

A **REGULAR MEETING** of the City Council and Water Pollution Control Authority (WPCA) of the City of Torrington was held at the City Hall Auditorium on Monday, June 5, 2023. Present at the City Hall Auditorium were Mayor Elinor Carbone, City Councilors Drake Waldron, Anne Ruwet, Armand Maniccia, and Paul Cavagnero. Also, present at City Hall were Attorney Jaime LaMere, Public Works Director Ray Drew, City Engineer Paul Kundzins, Treasurer Dan Farley, Fleet Manager Emil Castro, and WPCA Administrator Edward Tousey. Joining via Zoom were Corporation Counsel Victor Muschell, City Comptroller Robin Stanziale, Economic Development Director Rista Malanca, and City Councilors David Oliver and Keri Hoehne.

Mayor Carbone called the meeting to order at 6:36 p.m.

Roll Call Vote: Fair Rent Commission Ordinance

On a motion by Councilor Ruwet, seconded by Councilor Maniccia, the Council voted unanimously by roll call vote to adopt the Code of Ordinances Chapter 24, "*Fair Rent Commission*". Councilor Ruwet said that there have been many edits made to the Ordinance and it is required for municipalities of 25,000 or more to have a Fair Rent Commission in place by July 1, 2023. She went on to say that they received good public comments and suggestions at the Public Hearing, however, decided to keep the Ordinance simple and let the Commission add regulations and procedures later.

Councilor Hoehne arrived at 6:39 p.m.

Councilor Maniccia reiterated that the Ordinance Subcommittee can change the Ordinance later if necessary. See addendum 1.

Roll-Call Vote: NAA 2023

On a motion by Councilor Ruwet, seconded by Councilor Maniccia, the Council voted unanimously by roll call vote to accept the proposals from EdAdvance, Kidsplay Children's Museum, Inc., Prime Time House Inc., Susan B. Anthony Project, and West Cornwall Public Library Association, for participation in the 2023 Neighborhood Assistance Act Program. Councilor Ruwet said this is an excellent program and she is happy to see so many proposals.

Roll-Call Vote: Sewer Use Fee

On a motion by Councilor Oliver, seconded by Councilor Maniccia, the Council, herein acting as the Water Pollution Control Authority, voted unanimously by roll call vote to accept the recommendation of the WPCA Administrator and Public Works Director to set the sewer use fee for the year beginning July 1, 2023, and ending June 30, 2024, as follows:

For Residential Users	\$392.00 per dwelling unit
For All Other Users	\$392.00 per 65,000 gallons of volume of flow.

Councilor Cavagnero asked what last year's rate was, and WPCA Administrator Edward Tousey said the amount was \$346. Councilor Cavagnero also asked why the increase and Mr. Tousey let him know that the price of chemicals has gone up. Councilor Hoehne asked if there are more requirements now, Mr. Tousey explained that the EPA is requiring phosphorus removal which makes costs higher. Councilor Ruwet shared that taking a tour of the WPCA Facility operations is amazing and you will learn a lot.

Public Comment: (in-person only)

On a motion by Councilor Cavagnero, seconded by Councilor Maniccia, the Council voted unanimously to open the meeting to the public, in accordance with Section 4(e) of the City Council & WPCA Meeting Rules of Procedure.

Stephen Ivain, a City resident expressed his opinion that the Mayor and Administration failed to attract new businesses to pay bills. He also said that the people deserve better.

Keith Farrell, a City resident commented that the City needs a plan to go forward with the Budget. He suggested extra help, advisors, or new committees.

Approve Minutes

On a motion by Councilor Maniccia, seconded by Councilor Oliver, the Council voted unanimously to accept the Special Joint Meeting Minutes with the Board of Public Safety from May 8, 2023.

On a motion by Councilor Maniccia, seconded by Councilor Ruwet, the Council voted to accept the Public Hearing Minutes for the Fair Rent Commission from May 15, 2023. Councilor Cavagnero abstained.

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted to accept the Regular Meeting Minutes from May 15, 2023. Councilor Cavagnero abstained.

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted to accept the Special Budget Meeting Minutes from May 15, 2023. Councilor Cavagnero abstained.

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted to accept the Special Joint Meeting Minutes with the Board of Finance from May 22, 2023. Councilor Ruwet abstained.

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted to accept the Public Hearing Minutes for the City Budget from May 22, 2023. Councilor Ruwet abstained.

United Public Service Employees Union Local 424-Unit 78, City Supervisory Employees Contract

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council, in accordance with C.G.S. §7-474(b), voted unanimously on the one-year extension of the Collective Bargaining Agreement by and between the City of Torrington and the United Public Service Employees Union Local 424-Unit 78, City Supervisory Employees for the period from July 1, 2023, to June 30, 2024, as described in Attorney LaMere's letter dated May 25, 2023. Councilor Hoehne asked how many members are in the unit, Atty. LaMere said around 15.

Resolution 143-241 – Master Municipal Agreement for Design Projects with State of Connecticut Department of Transportation

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted unanimously to adopt Resolution 143-241 and authorize the Mayor to enter into a Master Municipal Agreement for design projects with the State of Connecticut, Department of Transportation. Councilor Cavagnero asked if there were specifics to share with the Council, City Engineer Paul Kundzins said that this is a Master Agreement between the City and the State. He said that all municipalities are required to renew the agreement and that it is for funding from the State for road construction projects. See addendum 2.

Vehicle Purchases – Police Department

On a motion by Councilor Ruwet, seconded by Councilor Maniccia, the Council, on the recommendation of the Vehicle Replacement Advisory Board, the Fleet Manager, and the Purchasing Agent, voted unanimously to authorize the Mayor to act on behalf of the City to award, execute and administer the purchase of five Utility Police Explorers from MHQ of Middletown, CT in the amount of \$300,836.81. This is to be funded from the Vehicle Replacement Account, pending approval from the Board of Public Safety and is explained in a letter from the Purchasing Agent dated June 1, 2023. Councilor Ruwet reminded the Council that these vehicle purchases were both vetted through the Vehicle Replacement Advisory Board.

Vehicle Purchases – Traffic Department

On a motion by Councilor Ruwet, seconded by Councilor Oliver, the Council, on the recommendation of the Vehicle Replacement Advisory Board, the Fleet Manager, and the Purchasing Agent, voted unanimously to authorize the Mayor to act on behalf of the City to award, execute and administer the purchase of two Trucks for the Traffic Division from MHQ of Middletown, CT in the amount of \$244,742.28. This is to be funded from the Vehicle Replacement Account, pending approval from the Board of Public Safety and is explained in a letter from the Purchasing Agent dated June 1, 2023.

ARPA – Community Grant Applications

On a motion by Councilor Ruwet, seconded by Councilor Oliver, the Council, on the recommendation of the ARPA Committee, voted unanimously to approve a request from Torrington Youth Soccer to increase funding by \$8,086, as further explained in the Economic Development Directors memo dated May 30, 2023. Councilor Ruwet said that the ARPA Committee has been meeting to review applications. Mayor Carbone explained that the funds given to Torrington Youth Soccer also help improve City Fields as they are playing on them.

WPCA Budget

On a motion by Councilor Maniccia, seconded by Councilor Ruwet, the Council, herein acting as the Water Pollution Control Authority, voted unanimously to approve the WPCA Budget for the year beginning July 1, 2023, and ending June 30, 2024.

WPCA 5-Year Capital Improvement Budget

On a motion by Councilor Maniccia, seconded by Councilor Ruwet, the Council, herein acting as the Water Pollution Control Authority, voted unanimously to approve the WPCA Five-Year Capital Improvement Budget/Program for the year beginning July 1, 2023, and ending June 30, 2028.

WPCA Miscellaneous Fee Schedule

On a motion by Councilor Maniccia, seconded by Councilor Ruwet, the Council, herein acting as the Water Pollution Control Authority, voted unanimously to approve the WPCA Miscellaneous Fee Schedule for the year beginning July 1, 2023, and ending June 30, 2024.

WPCA Purchase

On a motion by Councilor Ruwet, seconded by Councilor Waldron, the Council, herein acting as the Water Pollution Control Authority, voted unanimously to approve the purchase of one dry pit submersible pump with N-impeller (non-clog) from sole source vendor GA Fleet Associates, Inc, of Glastonbury, CT, in the amount of \$56,820.00, from WPCA Capital Fund 31, as further explained in the WPCA Administrators' memo dated June 5, 2023.

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to add Section B to the agenda by a two-thirds vote.

Section B:

189 Old Burrville Rd

On a motion by Councilor Waldron, seconded by Councilor Oliver, the Council, on the recommendation of the Small Cities Committee, voted unanimously to approve a subordination to Northwest CT Community Bank as described in the Treasurer's email of June 1, 2023. Councilor Waldron said that there is a lot of equity in this house, that they are refinancing the mortgage with a different bank, and the City will remain in the same lien position.

403 Tarringford West Street Property:

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted unanimously to accept the Corporation Counsel's recommendation that the City seek sealed bids to sell real estate known as 403 Tarringford West Street in accordance with his memo dated June 5, 2023, subject to 8-24 approval by P&Z. Councilor Maniccia asked what 8-24 approval is, Atty. Muschell explained that State Statutes require any selling or buying of City property to be approved by Planning and Zoning. Mayor Carbone further explained that it is to ensure that they are compliant with the zoning regulations that are enforced.

Lien Releases

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to release the liens listed in the Corporation Counsel's memo dated June 5, 2023.

Tax Collector Refunds

On a motion by Councilor Waldron, seconded by Councilor Ruwet, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the tax refunds indicated on the list dated June 5, 2023.

Sewer Usage Refunds

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the sewer usage refunds indicated on the list dated June 5, 2023.

City Budget

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to discuss the proposed City Budget for the fiscal period from July 1, 2023, to June 30, 2024, in the amount of \$67,018,105. Mayor Carbone explained to the Council that because the State hasn't finalized its budget, the revenues are still very fluid. She further explained that they are reviewing the department heads' requests and submitting them to the Board of Finance for final approval. Mayor Carbone said that there has been over \$1.1 million in cuts, and detailed each one for the Council. Councilor Hoehne asked if the City Real Estate is Capital Improvements, Public Works Director Ray Drew told her that 50% is for Capital Improvement for City buildings. Mayor Carbone said that the City Real Estate also includes contract services along with building maintenance. Councilor Hoehne questioned the impact of the Mill Rate on the school project, Mayor Carbone said that due to cash flow, and reimbursement delays from the State for up to four months, the City went out to Bond to pay bills promptly. Councilor Cavagnero said that without the State passing its budget, there is no way he can approve this Budget without knowing what the City will be reimbursed for. Mayor Carbone reminded him that the Council is approving the Department Heads' requests for the City spending Budget, and that ultimately it is up to the Board of Finance to make further cuts if necessary. Councilor Ruwet asked what percentage of the increase in budget is for wages, Comptroller Robin Stanziale told her that it is a \$1.8 million increase in payroll. Mayor Carbone said that is due to the Police Department and Fire Departments' contract negotiations. Councilor Ruwet also shared her disappointment with the Board of Education and their inability to work with the City's Finance department. She would like to see a way to have a collaboration

between the City and the Board of Education. Mayor Carbone told the Council that she is trying to find one-time revenues to avoid impact on the taxpayers, and reminded everyone that for seven years she has held the budget flat with no Mill increase. Councilor Cavagnero said that this process is not consistent with good City Management and that the Board of Education Budget is very high, because of this he said he will vote no as a protest to this process. Councilor Hoehne said that she thought the impact on the Taxpayers wouldn't be until 2026 from the school project, Mayor Carbone said that was the best guesstimate for when those funds would be bonded, however with rising interest rates and the need for cash flow, the City had to bond early.

Roll Call Vote: City Budget

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted by roll call vote 3/3 with Councilors Oliver, Cavagnero, and Hoehne opposed and the Mayor breaking the tie, to approve the proposed City budget for the fiscal period from July 1, 2023, to June 30, 2024, in the amount of \$67,018,105.

Business by Dept. Heads

On a motion by Councilor Cavagnero, seconded by Councilor Ruwet, the Council voted unanimously to consider business by Department Heads.

WPCA Administrator Edward Tousey thanked the Council for their support in approving the WPCA Budgets.

Business by Mayor & Members

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to consider business by the Mayor and City Council members.

Councilor Ruwet shared that the Ordinance Subcommittee will be looking at Ordinances that are extinct and can be removed. She also said that the next Ordinance meeting will be on August 7, 2023.

Public Comment (in-person only)

On a motion by Councilor Maniccia, seconded by Councilor Cavagnero, the Council voted unanimously to open the meeting to the public to comment on agenda items only.

Stephen Ivain objected to the vote on the budget because the budget wasn't provided in advance for the Public to review.

Keith Farrell thanked the Council for serving the City and would like to see more focus on revenue generation and ways to bring in new businesses.

Adjournment

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted unanimously to adjourn at 8:11 p.m.

Respectfully submitted by
Heather Abraham, Asst. City Clerk

ATTEST:


CAROL L. ANDERSON, CITY CLERK

Addendum #1:

LEGAL NOTICE

CITY OF TORRINGTON

ESTABLISHING A FAIR RENT COMMISSION ORDINANCE

Be it Ordained by the Board of Councilmen of the City of Torrington that the following Chapter 24 has been established in the Code of Ordinances:

CHAPTER 24 FAIR RENT COMMISSION

There shall be a Fair Rent Commission comprised of seven residents of the City. The Fair Rent Commission shall have the authority, powers, responsibilities, and duties vested in such Commission pursuant to Connecticut General Statutes (CGS) §7-148b et seq.

§ 24 - 1 Appointments; terms of office; chair; quorum; compensation.

(A) *Generally.* The Mayor, with the approval of the City Council, shall appoint seven members of the Fair Rent Commission, who shall undertake studies, conduct hearings and receive complaints relative to rental charges on housing accommodations, except

shall include mobile manufactured homes and mobile manufactured home park lots, in order to control and eliminate excessive rental charges on such accommodations, and to carry out the provisions of CGS §7-148b – 7-148f, inclusive, §47a-20 and 47a-23c(b). The Fair Rent Commission shall not investigate complaints submitted to commission members but shall designate this power to complaint investigators.

- (B) *Appointment of members/ex-officio.* The Mayor, with the approval of the City Council, shall appoint as members to the Fair Rent Commission, two persons who are tenants, two persons who are landlords, and three persons who are neither landlords nor tenants. The Commission may invite to any hearing or investigation as resource personnel any City Building, Fire, Zoning, Blight, and /or other officials who will serve ex-officio without voting privileges.
- (C) *Terms; vacancies.* Members of the Fair Rent Commission shall be appointed for overlapping terms of two years. In order to establish such staggered terms, the initial appointments shall be as follows:
- The Mayor shall appoint four (4) persons, one who is a tenant, one who is a landlord, and two who are neither a tenant or landlord, who shall serve an initial term of one (1) year;
 - at the same time the Mayor shall appoint three (3) persons, one who is a tenant, one who is a landlord, and one who is neither a tenant or landlord who shall serve an initial term of two years.
 - Thereafter each member shall serve a term of two years.

Vacancies on the fair rent commission shall be filled in the manner of the original appointment for the unexpired portion of the term. Any member of

the Fair Rent Commission may be reappointed for an additional term in the manner of the original appointment.

- (D) *Chair.* The Fair Rent Commission shall annually designate one member to serve as chair.
- (E) *Quorum.* A quorum for voting purposes shall consist of four members.
- (F) *Compensation.* Members of the Fair Rent Commission shall receive no compensation as such for their services as members.

§ 24 - 2 Complaint Investigators.

- (A) Within 14 days after the establishment of the Fair Rent Commission, the Mayor shall appoint up to three persons to serve as complaint investigators. The investigators shall serve for a term of one year and may be reappointed by the Mayor. An investigator may be a City employee, or a contractor hired by the City.
- (B) At no time shall any investigator privately report any matter relative to any investigation to any hearing officer or any other person. Investigation reports shall be submitted in writing to each hearing officer before a fair rent commission hearing or orally at the commission meeting.

§ 24 - 3 Complaint and hearing procedure.

- (A) Upon receipt of a complaint by any Fair Rent Commission member, the chair shall order one or more investigators to investigate the complaint. Each complaint shall be investigated within 30 days from its receipt by the Fair Rent Commission member. In their investigations, investigators shall consider the criteria for determining excessive rents established by CGS §7-148c. During the investigation, the rent in question shall be continued until a final decision by the Commission.
- (B) The Fair Rent Commission chair shall cause a hearing to be held on each such complaint not later than 45 days from its receipt by a commission member.

- (C) A memorandum of decision shall be filed by the Fair Rent Commission not later than 21 days from the date of the hearing. Should the Commission fail to file a memorandum of decision within the 21-day period, the complaint shall fail and any action taken by the Fair Rent Commission with respect to the particular case involved shall be null and void. The memorandum shall state the reasons for the Fair Rent Commission's decision. The decision must be ratified or rejected at the next meeting of the Fair Rent Commission in accordance with the procedure established by the Fair Rent Commission. Each memorandum of decision shall be kept on file by the Fair Rent Commission in the office of the Town Clerk and from the moment of filing shall be open to the public.
- (D) Each complainant and each respondent may be represented by one or more attorneys of his/her choice or by any persons so authorized in writing by him/her.
- (E) Testimony before the Fair Rent Commission shall be under oath and a verbatim tape (audio/video) recording of each hearing be preserved in accordance with state statutes. Minutes of each Fair Rent Commission meeting shall also be taken and preserved as a public record.
- (F) The Fair Rent Commission shall provide the services of an interpreter, whenever requested. The cost of any such interpreter shall be paid by the person requesting.

§ 24 – 4 Holding rents in escrow.

The Fair Rent Commission may hold rents in escrow in accordance with the provisions of CGS §7-148d, but only upon recommendation of the Building Official and upon submission by him/her to the Commission of a report to the effect that the housing accommodation in question fails to comply with chapter, article or any state statute or regulation relating to health and safety.

§ 24 – 5 Appeals.

Any person aggrieved by any order of the Fair Rent Commission may appeal to the Superior Court for the judicial district in which the town is located. Any such appeal shall be considered a privileged matter with respect to the order of trial.

Copies of the Ordinance are available on the City's website and in the Office of the City Clerk.

Passed: June 5, 2023



Elinor Carbone

Mayor

Published: June 7, 2023



Carol L. Anderson, MMC

City Clerk

Effective: July 7, 2023



Addendum #2:

CERTIFICATION:

I, Carol L. Anderson, City Clerk of the City of Torrington do hereby certify that the following is a true and correct copy of the resolution adopted by the Board of Councilman at its duly called and held meeting on June 5, 2023, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLUTION #143-241

BY THE BOARD OF COUNCILMEN OF THE CITY OF TORRINGTON AUTHORIZING THE CITY OF TORRINGTON TO ENTER INTO A MASTER MUNICIPAL AGREEMENT FOR DESIGN PROJECTS WITH THE STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION

WHEREAS A MASTER MUNICIPAL AGREEMENT FOR DESIGN PROJECTS ("Master Agreement") is entered into by and between the STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, (the "DOT"), and the City of Torrington, 140 Main Street Torrington, Connecticut 06790 ("Municipality").

WHEREAS, the Municipality undertakes, and may financially participate in, municipal projects to design improvements to locally-maintained roadways, structures, and transportation facilities that are eligible for government financial assistance from the DOT, the federal government, or both; and

WHEREAS, the DOT is the authorized entity responsible for distributing the state and federal government financial assistance with respect to these municipal projects; and

WHEREAS, on a project-by-project basis, the Municipality takes on the responsibility of administering the design phase of each municipal project; and

WHEREAS, the Commissioner is authorized to enter into this Master Agreement and distribute state and federal financial assistance to the Municipality for these projects pursuant to § 13a-98i or § 13a-165 of the Connecticut General Statutes; and

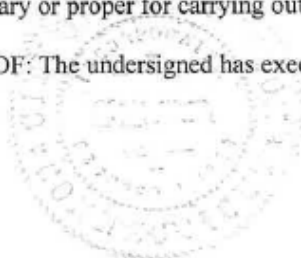
WHEREAS, the DOT and the Municipality wish to set forth their respective duties, rights, and obligations with respect to design projects that are undertaken pursuant to this Master Agreement.

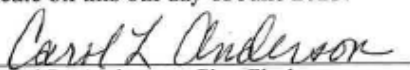
NOW THEREFORE, BY THE BOARD OF COUNCILMEN OF THE CITY OF TORRINGTON:

BE IT RESOLVED, that the City of Torrington may enter into a Master Agreement with the STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, and all such other papers, instruments, opinions, certificates, affidavits, and other documents, and to do or cause to be done any and all other acts and things which it deems necessary or proper for carrying out the terms and obligations of the Master Agreement.

BE IT FURTHER RESOLVED, that Elinor Carbone, as the Mayor of the City of Torrington, is authorized and directed to execute and deliver the Master Agreement and all such other papers, instruments, opinions, certificates, affidavits, and other documents, and to do or cause to be done any and all other acts and things which she deems necessary or proper for carrying out the terms and obligations of the Master Agreement.

IN WITNESS WHEREOF: The undersigned has executed this certificate on this 6th day of June 2023.




Carol L. Anderson, City Clerk