

A **REGULAR MEETING** of the City Council & WPC Authority was held at the City Hall Auditorium on Monday, October 7, 2019. Present were Mayor Elinor Carbone and City Councilors Frank Rubino, Gregg Cogswell, Marie Soliani, Fred Simon, Anne Ruwet, and Paul Cavagnero.

Corporation Counsel Victor Muschell, Economic Development Director Rista Malanca, City Treasurer Daniel Farley, and Ken Faroni of O&G Industries were also present.

Mayor Carbone called the meeting to order at 6:31 p.m.

**Abandonment of Casson Avenue**

On a motion by Councilor Cogswell, seconded by Councilor Simon, with Councilor Rubino abstaining, the Council voted unanimously by roll call vote, to adopt the following ordinance:

**ORDINANCE**

**DISCONTINUING A PORTION OF AN ACCEPTED STREET KNOWN AS CASSON AVENUE**

Be It Ordained by the Board of Councilmen of the City of Torrington that Casson Avenue, an accepted street, is hereby discontinued as a highway inasmuch as public convenience and necessity does not require its further existence. This discontinuance is subject to and contingent on the conveyance of an easement to the City by O&G Industries, Inc. for maintenance, repair or replacement of a sewer mainline lying in and under said street. Said Casson Avenue, situated in the Town of Torrington, County of Litchfield and State of Connecticut is described as follows:

Being a street approximately forty (40) feet wide running easterly from the east street line of Wall Street between property owned by O&G Industries, Inc. on the North (formerly owned by Momchil T. Gregor) and property owned by O&G Industries, Inc. on the South (formerly owned by Ralph T. and Florence M. Sadowski) a distance of approximately one-hundred thirty (130) feet to other land of O&G Industries, Inc.

Atty. Muschell explained that because O&G owns both sides of the street on Casson Avenue, and common law considers ownership to be up to the center line, it is essentially O & G's driveway so there's no need for the public to pass over it. Mayor Carbone said that the Street and Public Works Departments consider the road essentially failed with a PCI of 45, requiring \$10,000 to \$15,000 to mill an overlay. She said the annual operating and maintenance cost is relatively minor, between \$300 and \$400 a year. Councilor Cavagnero said he has looked at the site and is no longer opposed. He now understands what the city is trying to do, he said.

**Minutes**

On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to accept the minutes of the public hearing held September 16, 2019. Councilors Simon and Soliani abstained.

On a motion by Councilor Cogswell, seconded by Councilor Ruwet, the Council voted unanimously to accept the minutes of the regular meeting held September 16, 2019. Councilors Simon and Soliani abstained.

On a motion by Councilor Soliani, seconded by Councilor Rubino, the Council voted unanimously to accept the minutes of the special meeting held September 30, 2019. Councilor Cogswell abstained.

**Open to Public**

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

Maureen LaManna asked if the city violated its charter by not testing a newly hired employee. She asked that her phone calls be returned. Mayor Carbone asked her to call again.

Kevin Hayes said he is disappointed at the abandonment of Casson Avenue, as it had a market value and the city gave it away to O&G to increase their property value. He said he wants the city to give him things as well, such as garbage pails.

**Mayoral Appointment**

On a motion by Councilor Soliani, seconded by Councilor Rubino, the Council voted unanimously to approve the Mayor's appointment of Jill Veras as a regular member of the Parks and Recreation Commission to fill the remainder of a five-year term to expire on December 1, 2023.

**Salary Increases for Elected Positions**

**Treasurer**

On a motion by Councilor Rubino, seconded by Councilor Cogswell, the Council voted 4 to 2, with Councilors Cavagnero and Simon opposed, to approve a 2.5% salary increase effective July 1, 2020 and a 2% salary increase effective July 1, 2021 for the elected position of Treasurer and to align future wage increases with the terms of the Management Resolution contract, in compliance with Article XIX of the Constitution of the State of Connecticut.

**Salary Increases for Elected Positions Continued**

**Treasurer Continued**

Mayor Carbone explained Article XIX of the State Constitution, saying that wage increases must be determined before the municipal election, or no sooner than two years after a municipal election. She said the alignment with the negotiated Management Resolution contract would still require council approval every time, keeping the constitutionally-approved periods of time in mind for those elected positions.

Councilor Soliani said she has been through this so many times and sometimes finds it unpalatable. Councilor Cogswell noted that Mr. Farley treats the Treasurer position as more than a part time position and it is worth more than the \$14,000 salary. He said the Mayor's salary is more in alignment with other municipalities. Councilor Cogswell said the Treasurer and City Clerk position are not in alignment, especially the City Clerk being full time with responsibilities. He said he can see why it makes sense to do this based on a comparison with other municipalities and that he doesn't take pay raises lightly given the city's constant budget struggles.

Councilor Cavagnero said he is voting against this, and his vote is not based on the merits of the individuals or the tasks that are before them. He said this kind of work is on the volunteerism side of the equation, being performed for the benefit of the city. Councilor Cavagnero noted that council's role is to allow the city to be run in efficient and fiscally responsible ways, and that pay raises set a precedent that makes future negotiations difficult.

Councilor Ruwet clarified that these positions are not in negotiated contracts but are set apart for Council to look at. She noted they have not had increases since 2014/2015 and that she will be supporting this motion. Atty Muschell said he believes the 2.5% and 2% increases conform to the Management Resolution contract.

**City Clerk**

On a motion by Councilor Ruwet, seconded by Councilor Cogswell, the Council voted 4 to 2, with Councilors Cavagnero and Simon opposed, to approve a 2.5% salary increase effective July 1, 2020 and a 2% salary increase effective July 1, 2021 for the elected position of City Clerk, in compliance with Article XIX of the Constitution of the State of Connecticut. Saying it is a moot point, Mayor Carbone removed the language "*and to align future wage increases with the terms of the Management Resolution contract*".

**Mayor**

Councilor Ruwet moved to consider approval of a 2.5% salary increase effective July 1, 2020 and a 2% salary increase effective July 1, 2021 for the elected position of Mayor, in compliance with Article XIX of the Constitution of the State of Connecticut. The motion was seconded by Councilor Rubino. Mayor Carbone noted a CCM Salary Survey showing that Torrington's Mayoral position is competitive with other, similar municipalities. She pointed out that during the last municipal election complaints arose regarding the difficulty in attracting mayoral candidates to a relatively low-paying position. Mayor Carbone said she doesn't necessarily agree with that but since this is the only time the matter can be brought forward, she is doing so.

Councilor Ruwet said she will support this, as position needs to be competitive to attract qualified and competent candidates. Councilor Soliani agreed, saying she has seen her party struggle for candidates and has watched four mayors work really hard. Councilor Rubino noted that the Mayor ranks eighth in rate of pay for city department heads, and that there is more value in this position because of the time and effort that has to be put in to it. Mayor Carbone pointed out that this discussion won't occur again until the fall of 2021, at which time the respective parties will have already chosen their candidates. If attracting candidates is truly a concern of the town committees or this board, she said, then this is the only window of opportunity to address the matter.

The Council voted 3 to 3, with Councilors Cavagnero, Cogswell and Simon opposed. Mayor Carbone broke the tie with a vote in opposition. The motion failed.

**TPD Ammunition**

On a motion by Councilor Ruwet, seconded by Councilor Rubino, the Council voted unanimously to accept the recommendation of the Purchasing Agent to waive the City's bid process and authorize the Torrington Police Department to purchase their ammunition through State Contract #14PSX0243 from Eagle Point Gun in Thorofare, NJ for an estimated budgeted amount of \$41,000.

**CT DEEP Contract for Reimbursement of Funds**

On a motion by Councilor Rubino, seconded by Councilor Soliani, the Council voted unanimously to accept the recommendation of the Economic Development Director and authorize the Mayor to execute a contract with the State of CT DEEP in the amount of \$76,063.92 for the reimbursement of funds spent toward the purchase of the 6.29 acres of abandoned rail bed from North Elm Street to Newfield Road.

**Technical Advising Services**

On a motion by Councilor Cogswell, seconded by Councilor Simon, the Council voted unanimously to accept the recommendation of the Economic Development Director and authorize the Mayor to extend the contract with JL Burdelski Planning Partners, Inc. of Essex, CT for technical advising services related to the assessment, cleanup and redevelopment of two brownfield sites (100 Franklin Street and 100 Franklin Drive) through June 30, 2020 at the existing rate of \$100 per hour for approximately five hours per week, to be paid from the EPA Brownfield Revolving Loan Fund.

**Release of Liens**

On a motion by Councilor Rubino, seconded by Councilor Cogswell, 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. Muschell's Memo dated October 7, 2019.

**Tax Collector Refunds**

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 36 tax refunds indicated on the list dated Oct. 7, 2019.

On a motion by Councilor Ruwet, seconded by Councilor Cogswell, the Council herein acting as the WPCA voted unanimously to accept the recommendation of the Tax Collector and authorize the three sewer usage refunds indicated on the list dated October 7, 2019.

**Business by Dept. Heads**

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

**Business by the Mayor and Council Members**

On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to consider business by the Mayor and Council members.

Councilor Cogswell announced a fundraiser to support former Councilman Paul Samele, Jr.'s battle with cancer.

Councilor Ruwet offered her thoughts and prayers to Mr. Samele.

Councilor Soliani requested a blight report.

**Open to Public for Agenda Items Only**

On a motion by Councilor Cogswell, seconded by Councilor Rubino, the Council voted unanimously to open the meeting to the public to discuss agenda items only. There was no one who wished to speak.

**Adjournment**

On a motion by Councilor Cogswell, seconded by Councilor Ruwet, the Council voted unanimously to adjourn the meeting at 7:10 p.m.

ATTEST:



CAROL L. ANDERSON, MMC  
CITY CLERK