

MINUTES
REGULAR MEETING
CITY COUNCIL & WPC AUTHORITY
City Hall Auditorium
December 3, 2018

Vol. 26, Page 784

A **REGULAR MEETING** of the City Council & WPC Authority was held at the City Hall Auditorium on Monday, December 3, 2018.

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

Also present were Corporation Counsel Atty. Victor Muschell, Director of Personnel and Labor Relations Atty. Mark Dumas, Economic Development Director Erin Wilson, Water Pollution Control Administrator Ray Drew, and Fleet Manager Emil Castro.

Mayor Carbone called the meeting to order at 8:13 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 November 19, 2018.

Rules of Procedure

On a motion by Councilor Ruwet, seconded by Councilor Cogswell, the Board discussed Resolution #143-188 City Council and WPCA Meeting Rules of Procedure.

Councilor Soliani requested that the time limit allotted for public comment be reduced from five minutes to three minutes per speaker, with the option for additional material to be submitted to the Council in writing. She also proposed that the Council be permitted to request to add items to the agenda as few as two days prior to a meeting. She was advised by the City Clerk that two days' notice would not allow enough time to comply with the requirements for posting meeting agendas, as set forth by the Freedom of Information Act.

Councilor Cavagnero expressed his opposition to Section 4(d) in regard to violators being removed from the meeting at the discretion of the Mayor and Section 4(e) regarding public comment. He requested that the time allotted for public comment be increased from five minutes to ten minutes per speaker.

Councilor Soliani made a motion to amend Section 4(e) of Resolution #143-188 City Council and WPCA Meeting Rules of Procedure to establish a three-minute time limit for public comment per speaker. The motion was seconded by Councilor Ruwet, and failed with two votes in favor (Soliani, Ruwet) and four opposed (Cogswell, Cavagnero, Simon, Rubino).

On an amended motion by Councilor Cavagnero, seconded by Councilor Simon, the Council voted to amend Section 4(e) of Resolution #143-188 City Council and WPCA Meeting Rules of Procedure to establish a ten-minute time limit for public comment per speaker with four votes in favor (Cavagnero, Cogswell, Simon, Carbone), and three opposed (Soliani, Ruwet, Rubino).

Discussion on whether the Council should be allowed to engage in discussion with the public during public comment continued. Atty. Muschell cautioned against engaging in deliberative discussion with the public during a meeting and offered suggestions for obtaining additional information from the public without disrupting the orderly transaction of business.

On a motion by Councilor Cogswell, seconded by Councilor Cavagnero, the Council voted with four votes in favor (Cogswell, Cavagnero, Simon, Rubino) and two opposed (Ruwet, Soliani) to table the vote to adopt Resolution #143-188 City Council and WPCA Meeting Rules of Procedure until a later date.

Open to the Public

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

Rachel D'ambrosio expressed her opposition to setting a time limit for public comment.

Barbara Gall requested that the Council rescind its vote on the amended Sewers Ordinance - Chapter 170 and stated that WLSD should treat its sewage before it enters Torrington's system.

Ray Bottass and Glenn Royals expressed their opposition to limiting public comment.

Michael Farrell requested additional signage and promotion of Torrington's music program and its achievements.

Michael Banziruk expressed his opposition to the amended Sewers Ordinance - Chapter 170.

Vote to Move Agenda Items Forward

On a motion by Councilor Soliani, seconded by Councilor Ruwet the Council voted unanimously to move agenda items #6 and #7 to the next items of business.

Purchases Approved

On a motion by Councilor Cogswell, seconded by Councilor Ruwet, the Council voted unanimously to accept the recommendation of the Fleet Manager and the Purchasing Agent, and authorize the Mayor to award the purchase of two (2) plows, as described in the Purchasing Agent’s memo dated November 28, 2018, to Bigson II, LLC/Equipment Service of Hartford, CT for \$16,830 (\$8,415/ea.) with funding from the Vehicle Replacement account, and have the Mayor act on behalf of the City regarding the execution of the contract and its administration.

On an amended motion by Councilor Cogswell, seconded by Councilor Ruwet, the Council voted unanimously to accept the recommendation of the Fleet manager and the Purchasing Agent, and authorize the Mayor (pending Board of Finance authorization) to award the purchase of four (4) Ford ranger 4X4 trucks, as described in the Purchasing Agent’s memo dated November 28, 2018, to MHQ, Inc. of Middletown, CT for \$101,796 (\$25,449/ea.) with funding from the Vehicle Replacement account, and have the Mayor act on behalf of the City regarding the execution of the contract and its administration.

Executive Session

On a motion by Councilor Cogswell, seconded by Councilor Ruwet, the Council acting herein as the Water Pollution Control Authority voted unanimously to enter Executive Session at 9:16 p.m with Atty. Dumas and Mr. Drew, pursuant to C.G.S. §§ 1-200(6)(E) and 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.

Open Session

On a motion by Councilor Simon, seconded by Councilor Cogswell, the Council voted unanimously to enter Open Session at 9:41 p.m.

Councilor Ruwet exited the meeting immediately upon entering Open Session at 9:41 p.m.

Small Cities Invoices

On a motion by Councilor Cogswell, seconded by Councilor Simon, the Council voted unanimously to approve the following payments from Fund #250 - Program Income:

DATE	CONTRACTOR	INVOICE/PAY REQ #	AMOUNT	DESCRIPTION
9/04/2018	JPW Building, LLC	TO-HRRL-106	\$14,269	Project #TO18-007-R
11/13/2018	JPW Building, LLC	TO-HRRL-107	\$11,944	Project #TO18-012-R
11/13/2018	Lisa Low & Assoc., LLC	793	\$5,245	Program & Admin. Costs

Release of Liens

On a motion by Councilor Cavagnero, seconded by Councilor Soliani, 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 December 3, 2018.

Tax Collector Refunds

On a motion by Councilor Simon, seconded by Councilor Rubino, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the 19 tax refunds indicated on the list dated December 3, 2018.

On a motion by Councilor Soliani, seconded by Councilor Simon, the Council acting herein as the Water Pollution Control Authority voted unanimously to accept the recommendation of the Tax Collector and authorize the sewer usage refund indicated on the list dated December 3, 2018.

Building

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

Business by Dept. Heads

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

Atty. Dumas reported that William Baldwin, Jr. was sworn in as the new Police Chief and stated that the City will be going into mediation with the City Hall and Public Works Collective Bargaining Units.

Comments for the Good of the Order

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

Councilor Cavagnero expressed his support of Mr. Farrell’s suggestion to increase signage regarding the City’s music program. Councilor Soliani stated that she was impressed with Chief Baldwin’s swearing in ceremony.

Open to the Public for Agenda Items Only

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

Michael Banziruk stated that there were a lot of “conflicts” in the draft Meeting Rules of Procedure but did not indicate what the “conflicts” were.

Executive Session

On an amended motion by Councilor Cavagnero, seconded by Councilor Simon, the Council voted unanimously to enter Executive session with Atty. Muschell and Ms. Wilson to discuss to discuss the potential acquisition of real property, per C.G.S. §1-200(6)(D) at 9:48 p.m.

Open Session

On a motion by Councilor Simon, seconded by Councilor Cavagnero, the Council voted unanimously to enter Open Session at 10:17 p.m.

Adjournment

On a motion by Councilor Cavagnero, seconded by Councilor Simon, the Council voted unanimously to adjourn the meeting at 10:18 p.m.

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

ATTEST:



CAROL L. ANDERSON, MMC
CITY CLERK