

MINUTES
CITY COUNCIL & WPCA
REGULAR MEETING
City Hall Auditorium / Zoom
October 16, 2023

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 16, 2023. Present at the City Hall Auditorium were Mayor Elinor Carbone, City Councilors Drake Waldron, Keri Hoehne, Armand Maniccia, Paul Cavagnero, and David Oliver. Also present at City Hall were Public Works Director Ray Drew, Facilities Director Jamie Sykora, Fire Chief Eric Borden, Deputy Fire Chief David Tripp, and Treasurer Dan Farley. Joining via Zoom were Councilor Anne Ruwet and WPCA Administrator Ed Tousey.

Mayor Carbone called the meeting to order at 6:30 p.m. beginning with the Pledge of Allegiance.

Mayor Carbone asked for a moment of silence for the passing of Attorney Victor Muschell after many years of service to the City in various positions and most recently as Corporation Counsel.

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.

Steve Ivain shared his condolences on the passing of Atty. Vic Muschell. He also shared his support for the Battery Storage Facility and hopes that the Council will reconsider the project, by adding milestones instead of one 40-year lease.

Approve Minutes

On a motion by Councilor Oliver, seconded by Councilor Waldron, the Council voted unanimously to accept the Regular Meeting Minutes from October 2, 2023.

Corporation Counsel Appointment

On a motion by Councilor Waldron, seconded by Councilor Maniccia, per City Charter Section C6-1, the Council voted unanimously to retain Attorney Kevin Nelligan to serve in the role of Interim Corporation Counsel until the City can appoint a permanent Corporation Counsel.

Zoning Board of Appeals Appointment

On a motion by Councilor Maniccia, seconded by Councilor Oliver, the Council voted unanimously to appoint Randall Stelma (U) as an alternate Zoning Board of Appeals member to fill the remainder of a term set to expire on December 1, 2025.

Conservation Commission Appointment

On a motion by Councilor Waldron, seconded by Councilor Hoehne, the Council voted unanimously to appoint Jeremy Spitz (U) as a regular member of the Conservation Commission to fill the remainder of a term set to expire on September 4, 2026.

Red Mountain Avenue Property Acquisition

On a motion by Councilor Oliver, seconded by Councilor Maniccia, the Council voted unanimously to refer the acquisition of property on Red Mountain Avenue, Map/Block/Lot (MBL) 120/003/006, to the Planning and Zoning Commission for review, per C.G.S. §8-24.

On a motion by Councilor Maniccia, seconded by Councilor Waldron, the Council voted unanimously to authorize the Mayor to negotiate with the Tax Collector for the acquisition of 11.3 Acres on Red Mountain Avenue, MBL 120/003/006, for the price of \$25,000 to be paid from the Contingency line item, pending Board of Finance approval.

WPCA Payment Authorization

On a motion by Councilor Hoehne, seconded by Councilor Maniccia, the City Council herein acting as the Water Pollution Control Authority, voted unanimously to approve the following payment from Fund #490 Sanitary Sewer Capital Improvement.

DATE	INVOICE	CONTRACTOR	AMOUNT	DESCRIPTION
9/18/2023	1505	Yield Ind.	\$4,700	North Street Repair

Small Cities - 84 Pleasant Street – Project # 143-SC1801-29

On a motion by Councilor Hoehne, seconded by Councilor Waldron, the Council, on the recommendation of the Small Cities Committee, voted unanimously to approve an additional \$1,200, at 84 Pleasant Street, for the replacement of eight sheets of plywood that were exposed after stripping the roof shingles. The current Small Cities loan is \$17,312, this will increase to \$18,512 and the mortgage will be modified to

reflect the increase. Councilor Waldron stated that this is a routine add-on and that the work has already been completed.

Small Cities – Project #143-PI-18 Rehab

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council, on the recommendation of the Small Cities Committee, voted unanimously to authorize project approval to Leake Builders, LLC of Oxford, CT, for \$26,969.55 for roofing, lead-based paint remediation, basement window installation, electrical updates, and rebuilding the front porch at 42 Pythian Avenue. Councilor Waldron told the Council that this house has an assessed value of \$88,000, which is not market value, and only has a \$4,000 lien, leaving lots of equity in this property. He said they are in full support of approving this project.

City Wide Electric Power Purchase

On an amended motion by Councilor Maniccia, seconded by Councilor Waldron, the Council, on the recommendation of the Facilities Manager, voted unanimously to authorize the Mayor to act on behalf of the City to execute an agreement to purchase power from the lowest-priced vendor based on the results of a reverse-power auction being held on October 23, 2023. Councilor Cavagnero asked what a reverse power auction is. Richard J. Funaro, Business Development Manager for Automated Building Systems, Inc. (ABS) Energy Solutions explained to the Council that seven suppliers receive the usage requirement profile for the municipality, and from there the suppliers will bid on energy. You would want to contract the lowest bid, and it would be a fixed rate for several years. Councilor Maniccia asked how many other municipalities use this process. Mr. Funaro told him that most municipalities at this time are using the auction process. Councilor Maniccia asked how ABS gets paid, and Mr. Funaro said they get a commission through the supplier.

Discussion - Walden Renewables – Land Lease for Battery Storage

On a motion by Councilor Maniccia, seconded by Councilor Ruwet the Council considered authorizing the Mayor to act on behalf of the City to negotiate and execute a lease agreement with Walden Renewables for battery storage on a small portion of the City Landfill property. Councilor Hoehne asked what would happen if Walden Renewables decided not to develop on the property after the Mayor signed a 40-year lease. Facilities Director Jamie Sykora said that if Walden Renewables does their 6-year study and finds out that they cannot build on the property, then they will not continue the project. Councilor Hoehne asked about the fire concerns mentioned in the September 18, 2023, meeting, Fire Chief Borden explained that this is ever-changing technology, and as it continues to evolve in a positive direction, there are fewer concerns about fires. He went on to say that at this point it is just a feasibility study and the company is just exploring the area, there are no definite plans at this time. Councilor Cavagnero asked what happens after the 6-year development phase, Mr. Sykora told him that if Walden determines they can develop it, then they will come back to Council for the next phase of the project. Councilor Cavagnero asked if there would be a way for the City to get out of the deal in 6 years if they do not like the project, Mr. Knapp from Walden Renewables explained that this is just a site study to be able to obtain City and State permits based on specific designs and to build on the site. At this point, nothing is ready to move forward until the studies are done. Councilor Cavagnero asked for the motion to include a 6-year feasibility study and exclude the 40-year lease for the property. Public Works Director Ray Drew explained that this agreement is the same as the Solar Fields that will be placed at the dump. He said that there are about 60 acres of land at the dump that is still undeveloped and told the Council that this would help to bring in long-term revenue to manage the \$80,000 required to maintain the landfill per year.

On a motion by Councilor Maniccia, seconded by Councilor Ruwet the Council called for discussion to end and the motion, as stated, to be brought to a vote.

On a motion by Councilor Maniccia, seconded by Councilor Ruwet, the Council, on the recommendation of the Facilities Manager and Public Works Director, voted 5/1 with Councilor Cavagnero opposed to authorizing the Mayor to act on behalf of the City to negotiate and execute a lease agreement with Walden Renewables for battery storage on a small portion of the City Landfill property.

Building Department Report

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to accept the Building Department Report for the month of September 2023.

Tax Collector Refunds

On a motion by Councilor Maniccia, seconded by Councilor Hoehne, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the tax refunds indicated on the list dated October 16, 2023.

Business by Dept. Heads

On a motion by Councilor Waldron, seconded by Councilor Maniccia, the Council voted unanimously to consider business by Department Heads. There was no business to be discussed.

Business by Mayor & Members

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

Councilor Cavagnero wanted to state for the record that he believed the procedure to call for a vote on the motion for the Battery Storage wasn't correctly done.

Mayor Carbone confirmed with City Clerk Carol Anderson that you need a first and a second to call the vote, and 2/3 of the Board to approve to move forward with the vote. It was then determined to rescind the vote for the Land Lease for Battery Storage.

Walden Renewables – Land Lease for Battery Storage

On a motion by Councilor Oliver, seconded by Councilor Maniccia, the Council voted unanimously to rescind the vote to authorize the Mayor to act on behalf of the City to negotiate and execute a lease agreement with Walden Renewables for battery storage on a small portion of the City Landfill property.

Councilor Hoehne asked what would happen once the Facility is decommissioned, Mr. Knapp said that in the lease agreement, Walden is responsible for removing and decommissioning the site. Councilor Oliver asked how the City would be compensated for the 6-year development period, Mr. Knapp said that the City would get \$30,000 over those 6 years. Mayor Carbone asked what the total cost of the project would be, as it would be taxed at the personal property rate, Mr. Knapp told her that it would be about \$100 million. Mayor Carbone told the Council that it would be roughly \$4 million in tax revenue annually for the City.

On a motion to Councilor Maniccia, seconded by Councilor Oliver, the Council, on the recommendation of the Facilities Manager and Public Works Director, voted 5/1 with Councilor Cavagnero opposed, to authorize the Mayor to act on behalf of the City to negotiate and execute a lease agreement with Walden Renewables for battery storage on a small portion of the City Landfill property.

Councilor Hoehne asked about the Audit, and the Board of Finance meeting where there will be a discussion on policies for future audits, Mayor Carbone said that they are working with the Auditors to have a joint presentation for the Board of Finance and City Council. She went on to say that they are going to be working on policies and procedures manuals that will be inclusive for the Board of Education also.

Councilor Waldron wanted to wish everyone good luck who is running for positions in the upcoming Election.

Councilor Ruwet said that her heart goes out to the Muschell Family, and everyone already misses Vic.

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 to comment on agenda items only. No one from the public wished to speak.

Adjournment

On a motion by Councilor Oliver, seconded by Councilor Hoehne, the Council voted unanimously to adjourn at 7:22 p.m.

*Respectfully submitted by
Heather Abraham, Asst. City Clerk*

ATTEST:


CAROL L. ANDERSON, CITY CLERK