

AUGUST 13, 2019

The meeting of the City Council was held on August 13, 2019 in the City Hall Council Chambers, 111 North Main Street at 7:22 p.m. Present: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, and Preleski. Council Member Rosado arrived at 7:27 p.m.

1. MOMENT OF REFLECTION FOR VICTIMS OF DAYTON AND EL PASO TERRORIST ATTACKS.

Mayor Zoppo-Sassu requested a Moment of Silence for the victims of the Dayton and El Paso terrorist attacks and all incidents in the other 250 American cities in this calendar year.

2. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING ON JULY 9, 2019 AND SPECIAL MEETING ON JULY 22, 2019.

On motion of Council Member Fortier and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting on July 9, 2019 and the special meeting on July 22, 2019.

3. PUBLIC PARTICIPATION.

Rose Ann Chatfield, member of the Friends of the Bristol Public Library summarized the mission of the organization to support the library by providing programs to the public and enhancing their personal growth. In 2008 their focus changed to provide funds to the library so the staff could research and plan programs. The Friends created mini grants that support programs and raise the funds through the sale of donated books and a memorial honor wall.

(Council Member Rosado arrived at 7:27 p.m. during this portion of the meeting.)

4. APPOINTMENTS.

On motion of Council Member Fortier and seconded, it was unanimously voted: To move appointments up on the agenda.

The following appointments were presented:

BOARD OF FINANCE

Nicolas Jones – Reappointment – unexpired term to June, 2020.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

AUGUST 13, 2019

BOARD OF POLICE COMMISSIONERS

James A. Bernier – Appointment – unexpired term to December, 2021.
Replaced Anthony D’Amato.
Confirming motion by Council Member Hahn.
Motion passed in voice vote.

ZONING BOARD OF APPEALS

Richard Raymond – Reappointment – term to July, 2022.
Confirming motion by Council Member Preleski.
Motion passed in voice vote.

NAUGATUCK VALLEY COUNCIL OF GOVERNMENTS

Raymond Rogozinski – Appointment, alternate member – no term.
Replaced Robert Flanagan.
Mayor’s Appointment – No confirming motion required.

ACTING MAYOR

Peter Kelley – Appointment – three month term to November, 2019.
Mayor’s Appointment – No confirming motion required.

FAIR HOUSING OFFICER

Annemarie Sundgren – Appointment – no term.
Replaced Eileen McNulty, retired.
Mayor’s Appointment – No confirming motion required.

INTERIM DIRECTOR OF YOUTH SERVICES

Joshua Medeiros – Appointment.
Replaced Eileen McNulty, retired.
Mayor’s Appointment – No confirming motion required.

CHIEF BUILDING OFFICIAL

Thomas Lozier – Appointment – effective August 22, 2019, term to August, 2023.
Replaced Guy Morin, retired.
Mayor’s Appointment – No confirming motion required.

5. ADOPTION OF CONSENT CALENDAR.

Council Member Fortier requested to remove from the Consent Calendar for discussion the item pertaining to the Stafford Elementary School architectural services. The other eight items on the Consent Calendar were subsequently voted on.

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

AUGUST 13, 2019

6. CONTRACT 2P19-047 ARCHITECTURAL SERVICES RELATIVE TO ROOF REPLACEMENT AT STAFFORD ELEMENTARY SCHOOL TO SILVER PETRUCELLI & ASSOCIATES, INC. FOR \$22,750, APPROVED.

Communication received from the Purchasing Agent regarding the roof replacement at Stafford Elementary School.

Council Member Fortier stated the Board of Education Operation's Committee approved pursuing solar panels for the Stafford Elementary School roof project. The State of Connecticut would reimburse a portion of the cost for solar panels associated with school roofing projects.

On motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P19-047 Architectural Services Relative to Roof Replacement at Stafford Elementary School to Silver Petrucelli & Associates, Inc. in the amount of \$22,750, to refer to the office of Corporation Counsel for contract review, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

7. NEW HIRE REPORT FOR JULY, 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 July, 2019.

8. CONTRACT 2C20-002 REPLACEMENT OF CONCRETE SLAB AT DPW GARAGE FACILITY TO D'AMATO CONSTRUCTION INC. FOR \$347,600, APPROVED.

Communication received from the Public Works Director regarding the replacement of the concrete floor at the Department of Public Works Vincent P. Kelly Road facility.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2C20-002 Replacement of Concrete Slab at DPW Garage Facility to D'Amato Construction Inc. in the amount of \$347,600 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

9. RECOMMENDATION FROM PLANNING COMMISSION TO DISCONTINUE NEWELL ROAD, PLACED ON FILE.

Recommendation presented from the Planning Commission regarding approval to discontinue Newell Road.

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

AUGUST 13, 2019

Planning Commission regarding the approval to discontinue Newell Road as there is no apparent municipal use for the property.

10. RECOMMENDATION FROM PLANNING COMMISSION REGARDING MEMORIAL BOULEVARD INTRA-DISTRICT ARTS MAGNET SCHOOL, PLACED ON FILE.

Recommendation presented from the Planning Commission regarding the recommendation of the Memorial Boulevard Intra-District Arts Magnet School.

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 Planning Commission that the substantial improvements and proposed property acquisition for the proposed Memorial Boulevard Intra-District Arts Magnet School would be consistent with the goals and policies of the 2015 Bristol Plan of Conservation and Development, amended to April 1, 2018, and specifically:

Section 8.3.1.4. – Encourage the adaptive reuse of existing vacant buildings and the redevelopment of underutilized sites.

11. CONTRACT 2P19-115 UTILITY BILLING AUDIT SERVICES TO AMERICAN TELEPHONE & UTILITY CONSULTANTS, INC. DBA AMERICAN UTILITY CONSULTANTS, APPROVED.

Communication received from the Purchasing Agent regarding the recouping of the potential excess costs billed by energy utilities.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P19-115 Utility Billing Audit Services to American Telephone & Utility Consultants, Inc. dba American Utility Consultants, to refer to the office of Corporation Counsel for contract review, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

12. CONTRACT 2P19-048 ENGINEERING SERVICES RELATIVE TO HVAC SYSTEM UPGRADES AT SOUTH SIDE ELEMENTARY SCHOOL TO WESTON & SAMPSON ENGINEERS, INC. FOR \$176,400, APPROVED.

Communication received from the Purchasing Agent regarding the HVAC improvements at South Side Elementary School.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P19-048 Engineering Services Relative to HVAC System Upgrades at South Side Elementary School to Weston & Sampson Engineers, Inc. in the amount of \$176,400, to refer to the office of Corporation Counsel for contract review, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effectuate said Contract.

AUGUST 13, 2019

13. MAYOR AUTHORIZED TO EXECUTE DOCUMENTS ASSOCIATED WITH LOCIP GRANT APPLICATION TO FUND REPLACEMENT/ CONSTRUCTION OF DOWNS STREET BRIDGE.

Communication from the Public Works Director regarding the replacement of the Downs Street Bridge in conjunction with the reconstruction of the Route 72/Memorial Boulevard and Downs Street intersection.

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 execute any and all documents associated with a LoCIP grant application to fund the replacement/ construction of the Downs Street Bridge.

14. QUALITY ENHANCEMENT GRANT AWARD FOR \$18,756 ACCEPTED AND REFERRED TO BOARD OF FINANCE.

Communication presented from the School Readiness Grant Manager regarding the Quality Enhancement Grant award.

As part of the Consent Calendar adoption and on motion of Council Member Fortier and seconded, it was unanimously voted: To accept the Quality Enhancement Grant for \$18,756 and to refer this matter to the Board of Finance for appropriation.

15. PUBLIC HEARING SCHEDULED FOR AUGUST 21, 2019 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 17-18, USE OF STREETS.

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 Wednesday, August 21, 2019 at 4:45 p.m. in the First Floor Meeting Room, City Hall, 111 North Main Street, Bristol, CT on proposed amendments to the Bristol Code of Ordinances Sec. 17-18, pertaining to the use of streets by vendors 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. 17-18. – Use of streets.

No peddler, solicitor or canvasser shall have any exclusive right to any location in the public streets, nor shall be permitted a stationary location on Main Street, North Main Street, Hope Street or Riverside Avenue between Main Street and North Main Street, or any public place unless specifically authorized to do so, nor shall be permitted to operate in any congested area where such operations might impede or inconvenience the public. For the purpose of this section, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced. Any person violating the provisions of this section shall be fined in accordance with Section 1-11 of the Code of Ordinances of the City of Bristol.

AUGUST 13, 2019

16. PROPERTY KNOWN AS LOT 35B LAKE AVENUE REFERRED TO PLANNING COMMISSION.

As recommended by the Real Estate Committee and on motion of Council Member Hahn and seconded, it was unanimously voted: To refer to the Planning Commission for a Connecticut General Statutes Sec. 8-24 report for the purpose of acquiring a certain parcel of land known as Lot 35B Lake Avenue.

17. APPROVAL TO ELIMINATE LOCAL #233 POSITIONS PAYROLL/BENEFITS ANALYST WATER DEPARTMENT AND ADMINISTRATIVE ASSISTANT/ACCOUNTANT WATER POLLUTION CONTROL AND CREATE NEW POSITION ACCOUNTING ASSISTANT/PAYROLL ANALYST WATER DEPARTMENT.

Council Member Fortier stated this change resulted from a retirement and the integration of the sewer and water departments. She noted the potential cost savings was \$40,000, excluding insurance and pension.

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To approve a request from the Superintendent of the Water Department to eliminate the Local #233 positions of Payroll/Benefits Analyst (Water Department) and Administrative Assistant/Accountant (Water Pollution Control) and to create a new position of Accounting Assistant/Payroll Analyst (Water Department) and to refer to the Board of Finance for informational purposes.

<u>Positions eliminated (Local #233)</u>	<u>Code</u>
Administrative Assistant/Accountant-WPC	6
Payroll/Benefits Analyst	6
<u>Position added (Local #233)</u>	<u>Code</u>
Accounting Assistant/Payroll Analyst	8A

18. APPROVAL OF PAY RATE INCREASES FOR ELECTION WORKERS.

Council Member Fortier explained the minimum wage would increase on October 1, 2019. The Registrars of Voters requested an increase for poll workers making minimum wage and other election workers making a daily base pay for the November election.

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To approve a request from the Registrars of Voters to increase the pay rates of the following election workers.

Deputy Registrars: \$10.50/hr. to \$12.00/hr.
 Polling location set-up crew: \$10.50/hr. to \$12.00/hr.
 Poll Workers: \$175.00 to \$200.00
 Assistant Registrars: \$250.00 to \$275.00
 Moderators: \$300.00 to \$325.00

AUGUST 13, 2019

19. RESIGNATION.

The following resignation was presented:

Patricia Tomascak, School Readiness Council.

On motion of Council Member Hahn and seconded, it was unanimously voted: To place on file the resignation.

20. APPROVAL OF ACCEPTABLE RECYCLABLES PROCESSING AGREEMENT BETWEEN BRISTOL RESOURCE RECOVERY FACILITY OPERATING COMMITTEE AND MURPHY ROAD RECYCLING, LLC.

Communication presented from Assistant Corp. Counsel Conlin regarding the Acceptable Recyclables Processing Agreement between the Bristol Resource Recovery Facility Operating Committee and Murphy Road Recycling, LLC.

Mayor Zoppo-Sassu explained the City used to receive \$9/ton credit for its recyclables, but beginning July 1, 2019, the City was charged slightly more than \$84/ton. It will impact the budget by about \$400,000.

On motion of Council Member Hahn and seconded, it was unanimously voted: To approve the Acceptable Recyclables Processing Agreement between the Bristol Resource Recovery Facility Operating Committee and Murphy Road Recycling and to authorize the Mayor to sign the Agreement on behalf of the City.

21. ADOPTION OF RESOLUTION TO PLACE QUESTION REGARDING CONTINUATION OF CONNECTICUT CITY AND TOWN DEVELOPMENT ACT TO AID AND PROMOTE ECONOMIC DEVELOPMENT ON NOVEMBER 5, 2019 BALLOT.

Communication presented from the Bristol Development Authority regarding placement of a question on the November 5, 2019 election ballot regarding the continuation of the City and Town Development Act.

On motion of Council Member Fortier and seconded, it was unanimously voted: To adopt the resolution enabling the City of Bristol to place the referendum question, "Shall the City of Bristol continue, pursuant to the City Council Resolution dated August 13, 2019, the Connecticut City and Town Development Act, which grants additional authority to aid and promote industrial and other forms of economic development?" on the November 5, 2019 election ballot and to waive the reading of the Resolution, but to include it as part of the minutes. The Resolution reads as follows:

"RESOLUTION OF THE CITY COUNCIL AND THE CITY OF BRISTOL ENABLING THE CITY OF BRISTOL TO ASSUME ALL POWERS AND OBLIGATIONS AUTHORIZED UNDER THE CONNECTICUT CITY AND TOWN DEVELOPMENT ACT, CHAPTER 114 OF THE GENERAL STATUTES OF

AUGUST 13, 2019

CONNECTICUT, AND RESERVING SAID POWERS AND OBLIGATIONS OF THE CITY COUNCIL OF THE CITY OF BRISTOL.

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

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

WHEREAS, as further conditions precedent to exercise of the powers conferred under the Act, such resolution may only be adopted after a public hearing thereof, upon at least five days’ notice published at least once in a newspaper of general circulation within the City of Bristol and upon adoption, such resolution must be submitted to the electors of the City of Bristol, at either a special election or at a regular municipal election, if such regular municipal election is held more than sixty days, but not more than one hundred twenty days, after the adoption of such resolution, and

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

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

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

WHEREAS, it is in the public interest that the resolution required under the provisions of the Act, as a condition precedent to the exercise of the powers conferred by the Act, be submitted to the electors of the City at the next regular election, and

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

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

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

AUGUST 13, 2019

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

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

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

BE IT FURTHER RESOLVED, that it is hereby found and declared that anything contained in this resolution to the contrary notwithstanding, it is the intention of this Council that by adopting this resolution it is conferring upon the City of Bristol, subject to approval of a majority of the persons voting on this resolution at the next regular municipal election all the authorities, powers, rights, and obligations conferred upon municipalities under the provisions of the Act and that upon approval of this resolution by a majority of persons voting on this resolution as aforesaid, the City of Bristol will have sufficiently complied with

AUGUST 13, 2019

the Act so as to be able to exercise all the powers conferred upon municipalities under the Act; and

BE IT FURTHER RESOLVED, that the City Clerk of the City of Bristol and the Registrars of the Voters are directed to take any and all steps necessary to place this resolution on the ballot at the next regular municipal election held subsequently to the adoption of this resolution in accordance with the provisions of the Act and section 9-369 of the Connecticut General Statutes (1958 Rev.) as amended including but not limited to warning electors, preparing ballot labels, holding the referendum and canvassing the vote on this resolution; and

BE IT FURTHER RESOLVED that this resolution shall become effective – for a period of five years – upon its approval by a majority of persons voting on this resolution at the next regular municipal election held subsequent to the adoption of this resolution by this Council.

NOW, THEREFORE, IT IS RESOLVED to place the following question relative to the continuation of the former adopted Connecticut City and Town Development Act on the ballot at the municipal election to be held on November 5, 2019;

“Shall the City of Bristol approve the City Council Resolution dated August 13, 2019 that adopts the Connecticut City and Town Development Act, which grants additional authority to aid and promote industrial and other forms of economic development?”

A roll call vote was taken.

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

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

22. AUTHORIZATION TO PREPARE EXPLANATORY TEXT FOR QUESTION REGARDING CONNECTICUT CITY AND TOWN DEVELOPMENT ACT ON NOVEMBER 5, 2019 BALLOT, APPROVED.

On motion of Council Member Mills and seconded, it was unanimously voted: To authorize the preparation of explanatory text for the question regarding the City and Town Development Act on the November 5, 2019 ballot.

AUGUST 13, 2019

23. EXECUTIVE SESSIONS TO DISCUSS WORKERS COMPENSATION MATTERS OF WILLIAM LEONE VS. CITY OF BRISTOL, WCC #601018216; RUSSELL MARCHAM VS. CITY OF BRISTOL, WCC #601022607; FRANK L. SANDERS VS. CITY OF BRISTOL, WCC #601023805; MATTER OF CITY OF BRISTOL VS. TSKP STUDIO, LLC, ET AL, DOCKET NO. X07-HHD-CV17-6084696-S; MATTER OF CITY OF BRISTOL VS. DANIEL SUTULA, DOCKET NO. HHB-CV-19-6050192-S; LITIGATION MATTER OF TWENTY THREE FAIR STREET PROPERTY, LLC VS. CITY OF BRISTOL, SUPERIOR COURT DOCKET NO. HHB-CV-18-6045155-S; AND LITIGATION MATTERS OF TERRY ENTERPRISES, LLC VS. CITY OF BRISTOL, SUPERIOR COURT DOCKET NO. CV-18-6044876-S AND TERRY ENTERPRISES, LLC VS. CITY OF BRISTOL, SUPERIOR COURT DOCKET NO. CV-19-6052555-S.

At 7:58 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To convene into Executive Sessions to discuss the Workers Compensation matters of William Leone vs. City of Bristol, WCC #601018216; Russell Marcham vs. City of Bristol, WCC #601022607; and Frank L. Sanders vs. City of Bristol, WCC #601023805; the matter of the City of Bristol vs. TSKP Studio, LLC, et al, Docket No. X07-HHD-CV17-6084696-S; the matter of City of Bristol vs. Daniel Sutula, Docket No. HHB-CV-19-6050192-S; the litigation matter of Twenty Three Fair Street Property, LLC vs. City of Bristol, Superior Court Docket No. HHB-CV-18-6045155-S; and the litigation matters of Terry Enterprises, LLC vs. City of Bristol, Superior Court Docket No. CV-18-6044876-S and Terry Enterprises, LLC vs. City of Bristol, Superior Court Docket No. CV-19-6052555-S.

Present to discuss the Workers Compensation matters of William Leone vs. City of Bristol, WCC #601018216; Russell Marcham vs. City of Bristol, WCC #601022607; and Frank L. Sanders vs. City of Bristol, WCC #601023805: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski, and Rosado; Corporation Counsel Clift; and Asst. Corporation Counsel Lacey and Asst. Corporation Counsel Steeg.

Present to discuss the matter of the City of Bristol vs. TSKP Studio, LLC, et al, Docket No. X07-HHD-CV17-6084696-S: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski, and Rosado; Corporation Counsel Clift; and Asst. Corporation Counsel Conlin, Asst. Corporation Counsel Lacey and Asst. Corporation Counsel Steeg; Comptroller Waldron; and Attorney Lawrence Rosenthal.

Present to discuss the matter of the City of Bristol vs. Daniel Sutula, Docket No. HHB-CV-19-6050192-S: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski, and Rosado; Corporation Counsel Clift; and Asst. Corporation Counsel Conlin; Assessor DeNoto; Public Works Director Rogozinski; and Attorney Barry Thompson.

Present to discuss the litigation matter of Twenty Three Fair Street Property, LLC vs. City of Bristol, Superior Court Docket No. HHB-CV-18-6045155-S: Mayor Zoppo-Sassu;

AUGUST 13, 2019

Council Members Fortier, Hahn, Kelley, Mills, Preleski, and Rosado; Corporation Counsel Clift; and Asst. Corporation Counsel Conlin; and Assessor DeNoto.

Present to discuss the litigation matters of Terry Enterprises, LLC vs. City of Bristol, Superior Court Docket No. CV-18-6044876-S and Terry Enterprises, LLC vs. City of Bristol, Superior Court Docket No. CV-19-6052555-S: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski, and Rosado; Corporation Counsel Clift; and Asst. Corporation Counsel Conlin; and Assessor DeNoto.

Discussion was held. No votes were taken.

At 9:28 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To reconvene into Public Session.

24. APPROVAL OF FULL AND FINAL SETTLEMENT OF \$88,491 WITH STRATEGIC BUILDING SOLUTIONS, LLC IN MATTER OF CITY OF BRISTOL VS. TSKP STUDIO, LLC DOCKET NO. X07-HHD-CV17-6084696-S.

On motion of Council Member Fortier and seconded, it was unanimously voted: That the City of Bristol enter into a full and final settlement agreement with Strategic Building Solutions, LLC, a defendant in the matter of the City of Bristol vs. TSKP Studio, LLC and Docket No. X07-HHD-CV17-6084696-S, in consideration of a payment to the City of Bristol of \$88,491. It was also voted to authorize the Mayor or Acting Mayor to execute any necessary documents.

25. AGREEMENT IN MATTER OF CITY OF BRISTOL VS. DANIEL P. SUTULA, DOCKET NO. HHB-CV-19-6050192-S, FAILED.

Council Member Hahn stated it was counterproductive for the City to incur the liability and expense on property that may have no resale value.

Council Member Kelley agreed with Council Member Hahn's concerns.

On motion of Council Member Hahn and seconded, it was defeated: That the matter of City of Bristol vs. Daniel P. Sutula, Docket No. HHB-CV-19-6050192-S, an action to collect real estate taxes personally from Daniel P. Sutula for unpaid real estate taxes he owes to the City for property known as Lot 20/22 Open Space on Warner Street, be settled on the following terms:

- 1) That the City acquire ownership of Lot 20/22 Open Space after obtaining a report from the Planning Commission pursuant to Sec. 8-24 of the Connecticut General Statutes.
- 2) That Daniel P. Sutula is released from all real estate tax liability owed to the City of Bristol for said Lot 20/22 Open Space.
- 3) That Daniel P. Sutula pay the City of Bristol the sum of \$3,000 towards the City's legal fees and costs in bringing this action.

(Mayor Zoppo-Sassu voted "Yes".)

AUGUST 13, 2019

26. APPROVAL OF FULL AND FINAL SETTLEMENT OF \$125,000 IN MATTER OF RUSSELL MARCHAM VS. CITY OF BRISTOL, WCC #601022607.

On motion of Council Member Preleski and seconded, it was unanimously voted: That the City of Bristol enter into a full and final settlement of workers' compensation claim in the matter of Russell Marcham vs. City of Bristol, WCC #601022607 in consideration of a payment of \$125,000 and to refer this matter to the Board of Finance for any necessary funding. It was also voted to authorize the Corporation Counsel or Assistant Corporation Counsel to execute any necessary documents to effectuate the settlement.

27. APPROVAL OF FULL AND FINAL SETTLEMENT OF \$249,900 IN MATTER OF FRANK L. SANDERS VS. CITY OF BRISTOL, WCC #601023805.

On motion of Council Member Fortier and seconded, it was unanimously voted: That the City of Bristol enter into a full and final settlement of workers' compensation claim in the matter of Frank L. Sanders vs. City of Bristol, WCC #601023805 in consideration of a payment of \$249,900 and to refer this matter to the Board of Finance for any necessary funding. It was also voted to authorize the Corporation Counsel or Assistant Corporation Counsel to execute any necessary documents to effectuate the settlement.

28. APPROVAL OF STIPULATION TO JUDGMENT IN MATTER OF TERRY ENTERPRISES VS. CITY OF BRISTOL, SUPERIOR COURT DOCKET #HHB-CV-18-6044876-S.

On motion of Council Member Mills and seconded, it was unanimously voted: That the matter of Terry Enterprises vs. City of Bristol, Superior Court Docket #HHB-CV-18-6044876-S is resolved by Stipulation to Judgment and that the Assessor is authorized to adjust the assessment on the subject property at a value of \$3,000,000 for the 2017 Grand List, with any tax overpayments being credited to future tax obligations. It was also voted to authorize the Corporation Counsel to execute the Stipulation to Judgment on behalf of the City of Bristol.

29. APPROVAL OF STIPULATION TO JUDGMENT IN MATTER OF TWENTY-THREE FAIR STREET PROPERTY, LLC VS. CITY OF BRISTOL, SUPERIOR COURT DOCKET #HHB-CV-18-6045155-S.

On motion of Council Member Kelley and seconded, it was unanimously voted: That the matter of Twenty-Three Fair Street Property, LLC vs. City of Bristol, Superior Court Docket #HHB-CV-18-6045155-S is resolved by Stipulation to Judgment, and that the Assessor is authorized to adjust the assessment on the subject property at a value of \$3,900,000 for the 2017 Grand List, with any tax overpayments being credited to future tax obligations. It was also voted to authorize the Corporation Counsel to execute the Stipulation to Judgment on behalf of the City of Bristol.

AUGUST 13, 2019

30. APPROVAL OF STIPULATION TO JUDGMENT IN MATTER OF TERRY ENTERPRISES VS. CITY OF BRISTOL, SUPERIOR COURT DOCKET #HHB-CV-19-6052555-S.

On motion of Council Member Rosado and seconded, it was unanimously voted: That the matter of Terry Enterprises vs. City of Bristol, Superior Court Docket #HHB-CV-19-6052555-S is resolved by Stipulation to Judgment and that the Assessor is authorized to adjust the assessment on the subject property at a value of \$250,000 for the 2018 Grand List, with any tax overpayments being credited to future tax obligations. It was also voted to authorize the Corporation Counsel to execute the Stipulation to Judgment on behalf of the City of Bristol.

31. ADJOURNMENT.

At 9:37 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To adjourn.

ATTEST: _____

Therese Pac
Town & City Clerk

UNOFFICIAL