

A **REGULAR MEETING** of the City Council & WPC Authority was held in the City Hall Auditorium on Monday, August 6, 2018.

Present were Mayor Elinor Carbone and City Councilors Marie Soliani, Frank Rubino, Gregg Cogswell, Paul Cavagnero, and Fred Simon. Councilwoman Anne Ruwet was absent.

Also present were Corporation Counsel Jaime LaMere, City Comptroller Alice Proulx, Public Works Director Jerry Rollett, Water Pollution Control Administrator Ray Drew, City Treasurer Dan Farley, Mayoral Aide Tim Waldron, and Lead Municipal Animal Control Officer Caitlin Nield.

Mayor Carbone called the meeting to order at 6:30 p.m.

Minutes

On a motion by Councilor Cogswell, seconded by Councilor Simon, the Council voted unanimously to accept the minutes of the Regular Meeting held July 2, 2018.

Open to the Public

On a motion by Councilor Soliani, seconded by Councilor Rubino, the Council voted unanimously to open the meeting to the public.

Michael Banziruk expressed his frustration regarding the City's sewer user fees and Inter-municipal Agreements (IMA's) with surrounding towns. He stated that non-residents should not pay less than Torrington residents for their use of the City's sanitary sewer system and stated that any discussion regarding the IMA's with Woodridge Lake Sewer District (WLSD) or other surrounding towns should be tabled until the Ordinance Committee has met.

Glenn Royals stated that the City should bond less for the Water Pollution Control Facility upgrade because the bid came in lower than previously anticipated.

Pension and OPEB Actuarial Services

On a motion by Councilor Cogswell, seconded by Councilor Soliani, the Council voted unanimously to accept the recommendation of the Finance Department to waive the City bid process and authorize the Mayor to extend the Pension and OPEB contracted actuarial services with Hooker & Holcombe, Inc. of West Hartford, CT, and have the Mayor act on behalf of the City regarding the execution of the contract and its administration.

2018/2019 Budget Amendments

On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to approve the Fiscal Year 2018/2019 budget amendments as described in City Comptroller Alice Proulx's memo dated July 17, 2018, pending Board of Finance authorization on August 21st.

WPCF Upgrade

Vote to add an item to the agenda: On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to add item number 5(A) to the agenda to vote as the City Council to accept the recommendation of the WPCA Administrator, Purchasing Agent, and the City's consulting engineers Wright-Pierce to award Bid# WPU-041040318RB – Water Pollution Control Facility Comprehensive Upgrade to C.H. Nickerson of Torrington, CT for the amount of \$54,275,900 and authorize the Mayor to execute said contract.

Councilors Rubino and Cavagnero questioned how much the WPCF upgrade would cost the City and what the impact will be on taxes in future years. Mayor Carbone stated that the debt service for the project would be funded 50 percent from the City's operating budget, and 50 percent from the WPCA budget. Mr. Drew informed the Council that a Clean Water Fund grant would cover a portion of the project, and stated that the City has requested a loan of just over \$66 million to cover the remaining expenses.

Councilor Rubino requested a breakdown of the contingency and allowances permitted in the project bid and requested that any changes to the contract come before the Board for approval. Mayor Carbone and Mr. Drew reminded Councilor Rubino that it is standard operating procedure for all payments and change orders for WPCA projects to come before the Board for approval.

Vote as Water Pollution Control Authority: On a motion by Councilor Simon, seconded by Councilor Cogswell, the Council acting herein as the Water Pollution Control Authority, voted unanimously to accept the recommendation of the WPCA Administrator, Purchasing Agent, and the City's consulting engineers Wright-Pierce to award Bid# WPU-041040318RB – Water Pollution Control Facility Comprehensive Upgrade to C.H. Nickerson of Torrington, CT for the amount of \$54,275,900 and authorize the Mayor to execute said contract.

Vote as Board of Councilmen: On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council acting herein as the Board of Councilmen, voted unanimously to accept the recommendation of the WPCA Administrator, Purchasing Agent, and the City's consulting engineers Wright-Pierce to award Bid# WPU-041040318RB – Water Pollution Control Facility Comprehensive Upgrade to C.H. Nickerson of Torrington, CT for the amount of \$54,275,900 and authorize the Mayor to execute said contract.

WPCA Payments

On a motion by Councilor Cogswell, seconded by Councilor Soliani, the Council acting herein as the Water Pollution Control Authority, voted unanimously to approve the following payments from Fund #490 Sanitary Sewer Capital Improvement, as described in Mr. Drew's memo dated July 5, 2018.

DATE	CONTRACTOR	AMOUNT\$	DESCRIPTION
6/25/2018	UKS	\$13,000.00	CWF-695 DC East Basin PLO
6/22/2018	US Bank	\$500.00	CWF-695 DC East Basin PLO
5/14/2018	Wright Pierce	\$809.40	CIP D-14 CMOM Plan

Presentation: Torrington Animal Control Facility

Mr. Waldron and Ms. Nield presented the challenges facing the Torrington regional animal control facility. They provided a brief history of the shelter and outlined plans for a new proposed facility which would meet and exceed all compliance standards governed by state statutes and regulations. Mr. Waldron reported that the design of the proposed facility is being done by Silver, Petrucelli & Associates, and is being paid for with an \$110,000 Regional Performance Incentive Grant which was awarded to the Northwest Hills Council of Governments (COG) in 2016. He said it will be the decision of the City Council and Board of Finance whether to move the project to a referendum in November.

Councilor Rubino expressed his concerns about the proposed facility being on a flood plain in close proximity to the water treatment facility. Mr. Rollett stated that the flood plain line does not go around the proposed facility and flooding is not a concern.

Councilors Rubino and Cavagnero questioned how the project would be financed. Mayor Carbone stated that Litchfield and Goshen have committed to contribute their proportional share to the construction of the new facility and explained that their proportional share is based on population size. Councilors Rubino and Cavagnero questioned whether population size provides an accurate reflection of time spent by Torrington animal control officers responding to calls in those surrounding towns. Mayor Carbone and Ms. Nield stated that it does.

Councilman Simon requested further clarification regarding the function of the COG and Mayor Carbone explained that it was a pilot program adopted in 2013, brought on by the state's effort to regionalize services that are very expensive for municipalities.

The Board discussed various opportunities for reducing the cost of building and operating the proposed facility, including additional grants and drawing resources from the schools. Mayor Carbone announced that the City Clerk's office collected \$300 during the month of June to support the animal control facility.

Release Liens

On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to accept Corporation Counsel's recommendation and authorize the Mayor, pursuant to C.G.S. §12-179, to release the liens described in Atty. LaMere's Memo dated July 23, 2018.

On a motion by Councilor Soliani, seconded by Councilor Simon, the Council voted unanimously to accept Corporation Counsel's recommendation and authorize the Mayor, pursuant to C.G.S. §12-179, to release the liens described in Atty. LaMere's Memo dated August 6, 2018.

Tax Collector Refunds

On a motion by Councilor Soliani, seconded by Councilor Cogswell, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the four tax refunds indicated on the list dated July 16, 2018.

On a motion by Councilor Cogswell, seconded by Councilor Simon, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the 18 tax refunds indicated on the list dated August 6, 2018.

Acting herein as the Water Pollution Control Authority, on a motion by Councilor Cogswell, seconded by Councilor Soliani, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the sewer usage fee refund indicated on the list dated August 6, 2018.

Building

On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to accept the Building Department's report for June, 2018.

On a motion by Councilor Cogswell, seconded by Councilor Soliani, the Council voted unanimously to approve the request by Maraia Building and Remodeling, LLC to authorize a building permit refund of \$2,118 for a project that will no longer commence at 1520 Torrington West Street, to be paid to the property owner, per Torrington Code of Ordinances §85-4(C).

Business by Dept. Heads

On a motion by Councilor Rubino, seconded by Councilor Cogswell, the Council voted unanimously to consider business by Department Heads. No business was reported.

Comments for the Good of the Order

On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to consider comments for the good of the order by the Mayor and Council Members.

Mayor Carbone announced that the City Hall Auditorium will be open as a cooling center on Tuesday, August 7th until 4:00 p.m. She congratulated the Torrington Little League team for winning the CT state championship and competing in the East regional tournament in New Jersey. Mayor Carbone also congratulated Drakeville VFD Chief Mike Maccalous for 50 years of service and announced that the City and Board of Public Safety are beginning interviews for the Police Department Chief position. She reported that she recently had a productive meeting with Congressman Larson and announced that the final Main Street Marketplace event of the summer will take place at Coe Memorial Park on August 16th. Additional announcements included D.A.R.E. Cruise Night on Friday, August 10th, Purple Heart observances on Tuesday, August 7th, and the Republican and Democratic Primaries on Tuesday, August 14th.

Open to the Public for Agenda Items Only

On a motion by Councilor Rubino, seconded by Councilor Cogswell, the Council voted unanimously to open the meeting to the public to discuss agenda items only.

Ray Bottass questioned why Torrington does not post all of its meeting announcements in the newspaper. Councilor Rubino stated that he believes the reason is to save the City money and City Clerk Carol Anderson volunteered to mail Mr. Bottass a copy of meeting agendas.

Executive Session: Motion Failed

On a motion by Councilor Cogswell, seconded by Councilor Soliani, the Council acting herein as the Water Pollution Control Authority, discussed entering into Executive session, pursuant to C.G.S. §1-200(6)(E) and C.G.S. §1-210(b)(1), to discuss draft intermunicipal agreements for the discharge of sewage from real property lying outside the bounds of the City into the City sewage system.

Councilor Cogswell requested confirmation that there would not be any action taken pertaining to IMA's following the Executive Session and Mayor Carbone confirmed that she does not intend for any action to be taken. Councilman Cavagnero questioned why there would be an Executive Session regarding IMA's before the Ordinance Committee has met. Mayor Carbone explained that WLSA is under an order from the Department of Public Health and stated that the purpose of the Executive Session is to get some marching orders from the Board before contract negotiations go any further.

Councilors Cavagnero and Rubino stated that they would vote against entering into Executive Session. Mayor Carbone called the vote and the motion to enter into Executive Session failed with two votes in favor (Councilors Cogswell and Soliani) and three opposed (Councilors Simon, Rubino, and Cavagnero).

Adjournment

On a motion by Councilor Rubino, seconded by Councilor Cogswell, the Council voted unanimously to adjourn the meeting at 8:06 p.m.

Respectfully submitted by
Jonathan R. Draper, Asst. City Clerk

ATTEST:

Carol L. Anderson

CAROL L. ANDERSON, MMC
CITY CLERK