rippy Patton IV.

Confirmation motion by Council Member Hahn.

Motion passed in voice vote.

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ZONING COMMISSION

Louise Provenzano – Reappointment – term to June, 2023.

Confirmation motion by Council Member Fortier.

Motion passed in voice vote.

23. RESOLUTION AUTHORIZING MAYOR OR ACTING MAYOR TO EXECUTE 2020 BULLETPROOF VEST PARTNERSHIP GRANT TO U.S. DEPARTMENT OF JUSTICE, ADOPTED.

Communication presented from Police Chief Gould regarding the 2020 Bulletproof Vest Partnership grant for \$20,370 and a City match of \$10,185.

Council Member Barney moved and it was seconded: That the following Resolution be adopted –

BE IT HEREBY RESOLVED that the filing of an application for the 2020 Bulletproof Vest Partnership Grant to the U.S. Department of Justice is hereby approved and that the Mayor, Ellen Zoppo-Sassu, or Acting Mayor, and the Chief of Police or Acting Chief of Police are hereby authorized to execute such application and any and all other documents relating to this funding/grant, including but not limited to any final funding/grant documents, and that the previous execution and filing of said application by the Chief of Police are hereby ratified.

BE IT FURTHER RESOLVED that this matter be referred to the Board of Finance for any necessary action.

A roll call vote was taken.

<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney		
“ ” Fortier		
“ ” Hahn		
“ ” Kelley		
“ ” Preleski		
“ ” Rosado		
Mayor Zoppo-Sassu		

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

24. MAYOR OR ACTING MAYOR AUTHORIZED TO SIGN NECESSARY DOCUMENTS TO SETTLE CLAIM AGAINST MORGAN MOVERS FOR \$7,107.65 FOR DAMAGE TO VOTING BOXES IN NOVEMBER, 2019.

Communication from the Asst. Corporation Counsel Steeg regarding damage to voting boxes at the November, 2019 election.

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On motion of Council Member Fortier and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign and execute any necessary documents in order to settle a claim against Morgan Movers for the total amount of \$7,107.65 for the damages caused to voting boxes at the November, 2019 election and to refer this matter to the Office of the Corporation Counsel to effectuate the same.

25. RESOLUTION REGARDING A RESTATED INTER-COMMUNITY AGREEMENT FOR RESOURCE RECOVERY FACILITY OPERATING COMMITTEE, ADOPTED.

Communication presented from the Public Works Director regarding a Restated Inter-Community Agreement for the Resource Recovery Facility Operating Committee.

Council Member Fortier moved and it was seconded: That the following Resolution be adopted –

WHEREAS, Conn. Gen. Stat. Section 22a-221 grants all municipalities of the State of Connecticut with the authority to enter into inter-community agreements to manage municipal solid waste; and

WHEREAS, in accordance with that statutory authority, the Resource Recovery Facility Operating Committee (the "BRRFOC") was formed pursuant to the 1985 Inter-Community Agreement between the municipalities of Berlin, Branford, Bristol, Burlington, Hartland, New Britain, Plainville, Plymouth, Prospect, Seymour, Southington, Warren, Washington, and Wolcott (the "Municipalities"),

WHEREAS, the 1985 Inter-Community Agreement has been amended from time to time,

WHEREAS, the Municipalities are currently jointly engaged in the disposing of solid waste and managing recyclables pursuant to the Municipal Solid Waste Disposal and Recycling Services Agreement ("MSW & Recycling Agreements") and dated December 21, 2012 as amended; and

WHEREAS, the Municipalities desire to continue contractual relationships to provide the residents and businesses of their municipalities with solid waste disposal services in their capacity as members of the BRRFOC by way of a newly restated inter-community agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City of Bristol having complied with all of its municipal and other applicable requirements to enter into the newly restated inter-community agreement, authorizes its chief elected official or chief executive officer to execute the agreement and to do such other lawful things as are necessary to enter into the agreement on behalf of the City of Bristol.

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A roll call vote was taken.

<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney		
“ ” Fortier		
“ ” Hahn		
“ ” Kelley		
“ ” Preleski		
“ ” Rosado		
Mayor Zoppo-Sassu		

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

26. REQUEST TO LEASE PORTION OF CITY OWNED PROPERTY MAP 3 LOT 31 AND APPROXIMATELY 1.5 ACRES AT 75 BATTISTO ROAD REFERRED TO REAL ESTATE COMMITTEE, PLANNING COMMISSION, BOARD OF PUBLIC WORKS, AND BOARD OF WATER COMMISSIONERS FOR REVIEW.

Communication from the Director of Public Works regarding a request to lease a portion of Battisto Road to D’Amato Associates LLC.

On motion of Council Member Hahn and seconded, it was unanimously voted: To refer to the Real Estate Committee, Planning Commission pursuant to the requirements of Connecticut General Statutes Sec. 8-24, Board of Public Works, and Board of Water Commissioners for review the request from D’Amato Associates LLC to lease a portion of City owned property identified as Map 3 Lot 31 and approximately 1.5 acres located on 75 Battisto Road with access from Vincent P. Kelly Road.

27. EXECUTIVE SESSION TO DISCUSS LITIGATION MATTER CITY OF BRISTOL VS. TSKP STUDIO, LLC, ET AL, DOCKET NO. HHD-CV17-6084696-S.

On motion of Council Member Barney and seconded, it was unanimously voted: To bring on the table an Executive Session item regarding the Greene Hills School HVAC system.

At 8:31 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To convene into Executive Session to discuss the litigation matter involving claims of the City of Bristol with respect to the HVAC system at Greene Hills School, City of Bristol vs. TSKP Studio, LLC, et al, Docket No. HHD-CV-6084696-S.

Present to discuss the litigation matter of City of Bristol vs. TSKP Studio, LLC et al, Docket No. HHD-CV17-6084696-S: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Conlin, Assistant Corporation Counsel Lacey, and Assistant Corporation Counsel Steeg; and Attorney Lawrence Rosenthal, by teleconference.

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Discussion was held. No votes were taken.

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

28. ADJOURNMENT.

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

ATTEST: _____

Therese Pac
Town & City Clerk