

APRIL 13, 2021

The regular meeting of the City Council was held on April 13, 2021 in the City Hall Council Chambers, 111 North Main Street at 7:09 p.m. Present: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado.

1. MOMENT OF REFLECTION FOR RAMADAN.

Mayor Zoppo-Sassu requested a Moment of Reflection recognizing the Muslim month of Ramadan.

2. RECOGNITION OF BRISTOL CENTRAL HIGH SCHOOL 2020 BOYS BASKETBALL TEAM.

Council Member Kelley congratulated the Bristol Central High School 2020 Boys Basketball Team on winning the CCC Championship. Head Coach Tim Barrette summarized the team's accomplishments and presented plaques to the team members.

3. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING ON MARCH 9, 2021 AND SPECIAL CITY COUNCIL MEETING ON MARCH 25, 2021.

On motion of Council Member Preleski and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting on March 9, 2021 and the special City Council meeting on March 25, 2021.

4. PUBLIC PARTICIPATION.

Jeff Caggiano, 27 Cricket Hill Road commented on term limits for municipal elected officials.

James Ritchie, 27 Matilda Drive (by videoconference) stated the citizens made their choice on term limits. The Court should make the decision to eliminate them.

Andrew Howe, 70 John Avenue (by videoconference) questioned when the Louisiana Avenue bridge would be finished.

Hailey Gendron, 10 Dudley Street (by videoconference) requested information on the recent shootings in Bristol.

5. PUBLIC HEARING TO RECEIVE INPUT ON CHARTER REVISION DRAFT REPORT SCHEDULED FOR MAY 13, 2021.

On motion of Council Member Fortier and seconded, it was unanimously voted: To move the agenda item regarding the Charter Revision Draft Report up on the agenda.

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On motion of Council Member Hahn and seconded, it was unanimously voted: To schedule a City Council public hearing to receive input on the Charter Revision Draft Report for May 13, 2021.

6. DISCUSSION REGARDING CHARTER OVERHAUL INCLUDED ON MAY 13, 2021 CITY COUNCIL AGENDA.

Council Member Fortier stated the Charter Revision Commission recommended retaining a professional to undertake a major overhaul of the City Charter prior to the next Charter Revision Commission. She noted some language was antiquated and does not reflect how business is conducted.

Mayor Zoppo-Sassu reiterated that the Charter language should be modernized in a user friendly way. She stated further that job descriptions, job duties, procedures, and promotional processes included in the Charter should be reviewed.

On motion of Council Member Fortier and seconded, it was unanimously voted: To include on the May 13, 2021 City Council agenda an item regarding a discussion to overhaul the City Charter with the assistance of a Charter Revision expert or consultant.

7. AUTHORIZATION FOR MAYOR TO SUBMIT LETTER TO STATE LEGISLATIVE DELEGATION REQUESTING ASSISTANCE REGARDING TERM LIMITS.

Mayor Zoppo-Sassu provided background on the issue of term limits that were approved by the voters in 2013. She suggested contacting Bristol's State legislative delegation to amend the State Statutes to rectify the lack of appropriate authority.

Corporation Counsel Clift explained that the City does not have a Special Act allowing term limits which were approved by voters in the 2013 election. He explained further how the discussion on this matter came about and prompted him to hire outside counsel to perform a study of case law. He concluded that if this matter goes uncorrected it could set a precedent which could be exploited in the future to rule the activities of the citizens.

Mayor Zoppo-Sassu read the following letter:

"Dear Senator Martin and Representatives Betts, Ziogas and Pavalock:

At tonight's City Council meeting, the members voted on a Resolution to request that you introduce legislation in order to allow municipalities to enact term limits if they so choose.

As I am sure you are aware, the process that the City's Charter Revision Commission followed in 2013 was done without the appropriate authority, and the City Council needs to take action to rectify this by ensuring that the City has the appropriate authority from the State Legislature in order to honor the wishes of the electorate that voted for term limits in 2013.

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Thus, in addition to sending the issue back to the voters for corrective action which we will do, we also request legislative consideration that might result in our ability to reenact municipal term limits. In consultation with our legal staff and Charter Revision expert Attorney Steven Mednick, we believe that approaching the Legislature and asking them to amend the CGS 7-148 sections would be the most expeditious manner in order to achieve this goal.

Please do not hesitate to contact my office or Corporation Counsel Wyland Dale Clift if you require any additional information.”

On motion of Council Member Fortier and seconded, it was unanimously voted: To authorize the Mayor to submit correspondence to the State Legislative Delegation asking for their assistance in providing an appropriate remedy regarding term limits.

8. ADOPTION OF CONSENT CALENDAR.

Council Member Hahn requested removing from the Consent Calendar the item regarding Contract 2C21-063 Rooftop Air Handling Unit at Board of Education Administration.

Council Member Preleski requested removing from the Consent Calendar the item regarding Contract 2C21-059 Pump Park Within Rockwell Park.

Council Member Barney requested removing from the Consent Calendar the item regarding Contract 2C21-056 Rehabilitation of Bridge 04105 Memorial Boulevard Over Pequabuck River.

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

9. NEW HIRE REPORT FOR MARCH, 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 March, 2021.

10. MOTOR VEHICLE AND REAL ESTATE TAX REFUNDS IN AMOUNT OF \$43,684.75, APPROVED.

Request presented from the Tax Collector.

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	\$13,871.33
Real Estate	<u>29,813.42</u>
Total	\$43,684.75

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11. RECOMMENDATION FROM WATER AND SEWER DEPARTMENT REGARDING SIX CITY OWNED PARCELS, PLACED ON FILE.

Recommendation from the Water and Sewer Department regarding six City owned parcels.

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 recommendation from the Water and Sewer Department regarding having no use for 801 Burlington Avenue, Lot #175/63 Dutton Avenue, 43 East Main Street, Lot #88 Kilmartin Avenue, Lot #102 Kilmartin Avenue, and Lot #12 Waterbury Road.

12. APPROVAL OF THIRD AMENDMENT TO SITE LICENSE AGREEMENT WITH OPTION WITH YOUGHIOGENY COMMUNICATIONS – NORTHEAST, LLC (T-MOBILE) FOR ADDITIONAL CELLULAR EQUIPMENT ON PRINCETON DRIVE WATER STORAGE TANK.

Recommendation from the Water and Sewer Department regarding the Third Amendment to Site License Agreement with Option with Youghiogeny Communications – Northeast, LLC (T-Mobile).

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To approve the Third Amendment to Site Lease Agreement with Option between the City of Bristol and Youghiogeny Communications – Northeast, LLC (T-Mobile) for additional cellular equipment on the Princeton Drive Water Storage Tank and to authorize the Mayor or Acting Mayor to sign any and all documents necessary.

13. CONTRACT 2P21-052A ON-CALL ENGINEERING SERVICES FOR MECHANICAL, ELECTRICAL, AND PLUMBING OPERATIONS AWARDED TO LOUREIRO ENGINEERING ASSOCIATES, INC. THROUGH MARCH 31, 2024.

Communication from the Purchasing Agent regarding on-call engineering services to assist in expediting miscellaneous projects within City buildings.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P21-052A to Loureiro Engineering Associates, Inc. in accordance with the schedule of hourly rates provided by said firm, for the period through March 31, 2024 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

14. CONTRACT 2P21-052B ON-CALL ENGINEERING SERVICES FOR MECHANICAL, ELECTRICAL, AND PLUMBING OPERATIONS AWARDED TO VAN ZELM, HEYWOOD & SHADFORD, INC. THROUGH MARCH 31, 2024.

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Communication from the Purchasing Agent regarding on-call engineering services to assist in expediting miscellaneous projects within City buildings.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P21-052B to Van Zelm, Heywood & Shadford, Inc. in accordance with the schedule of hourly rates provided by said firm, for the period through March 31, 2024 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

15. CONTRACT 2P21-052C ON-CALL ENGINEERING SERVICES FOR MECHANICAL, ELECTRICAL, AND PLUMBING OPERATIONS AWARDED TO E D M SERVICES INC. THROUGH MARCH 31, 2024.

Communication from the Purchasing Agent regarding on-call engineering services to assist in expediting miscellaneous projects within City buildings.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P21-052C to E D M Services Inc. in accordance with the schedule of hourly rates provided by said firm, for the period through March 31, 2024 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

16. CONTRACT 2P21-052D ON-CALL ENGINEERING SERVICES FOR MECHANICAL, ELECTRICAL, AND PLUMBING OPERATIONS TO RUSSELL AND DAWSON INC. THROUGH MARCH 31, 2024, APPROVED.

Communication from the Purchasing Agent regarding on-call engineering services to assist in expediting miscellaneous projects within City buildings.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P21-052D to Russell and Dawson Inc. in accordance with the schedule of hourly rates provided by said firm, for the period through March 31, 2024 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

17. CONTRACT 2C21-062 GENERATOR REPLACEMENT AT CHIPPENS HILL MIDDLE SCHOOL TO R&C ELECTRIC LLC FOR \$89,105, APPROVED.

Communication from the Purchasing Agent regarding the generator replacement at Chippens Hill Middle School.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2C21-062 Generator Replacement at Chippens Hill Middle School to R&C Electric LLC in the amount of \$89,105 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

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18. CONTRACT 2C21-064 GENERATOR REPLACEMENT AT BRISTOL CENTRAL HIGH SCHOOL AWARDED TO LAWSON POWER SOURCE & PROPERTY MANAGEMENT, L.L.C. FOR \$59,000.

Communication from the Purchasing Agent regarding the generator replacement at Bristol Central High School.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2C21-064 Generator Replacement at Bristol Central High School to Lawson Power Source & Property Management, L.L.C. in the amount of \$59,000 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

19. AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO SIGN AGREEMENT FOR 457 RECORDKEEPING SERVICES WITH ICMA RC (MISSIONSQUARE RETIREMENT), APPROVED.

Communication from the Comptroller regarding the City's 457 Deferred Compensation Plans and the City's effort to lower the costs associated with said plans.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents associated with the agreement for 457 recordkeeping services with ICMA RC (MissionSquare Retirement) and refer to Corporation Counsel for review.

20. CONTRACT B21-032 BRISTOL PUBLIC LIBRARY PLASTER REPAIR AWARDED TO ARCHITECTURAL STONE, LLC FOR \$72,250.

Communication from the Purchasing Agent regarding the plaster repairs at the Bristol Public Library.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract B21-032 Bristol Public Library Plaster Repair to Architectural Stone, LLC in the amount of \$72,250 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

21. CONTRACT 2C21-049 BCHS UST REPLACEMENT PROJECT AND BEHS UST REMOVAL PROJECT AWARDED TO RIVCO CONSTRUCTION, LLC FOR \$235,635.

Recommendation presented from the Board of Education Operations Committee regarding UST Replacement Project at BCHS and the UST Removal Project at BEHS.

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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 award Contract 2C21-049 for the BCHS UST Replacement Project and the BEHS UST Removal Project to Rivco Construction, LLC in the amount of \$235,635 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary.

22. APPROVAL OF CONTRACT TO MORRIS & MCDANIEL, INC. TO ADMINISTER THREE PROMOTIONAL TESTING PROCESSES FOR CITY OF BRISTOL FIRE DEPARTMENT.

Communication from the Human Resources Director regarding a Contract to allow for three promotional testing processes for the City of Bristol Fire Department.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To approve the Contract with Morris & McDaniel, Inc. to administer three promotional testing processes for the City of Bristol Fire Department and to authorize the Mayor or Acting Mayor to execute.

23. CONTRACT 2C21-050 FOR PHASE II OF SSS HVAC PROJECT AWARDED TO ALL STATE CONSTRUCTION, INC. FOR \$318,000.

Recommendation presented from the South Side School HVAC Replacement Committee.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2C21-050 to All State Construction, Inc. in the amount of \$318,000 for Phase II of the SSS HVAC Project and to authorize the Mayor or Acting Mayor to execute, subject to Board of Finance approval.

24. APPROVAL OF BRRFOC FIRST AMENDMENT TO ACCEPTABLE RECYCLABLES PROCESSING AGREEMENT AND AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO EXECUTE.

Communication from the Assistant Corporation Counsel Conlin regarding the BRRFOC First Amendment to Acceptable Recyclables Processing Agreement.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To approve the BRRFOC First Amendment to Acceptable Recyclables Processing Agreement as attached, and to authorize the Mayor or Acting Mayor to execute the Agreement on behalf of the City of Bristol.

25. CONTRACT 2C21-045 PAGE PARK PAVILION RENOVATIONS AND IMPROVEMENTS AWARDED TO DIVERSITY CONSTRUCTION GROUP LLC FOR \$236,000.

Communication from the Purchasing Agent regarding the renovations and improvements to the Page Park Pavilion.

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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 award Contract 2C21-045 Page Park Pavilion Renovations and Improvements to Diversity Construction Group LLC in the amount of \$236,000 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

26. CONTRACT 2C21-063 ROOFTOP AIR HANDLING UNIT AT BOARD OF EDUCATION ADMINISTRATION AWARDED TO ACTION AIR SYSTEMS, INC. FOR \$163,649.

Communication from the Purchasing Agent regarding the rooftop air handling unit at the Board of Education Administration building.

Council Member Rosado clarified the contract amount of \$163,649 and Action Air Systems, Inc. as the vendor.

On motion of Council Member Rosado and seconded, it was unanimously voted: To award Contract 2C21-063 Rooftop Air Handling Unit at Board of Education Administration to Action Air Systems, Inc. in the amount of \$163,649 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

27. CONTRACT 2C21-056 REHABILITATION OF BRIDGE 04105 MEMORIAL BOULEVARD OVER PEQUABUCK RIVER AWARDED TO TRADEMARK CONTRACTORS, LLC FOR \$2,670,229.75.

Communication from the Purchasing Agent regarding the replacement of the Memorial Boulevard Bridge over the Pequabuck River.

Council Member Barney stated the bridge rehabilitation would honor the soldiers who fought in overseas wars since 9/11.

On motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2C21-056 Rehabilitation of Bridge 04105 Memorial Boulevard Over Pequabuck River to Trademark Contractors, LLC in the amount of \$2,670,229.75 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

28. CONTRACT 2C21-059 PUMP PARK WITHIN ROCKWELL PARK AWARDED TO COUNTRY GARDENS OF BRISTOL, LLC FOR \$60,100.

Communication from the Purchasing Agent regarding the construction of a hard surface Pump Park for biking or boarding within Rockwell Park.

On motion of Council Member Fortier and seconded, it was voted: To award Contract 2C21-059 Pump Park within Rockwell Park to Country Gardens of Bristol, LLC in the amount of \$60,100 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

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(Council Member Preleski “Abstained” from voting on this matter since the vendor was his client.)

29. EXCLUSIVE RIGHT TO SELL LISTING CONTRACT WITH KELLER WILLIAMS REALTY FOR LOT 12 WATERBURY ROAD, APPROVED.

Council Member Hahn stated a neighbor expressed interest in purchasing Lot 12 Waterbury Road. To provide transparency, the Real Estate Committee decided to list the property so other people had an opportunity to bid.

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 to sell Lot #12 Waterbury Road. It was also 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.

30. AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO RENEW LEASE AGREEMENT WITH BRISTOL HOSPITAL, INC. FOR BENEFIT OF BRISTOL WIC PROGRAM FOR 11 BELLEVUE AVENUE, 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 renew 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, 2021 through on or about June 15, 2022. The total rent paid by the Tenant shall be \$1,500 per month or \$18,000 per year. It was also voted to refer this matter to the Corporation Counsel’s Office to effectuate the same.

31. AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO ACCEPT CONDEMNATION AMOUNT OF \$20,000, FROM STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR CITY OWNED PROPERTY 176 SCHOOL STREET, APPROVED.

Mayor Zoppo-Sassu noted that the State of Connecticut was in the acquisition phase of this project which would continue through the fall.

As recommended by the Real Estate Committee and on motion of Council Member Hahn, Chairperson and seconded, as amended, it was unanimously voted: To authorize the Mayor or Acting Mayor to accept the condemnation amount of Twenty Thousand Dollars (\$20,000) from the State of Connecticut, Department of Transportation for 4,520 +/- square feet of City owned property known as 176 School Street. The purpose of the condemnation of 4,520 +/- square feet of 176 School Street is to allow the State of Connecticut, Department of Transportation to complete the project known as Major Intersection Improvements on Route 72 at Route 69. It was further voted to refer this matter to the Corporation Counsel to effectuate this motion.

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32. CHANGES TO WAGES AND HEALTH CARE COST SHARING FOR NON-BARGAINING EMPLOYEES EFFECTIVE JULY 1, 2021, APPROVED.

As recommended by the Salary Committee and on motion of Council Member Fortier, Chair and seconded, it was unanimously voted: To approve changes to the wages and health care cost sharing for non-bargaining employees effective July 1, 2021 and to refer this matter to the Board of Finance for informational purposes.

33. AMENDMENTS TO BRISTOL CODE OF ORDINANCES SECTION 5-19 PERTAINING TO BUILDING FEES, ADOPTED.

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. 5-19 pertaining to Building Fees. 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.

Sec. 5-19. - Fees.

- (a) *Generally*. No permit to begin work for new construction, alteration, removal, demolition or other building operation shall be issued until the fees prescribed in this section shall have been paid to the building official or other authorized municipal agency, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid. The City of Bristol, the Bristol Board of Education, and the Bristol Water Department shall not be required to pay any fees under this section provided that the City of Bristol, the Bristol Board of Education or the Bristol Water Department has secured third-party review of plans by a licensed engineer or architect. This exemption does not apply to the State-mandated education fee required on each building permit application pursuant to C.G.S. § 29-263. Notwithstanding the foregoing, where work to be performed by or on behalf of the City of Bristol, the Bristol Board of Education, or the Bristol Water Department is funded by revenue bonds or grant funds and permit fees are allowable as a reimbursable expense, then such applicable permit fees shall be charged.
- (b) *Special fees*. The payment of the fee for the construction, repair, alteration, removal or demolition and for all work done in conjunction with or concurrent with work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are described further in this section or by ordinance in regards to plumbing permits, heating permits, electrical permits, sewer excavation or street opening permits, erection of signs and display structures, marquees or other appurtenant structures, certificates of use and occupancy or other privileges or requirements, both within and without the jurisdiction of the department of building inspection. All of the following fee charges to include the State of Connecticut Education fee amount which will be charged in addition to the city fees.

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- (c) *Square foot area.* For the determination of any permit fee based on square foot area, such area shall be computed taking the extreme measurements from outside walls and including garages, breezeways and the like.
- (d) *Right of inspector to ask subcontractors for actual cost.* It will be the right of the inspector to ask for an affidavit as to the actual cost of the job and the subcontractor shall be responsible for additional permit fees for the difference between the estimated and actual costs.
- (e) *Reserved.*
- (f) *Fees for new construction.* The fee for a building permit for all new construction excluding all subcontracts such as plumbing, heating, electrical, etc. on residential building including covered decks and covered stairs, shall be at the rate of eighty cents (\$0.80) per square foot of area. On commercial or industrial building, said fee shall be at the rate of one dollar (\$1.00) per square foot of area. Area will be computed by taking the ground floor times the number of stories. The fee for accessory buildings, garages, open breezeways, decks, greenhouses, sheds, rigid frame or steel skeletal buildings for truck, heavy equipment or all-purpose storage, shall be at the rate of forty cents (\$0.40) per square foot of area. The minimum permit fee shall be twenty-five dollars (\$25.00). There will be no maximum fee. Fees may be waived in accordance with section (a), above. Permits are required for all swimming pools, for which the minimum permit fee shall be twenty-five dollars (\$25.00). A twenty-five dollar (\$25.00) fee shall be charged for all open decks under two hundred (200) square feet of area, which are not more than thirty (30) inches above grade at any point and are not attached to the dwelling or main structure. Open decks shall be anchored to resist wind induced uplift and dislocation.
- (g) *Fees for subcontractor permits.* Fees for permits for licenses issued by the state occupational licensing boards will be based on the estimated costs of the proposed work as follows:
 - (1) Estimated cost up to \$1,000.00: \$25.00 permit fee.
 - (2) For each additional \$1,000.00 of estimated cost or fraction thereof, add \$25.00 to permit fee.
- (h) *Alteration and moving of buildings.* The fee for a building permit for alterations to building or structures, or to move a building or structure from one lot to another or to a new location shall be based on the estimated cost of foundation and all work necessary to place the building or structure in its completed condition at its new location as follows:
 - (1) Estimated cost up to \$1,000.00: \$25.00 permit fee.
 - (2) For each additional \$1,000.00 of estimated cost or fraction thereof, add \$25.00 to permit fee.
- (i) *Demolition.* The fee for a permit for demolition of a building shall be based on estimated cost in accordance with the schedule (g) of this section.
- (j) *Signs.* Fees for signs for which a permit is required by the state building code shall be based on estimated cost in accordance with the schedule in subsection (g) of this section.
- (k) *Certificates of occupancy.* The fee for a certificate of occupancy of a building shall be:

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- (1) Certificates of occupancy:
 - Residential\$25.00
 - Commercial, industrial\$50.00
 - Temporary\$100.00
 - (2) Reinspection, for first, second and third reinspection\$35.00
 - (3) Reinspection, after third reinspection\$50.00
 - (l) *Certificates of approval.* The fee for certificates of approval shall be:
 - Residential\$25.00
 - Commercial, industrial\$50.00
 - (m) *Zoning permit fee*\$25.00
 - (n) *Fences.* The fee for fences erected on any property in Bristol shall be based upon estimated cost in accordance with the schedule (g) of this section plus the zoning permit fee.
- (Code 1960, § 33-5; Ord. of 5-2-72; Ord. of 10-3-78; Ord. of 3-10-86; Ord. of 3-9-92; Ord. of 5-9-00; Ord. of 4-12-05; Ord. of 7-10-07; Ord. of 7-9-13; Ord. of 11-12-14; Ord. of 4-12-16; Amend. eff. 11-29-19)

34. PUBLIC HEARING SCHEDULED FOR MAY 4, 2021 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 7-17 PERTAINING TO OPEN BURNING REQUIREMENTS.

As recommended by the Ordinance Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: To authorize a Public Hearing on Tuesday, May 4, 2021 at 5:15 p.m. in the First Floor Meeting Room, City Hall, 111 North Main Street, Bristol, Connecticut on proposed amendments to the Bristol Code of Ordinances Sec. 7-17 pertaining to Open Burning Requirements and to waive the reading of the proposed amendments, but to include them as part of the minutes. The ordinance reads as follows:

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

Sec. 7-17. Open burning requirements.

(a) Preamble: Statement of Purpose: Open burning of combustible materials may create a hazard or nuisance, emissions from incomplete combustion or burning of hazardous and toxic materials pollute the air and make it difficult for persons with respiratory problems to breathe. A nuisance is considered to be the unreasonable, unwarranted, or unlawful use of a person's property which substantially interferes with the use and enjoyment of another person's property. A smoke nuisance typically occurs when wood or other combustible materials are burned in a campfire, fire pit, chiminea or similar devise which results in the release of large amounts of smoke and un-burned particulate matter.

([a]b) The following types of open burning shall be allowed only in accordance with the following standards:

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- (1) The burning of nonprocessed (Non-processed wood is considered to be any untreated natural wood up to and including rough cut lumber) wood for campfires, bonfires and other outdoor fires for ceremonial or recreational purposes; cooking fires and fires within an enclosed commercial product such as a chiminea, fire pit or patio hearth; fires within an enclosed fixed masonry structure such as stone, block or brick;
 - (2) No fire shall exceed three (3) feet in diameter and no fire shall extend beyond 1:00 a.m. The fire marshal or [fire chief] Open Burning Official may approve exceptions for emergency situations.
 - (3) Only dry, non-processed wood may be burned.
 - (4) Burning is prohibited when the State of Connecticut Forest Fire danger is High, Very High or Extreme or when conditions as identified by the Fire Marshal prohibit burning, or when the predicted State Air Quality Index is 75 or higher as reported by ct.gov/DEEP/Air/Forecasting/AQI/Air-Quality-Index.
- [(b)c] The following types of open burning shall not be allowed unless the fire marshal or [fire chief] Open Burning Official issues a permit:
- (1) Fires for the control or destruction of diseases, pests, floodplain brush and debris, vegetation management; for the control of frost and the warming of livestock;
 - (2) Fires to abate an immediate fire hazard or fires to abate a health hazard as determined by the local director of health.
- [(c)d] The following types of open burning shall not be allowed:
- (1) Processed wood (including wood that has been milled and or planed and includes recycled wood, glued wood, treated wood, pallets, crates, and/or wood scraps from these types of materials), garbage, grass, paper, metals, rubber, painted materials, demolition waste, cardboard, construction waste materials, plastic, flammable and combustible liquids, hazardous materials, paints, solvents, lacquers, varnish;
 - (2) Any other materials that are prohibited by Connecticut Statutes or regulations or materials that are deemed hazardous to burn by the fire marshal, [fire chief] Open Burning Official or senior fire official on scene.
- [(d)e] Open burning shall be conducted so as not to create a hazard or nuisance. When burning dry wood in a campfire or in one of the acceptable devices as mentioned in section (b) (1) above, the utmost caution must be exercised to prevent injury to humans and animals and damage to property. Any fire shall be considered a nonpermitted fire if it is determined to be a hazard and/or nuisance by the fire marshal, Opening Burning Official, senior fire official on scene or police officer.
- [(e)] Any fire shall be considered a nonpermitted fire if it is determined to be a hazard and/or nuisance by the fire marshal, fire chief, senior fire official on scene or police officer.]
- (f) Upon receipt of a complaint concerning any open fire, the deputy fire chief, the nearest available engine company, and a police officer shall respond to the complaint. The senior fire official on scene shall make a determination as to whether the fire shall be extinguished. The police officer shall make a determination as to whether an infraction shall be issued or whether other action shall be taken.

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(g) Violations of this section shall be an infraction punishable as provided in section 1-11 of this Code of Ordinances. Each violation shall be considered a separate offense.

(Ord. of 12-14-10)

35. APPROVAL TO AUTHORIZE MAYOR TO SUBMIT LETTER OF ENDORSEMENT TO IMAGINE NATION MUSEUM FOR STIMULUS FUNDING.

Mayor Zoppo-Sassu explained that Coral Richardson from the Imagine Nation Museum and Early Learning Child Center requested the City's endorsement supporting their proposal for stimulus funding.

On motion of Council Member Preleski and seconded, it was unanimously voted: To authorize the Mayor to submit a letter of endorsement to the Imagine Nation Museum and Early Learning Child Center of their proposal for stimulus funds.

36. APPOINTMENTS.

The following appointments were presented:

CITY ARTS & CULTURE COMMISSION

Lindsay Vignes – Reappointment – term to April, 2024.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Mark Stephen Walerysiak – Reappointment – term to April, 2024.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

April Dews – Appointment – term to April, 2024.

Confirming motion by Council Member Hahn.

Motion passed in voice vote.

HOUSING AUTHORITY OF CITY OF BRISTOL

Jeffrey Hawkes – unexpired term to December 31, 2025.

Replaced Andrew Thyme

Mayor's Appointment – No confirming motion required.

MUNICIPAL AGENT FOR ELDERLY

Patricia Tomascak – Reappointment – term to April, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

DIVERSITY COUNCIL

Marcus Patton – Appointment – no term.

Confirming motion by Council Member Barney.

Motion passed in voice vote.

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Alice Ferguson – Appointment – no term.
Confirming motion by Council Member Barney.
Motion passed in voice vote.

(Mayor Zoppo-Sassu confirmed her appointee's name as Alice Ferguson.)

BOARD OF PARK COMMISSIONERS

Malcomb Huckaby – Reappointment – unexpired term to December, 2021.
Confirming motion by Council Member Hahn.
Motion passed in voice vote.

PARKING AUTHORITY

Michael Petosa – Reappointment – term to April, 2024.
Confirmation motion by Council Member Fortier.
Motion passed in voice vote.

Patricia Beaudoin – Reappointment – term to April, 2024.
Confirmation motion by Council Member Fortier.
Motion passed in voice vote.

BRISTOL TRANSPORTATION COMMISSION

Craig Minor, Senior Citizen at Large – Appointment – unexpired term to January, 2023.
Replaced David Hartley.
Confirmation motion by Council Member Hahn.
Motion passed in voice vote.

**37. CHANGE ORDERS TO D'AMATO DOWNES, A JOINT VENTURE
TOTALING \$14,115.34 FOR MEMORIAL BOULEVARD INTRADISTRICT
ARTS MAGNET SCHOOL, APPROVED.**

Recommendation from the Memorial Boulevard Intradistrict Arts Magnet School Building Committee regarding change orders to D'Amato Downes.

On motion of Council Member Hahn and seconded, it was unanimously voted: To approve the change orders to D'Amato Downes, a Joint Venture totaling \$14,115.34 for the Memorial Boulevard Intradistrict Arts Magnet School and to authorize the Mayor or Acting Mayor to execute.

**38. APPROVAL OF GRANT APPLICATION TO THOMASTON SAVINGS
BANK FOUNDATION TO PURCHASE SUPPLIES FOR YOUTH BASEBALL
PROGRAM AND AUTHORIZATION FOR MAYOR OR ACTING MAYOR
TO EXECUTE ANY DOCUMENTS.**

Communication presented from the Grants Administrator regarding a grant application for the purchase of supplies for the youth baseball program.

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On motion of Council Member Fortier and seconded, it was unanimously voted: To approve the submission of a grant application for up to \$3,250 to the Thomaston Savings Bank Foundation, authorization for the Mayor or Acting Mayor to execute any and all documents related to this grant, and to refer the matter to the Board of Finance for any necessary action.

39. EXECUTIVE SESSION TO DISCUSS MATTERS OF WILLIAM LEONE VS. CITY OF BRISTOL, WCC#601018216, WILLIAM LEONE VS. CITY OF BRISTOL, WCC#000155318, WILLIAM LEONE VS. CITY OF BRISTOL, WCC#601042713, AND WILLIAM LEONE VS. CITY OF BRISTOL WCC#601086238.

At 8:44 p.m. on motion of Council Member Barney and seconded, it was unanimously voted: To convene into Executive Session to discuss the matters of William Leone vs. City of Bristol, WCC#601018216, William Leone vs. City of Bristol, WCC#000155318, William Leone vs. City of Bristol, WCC#601042713, and William Leone vs. City of Bristol WCC#601086238.

Present to discuss the matters of William Leone vs. City of Bristol, WCC#601018216, William Leone vs. City of Bristol, WCC#000155318, William Leone vs. City of Bristol, WCC#601042713, and William Leone vs. City of Bristol WCC#601086238: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Steeg; and Attorney Erik Bartlett by telephone.

Discussion was held. No votes were taken.

At 8:55 p.m., on motion of Council Member Hahn and seconded, it was unanimously voted: To reconvene into Public Session.

40. FULL AND FINAL SETTLEMENT IN MATTERS OF WILLIAM L. LEONE VS. CITY OF BRISTOL, WCC#601018216 AND WCC#601042713 FOR \$25,000 AND MEDICARE SET ASIDE \$63,142, APPROVED.

On motion of Council Member Fortier and seconded, it was unanimously voted: That that the City of Bristol enter into a Full and Final Settlement in the matter of William L. Leone vs. City of Bristol for WCC#601018216 (October 28, 1998) and WCC#601042713 (May 4, 2005) in consideration of a payment of Twenty Five Thousand (\$25,000) Dollars. In addition, the City of Bristol shall fund the Medicare Set Aside amount of \$63,142. 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 also voted that the City of Bristol enter into a Full and Final Settlement for any and all workers' compensation claims filed by William L. Leone for the total amount of One Hundred Fifty-Six Thousand Five Hundred (\$156,500) Dollars. The dates of these claims are listed below, but are not limited to, and are for:

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July 3, 1975	July 8, 1977	January 13, 1979	March 8, 1982
March 26, 1983	December 10, 1983	November 20, 1986	February 21, 2000
May 25, 2001	January 6, 2002	December 21, 2003	

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

41. ADJOURNMENT.

At 8:58 p.m., on motion of Council Member Barney and seconded, it was voted: To adjourn.

ATTEST: _____

Therese Pac
Town & City Clerk