

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, October 3, 2022. Present at the City Hall auditorium were Mayor Elinor Carbone, City Councilors Drake Waldron, Keri Hoehne, Armand Maniccia, and Anne Ruwet. Also present at City Hall were, Treasurer Dan Farley, Public Works Director Ray Drew, Economic Development Director Rista Malanca, WPCA Administrator Ed Tousey, Superintendent Susan Lubomski, and Building Committee Co-Chair Ed Arum. Corporation Counsel Victor Muschell and Director of Services for the Elderly Joel Sekorski joined via Zoom. Councilors Paul Cavagnero and David Oliver were absent.

Mayor Carbone called the meeting to order at 6:43 p.m.

Roll Call Vote: Sewer Assessment

On a motion by Councilor Ruwet, seconded by Councilor Hoehne the City Council herein acting as the Water Pollution Control Authority pursuant to C.G.S. §7-250 voted unanimously to accept the recommendation of the WPCA Administrator to set the benefit assessment for the Homestead Road and Kimball Lane properties as follows:

- a. For those 21 properties that are currently developed, the Benefit Assessment shall be set at \$10,395.95.
- b. For all Future sub-divisions and development, the Benefit Assessment shall be set at \$20,791.89.
- c. As Approved by the WPCA on February 18, 2020, current developed property owners may request an Installment Plan for a maximum of 20 years at 2% interest. Said Installment Plan shall be filed on the City Land Records.

Councilor Ruwet wanted to Thank the residents of Homestead Road and Kimball Lane for their patience during this process. She went on the Thank Public Works Director Ray Drew for all the efforts he put into this project. Public Works Director Ray Drew explained the next steps after the approval of this assessment for the current residents of Homestead Road and Kimball Lane.

Public Comment: (in-person only)

On a motion by Councilor Waldron, 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.

Rachel Dambrosio spoke about the experience of the sewer project for Homestead Road and Thanked the Council for approving the benefit assessment.

Jim Giuliano President of Construction Solutions Group, LLC asked for the Council to table #7 on the agenda.

Approve Minutes

On a motion by Councilor Waldron, seconded by Councilor Ruwet, the Council voted unanimously to accept the Regular meeting minutes from September 19, 2022.

Meals on Wheels Vehicle

On a motion by Councilor Waldron, seconded by Councilor Maniccia the Council on the recommendation of the Services for the Elderly Commission, voted unanimously to waive the bid process and purchase a Meals on Wheels vehicle from sole vendor Delivery Concepts East, Inc. of Elkhart, IN for \$60,533, plus an additional \$500 - \$1,000 for graphic labeling. Funds have been allocated in advance to fully cover this purchase, as further explained in the Nutrition Supervisor's letter dated September 19, 2022. Councilor Maniccia asked why they are waiving the bid process, Mayor Carbone explained that it is a sole vendor, so there is no need to go out to bid.

Building Permit Refunds

On a motion by Councilor Waldron, seconded by Councilor Hoehne, the Council on the recommendation of Corporation Counsel, voted unanimously to authorize the Building Department to refund the permit fee of \$172 to Jorge Castro, owner of record of 151 Pulaski St, as further explained in Attorney Muschell's memo dated October 3, 2022.

THS/TMS O&G Guaranteed Maximum Price (GMP) Phase 2 Bid Packages

On an amended motion by Councilor Ruwet, seconded by Councilor Hoehne, the Council voted unanimously to accept the recommendation by O&G Industries to award the following Phase 2 bid packages to the lowest qualified responsible bidders and to execute an award letter stating the same,

which was previously approved by The Building Committee and Board of Education on September 29, 2022.

The bid packages approved to award are as follows:

BP 2.03 Concrete to Marguerite Concrete of Hopedale, MA in the amount of \$6,669,000.

BP 2.05s Structural Steel to Berlin Steel Construction Company of Kensington, CT in the amount of \$11,101,800 and withhold decision on alternate B2 at this time.

BP 2.07a Waterproofing, Air Barrier, and Sealants to Giliberto & Sons, LLC of Hartford, CT in the amount of \$1,314,518.

BP 2.21 Fire Protection to Blackwater Services Group, LLC of Waterbury, CT in the amount of \$1,595,000.

BP 2.22 Plumbing and BP 2.23 HVAC to M.J. Daly of Waterbury, CT for a combined bid in the amount of \$29,330,000 and to accept alternate B10 to use the Alterton BMS DDC System for a deduction of \$546,000 and withhold decision on alternate B2 at this time.

BP 2.26 Electrical to Paul Dinto Electric Contractors, Inc. of Middlebury, CT with the base bid amount of \$11,697,000 and withhold decision on all alternates at this time.

BP 2.31 Sitework to C.J. Fucci Inc. of New Haven, CT with the base bid amount of \$17,725,000 and withhold final decision on all alternates at this time.

VOTE TO ADD SECTION B

On a motion by Councilor Hoehne, seconded by Councilor Waldron, the Council voted 3/1 with Councilor Ruwet opposed to adding Section B.

THS/TMS - TERMINATE CONSTRUCTION SOLUTIONS GROUP, LLC CONTRACT

MOTION TO TABLE, DENIED:

On a motion by Councilor Ruwet, seconded by Councilor Waldron, the Council voted 2/2 with Councilor Hoehne and Councilor Maniccia opposed to table the recommendation of the Board of Education, to accept the Owner's (City of Torrington and Torrington Board of Education) exercise of its right to terminate the Owner's Representative Services Agreement with Construction Solutions Group, LLC ("CSG, LLC") pursuant to Section 17(a) and that CSG, LLC be requested to promptly provide the Owner with copies of all records in its possession related to the new Middle/High School and Central Administration project. Mayor Carbone broke the tie by voting in opposition to tabling the motion.

DISCUSSION:

On a motion by Councilor Hoehne, seconded by Councilor Maniccia, the Council voted 3/1 with Councilor Ruwet opposed, to discuss the recommendation of the Board of Education, vote to accept the Owner's (City of Torrington and Torrington Board of Education) exercise of its right to terminate the Owner's Representative Services Agreement with Construction Solutions Group, LLC ("CSG, LLC") pursuant to Section 17(a) and that CSG, LLC be requested to promptly provide the Owner with copies of all records in its possession related to the new Middle/High School and Central Administration project. Councilor Ruwet stated that she is opposed to this because the Council is just getting this information today, and the risk that the City has with terminating this big of a contract. She went on to say that she would like more information and time to review it, before making this type of decision. Councilor Hoehne said she's in favor of cutting the City's losses as quickly as possible so that they aren't spending money and not getting services that they contracted for. Councilor Ruwet also wanted to know if there have been efforts to reconcile with CSG, LLC to see if they could come up with solutions to rectify the contract issues. Councilor Maniccia mentioned that he also sits on the Building Committee and that this is something that they have been talking about for three months, there have been efforts to agree to meet what CSG, LLC was supposed to do in their contract and there is no remedy. Councilor Ruwet asked if this contract had been reviewed by the City's Corporation Counsel, Mayor Carbone let her know that the City has not had the opportunity for the Corporation Counsel to review this contract with the Building Committee's attorney. Atty. Vic Muschell said that he was involved in the meeting with Mr. Arum and Mr. Longobucco when they discussed this contract. He went on to say that he has reviewed this contract and the issues that surround this contract, and he would agree with the motion to terminate, based on what he knows. Mayor Carbone wanted to clarify that this is Corporation Counsel's legal advice to terminate the contract, Atty. Muschell replied yes.

CONTRACT TERMINATED:

On a motion by Councilor Hoehne, seconded by Councilor Maniccia, the Council voted 3/1 with Councilor Ruwet opposed, to accept the recommendation of the Board of Education, and

exercise the Owner's (City of Torrington and Torrington Board of Education) right to terminate the Owner's Representative Services Agreement with Construction Solutions Group, LLC ("CSG, LLC") pursuant to Section 17(a) and that CSG, LLC be requested to promptly provide the Owner with copies of all records in its possession related to the new Middle/High School and Central Administration project.

WPCA WASTEWATER SCREENING GRINDER UNIT

On a motion by Councilor Ruwet, seconded by Councilor Waldron, the City Council herein acting as the Water Pollution Control Authority voted unanimously to accept the recommendation of the WPCA Administrator, to accept the low bid from Franklin Miller INC, of Livingston NJ, for Screenings Grinder for the \$49,855, funds will be coming from Capital Fund 31.

ARPA Façade and Building Improvements Grant – Round 2

On a motion by Councilor Ruwet, seconded by Councilor Maniccia, the Council on the recommendation of the ARPA Committee, voted unanimously to approve the following Grant Application requests:

- A. 400 Prospect St** Robin Magistralli, exterior painting \$10,300
- B. 100 E. Main St** Joseph Petricone, exterior painting and signage \$1,270
- C. 422 Main St** Molly Hogan & Victor Guerrero (Air BnB), Tree removal, landscaping & Extended walkway \$4,254
- D. 68-82 Main** Warner Theatre, Replace LED lights in "warner" blade \$25,000
- E. 379 Prospect St** Rose Blondin Shea, Paint, power wash, and HVAC for upstairs \$15,441
- F. 20 E. Main St** Heather Rems, Sanctuary Yoga, signage \$338
- G. 70 Litchfield St** Elks Lodge #372, Exterior painting & replace the front door. \$25,000
- H. 222 Main St** Order of the Eagles, Landscaping & awning \$4,585

ARPA Façade and Building Improvements Grant – Round 2

On a motion by Councilor Ruwet, seconded by Councilor Hoehne, the Council on the recommendation of the ARPA Committee, voted unanimously to conditionally approve the following Grant Application requests pending a 2nd quote before the final grant amount is approved:

- A. 433 Main St** Simon Gonzalez (Las Delicias), HVAC, not to exceed \$9,194
- B. 1065 S. Main St** Mike's Beehive, LLC, Electrical Upgrades, and signage not to exceed \$14,514
- C. 365 Prospect St** James Welcome, cooling system, not to exceed \$5,032

ARPA Façade and Building Improvements Grant – Round 2

On a motion by Councilor Ruwet, seconded by Councilor Maniccia, the Council on the recommendation of the ARPA Committee, voted unanimously to deny the following Grant Application requests:

Deny – Not an eligible expense

- A. 433 Main St** Simon Gonzalez (Las Delicias), Commercial Kitchen Hood
- B. 58 Main St** DP Rental Properties, roof
- C. 100 Prospect St** CAFTA, Design Plans

ARPA Façade and Building Improvements Grant – Round 2

On a motion by Councilor Ruwet, seconded by Councilor Waldron, the Council on the recommendation of the ARPA Committee, voted unanimously to deny the following Grant Application requests:

Deny without prejudice

- D. 25 Main St** John Noelke, Knox Box, Alarm System & Signage (Round 1 grant open).
- E. 117 Main St** Wall, Wall & Fraunhofer, LLP, Foundation Work & Sidewalks (Round 1 grant open).
- F. 20 E. Main St** Charlotte Rossi, Fencing (Round 1 grant open).
- G. 214 E. Elm St** Berkshire Environmental, Ventilation System (Round 1 grant open).
- H. 83 E. Main Street** Normand Laliberte, Garage door, ADA hand railing, stucco repair, window replacement, and exterior painting. \$25,000 (Blight liens on the property)

ARPA Community Impact Grants

On a motion by Councilor Ruwet, seconded by Councilor Hoehne the Council on the recommendation of the ARPA Committee, voted unanimously to approve the following Community Impact Grant requests:

- A. Northwest CT Chamber of Commerce**, Restaurant Industry Job Fair \$13,000
- B. Torrington Little League Baseball and Softball**, Colangelo Little League Field Renovations, \$44,925
- C. Torrington Police Activities League**, Purchase of a van, \$33,080
- D. Torrington Youth Soccer**, Alvord Park Field Improvements, and Training Clinics, \$37,000

Julie Scharnberg, Vice President of Community Engagement for the Northwest Connecticut Community Foundation, spoke about the process that the ARPA Committee has been going through processing the applications, with the eligible programs, and having a scoring rubric based on 100 points. Ms. Scharnberg explained how the ARPA Committee split up the applications for the first round of grant requests into three parts.

Community Challenge Grant Application

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted unanimously to authorize the Mayor to apply for the CT Communities Challenge Grant in the amount of \$9,731,521, as further explained in the Economic Development Director's memo dated September 29, 2022. Mayor Carbone explained to Council that this is a Grant that the City had applied for earlier in the year and got denied, so this is the second attempt. Economic Development Director Rista Malanca went on to explain that this time with this grant application there are more partners contributing funds allowing the City to expand the initial redevelopment area. Councilor Ruwet asked if this was a competitive grant, Ms. Malanca told her that it was, however, the City is leveraging additional jobs by adding a Marketplace, plus they have the 25% match for grant requests. Councilor Ruwet also wanted to know when the deadline was for the grant application, Ms. Malanca let her know that it was this coming Friday, and they wouldn't hear anything about the status until December. Councilor Hoehne asked if there were plans to add a public restroom in the redevelopment of the Water Street/Train Station area, Ms. Malanca told her that they were thinking of adding a Welcome Center, which would house public restrooms. Councilor Hoehne also asked if the plans still would be placing the Sue Grossman Greenway over residents' driveways, Ms. Malanca explained that as of right now there are other options for how the Greenway could run.

Sewer Use Lien Release

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to release the sewer use liens in the Corporation Counsel's memo of October 3, 2022.

Business by Department Heads

On a motion by Councilor Ruwet, seconded by Councilor Hoehne, the Council voted unanimously to consider business by department heads.

Treasurer Dan Farley let Council members know that with the rising interest rates he moved money to the revenue account, which will roughly add \$400,000 in interest over the next year.

Business by Mayor and Members

On a motion by Councilor Waldron, seconded by Councilor Hoehne, the Council voted unanimously to consider business by Mayor and Members. There was no business to be discussed.

Public Comment

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

Dan Farley representing the Torrington Elks Lodge wanted to Thank the Council and the ARPA Committee for approving the Façade and Building Grant request. He went on to list the many ways that the Elks Lodge contributes to the community.

Jennifer from Torrington Youth Soccer Thanked the Council for approving the Community Impact Grant for Youth Soccer.

Joe McCoy President of the Torrington Little League wanted to Thank the Council for approving the Community Impact Grant for the field improvements at Colangelo.

Adjournment

On a motion by Councilor Waldron, seconded by Councilor Ruwet, the Council voted unanimously to adjourn the meeting at 7:38 p.m.

Respectfully submitted by
Heather Abraham, Asst. City Clerk

ATTEST:


CAROL L. ANDERSON, CITY CLERK