

## CITY COUNCIL &amp; WPCA

## REGULAR MEETING

City Hall Auditorium / Zoom

June 7, 2021

A **REGULAR MEETING** of the City Council and Water Pollution Control Authority (WPCA) was held at the City Hall auditorium on Monday, June 7, 2021. Attendance was by ZOOM and in person. Present at City Hall were Mayor Elinor Carbone and City Councilors Frank Rubino, Paul Cavagnero, Anne Ruwet and Sharon Waagner. Also present were Corporation Counsel Victor Muschell, City Clerk Carol Anderson, Torrington Public Schools Superintendent Susan Lubomski, Interim Business Manager Ed Arum, Board of Education Chairwoman Fiona Cappabianca and THS Building Committee members Gary Eucalitto and Mario Longobucco. Councilor David Oliver, City Engineer Paul Kundzins, Economic Development Director Rista Malanca, Personnel Director Jaime LaMere, WPCA Administrator Ed Tousey and Streets & Parks Superintendent Bill Mayers joined by Zoom.

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

**Roll Call Vote: NAA Proposals**

On a motion by Councilor Ruwet, seconded by Councilor Waagner, the Council voted unanimously, with five votes in favor and none opposed, to accept the proposals from KidsPlay Children's Museum, the Susan B. Anthony Project and the United Way of Northwest Connecticut for participation in the 2021 Neighborhood Assistance Act Program. Councilor Ruwet remarked that the program is a great opportunity for non-profits and she wished the organizations good luck.

**Public Comment**

Assistant City Clerk Jonathan Draper read aloud statements that were submitted to the City Clerk's Office by Torrington residents Jeff Putnam and Paul McLaughlin in support of the Project Labor Agreement (PLA) for the new Middle/High School construction project.

City Clerk Carol Anderson read aloud two additional statements that were submitted to the City Clerk's Office by Torrington residents Alexa Keener and Kimberly Pretzel in support of the PLA for the new Middle/High School construction project.

Former Mayor Mark Boughton of Danbury and Torrington residents Gerry Barth, Jr., Chris Hoehne, Matthew and Patrick Jancewicz, Ana Cardona, McShane Harris, Amanda and Trevon Whittaker, Richard Ricupero, Matt Ryan, Corry Bayly, Jordan Henneberry, Gregory Bennett, Bob Killackey, Mike McCarthy, Kendra Campbell, Roger Young, Mark Bigos and Jason Wilson also expressed their support for the PLA for the new Middle/High School construction project.

Associated Builders & Contractors of Connecticut President Christopher Fryxell expressed his opposition to the PLA on the grounds that PLAs depress competition. He reported that 24 states have prohibited PLAs and cited a statement by UConn's former Chief of Staff for Finance that PLAs were making it difficult for UConn to compete with other universities.

Connecticut State Building Trades Executive Director Joseph Toner provided an explanation of what PLAs are and expressed his support for the PLA for the new Middle/High School construction project. He addressed Mr. Fryxell's remarks regarding the statement made by a former UConn employee, and read a statement by UConn's Head of Construction, which described the benefits of PLAs.

**Minutes Approved**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to approve the minutes of the regular meeting held May 17, 2021.

On a motion by Councilor Rubino, seconded by Councilor Cavagnero, the Council voted unanimously to approve the minutes of the public hearing held May 17, 2021.

On a motion by Councilor Waagner, seconded by Councilor Cavagnero, the Council voted unanimously to approve the minutes of the special meeting held May 24, 2021.

**Appointments**

On a motion by Councilor Cavagnero, seconded by Councilor Rubino, the Council voted unanimously to accept the Mayor's appointment of Kevin Gillette as Building Official for the City of Torrington, as authorized by C.G.S. Section 29-260, for a term of four years to expire on June 7, 2025.

On a motion by Councilor Ruwet, seconded by Councilor Waagner, the Council voted unanimously to accept the Mayor's reappointment of Jaime LaMere, Esq. as Personnel Director for the City of Torrington for a term of four years to expire on January 5, 2025. Atty. LaMere expressed her gratitude.

**PLA Approval for THS Building Project**

Board of Education Chairwoman Fiona Cappabianca discussed the advantages of utilizing a PLA for the construction of the new Middle/High School, including the availability of resources, an apprenticeship program which would provide new opportunities for Torrington High School students to jump start their careers and a commitment to employ local tradesmen and women.

On a motion by Councilor Waagner, seconded by Councilor Cavagnero, the Council voted with three votes in favor (Councilors Waagner, Cavagnero and Rubino) and two opposed (Councilors Ruwet and Oliver) to approve the MOU by and between the Greater Hartford-New Britain Building Trades Council and the Torrington Middle/High School Building Committee, the City of Torrington and the Torrington Board of Education, and authorize the City to enter into a PLA with the Greater Hartford-New Britain Building Trades Council for the new Middle/High School construction project.

Councilor Ruwet requested clarification regarding any existing apprenticeship opportunities for Torrington students. Mr. Arum explained that the City had no existing apprenticeship programs and he noted that the trades schools were becoming harder for students to get into. Mrs. Cappabianca and Mr. Eucalitto emphasized the advantages of union labor and the apprenticeship program. Councilor Cavagnero also requested clarification regarding the magnitude of the apprenticeship program and expressed concerns about how the program would be administered. Mr. Arum explained that twelve to fifteen students would be admitted four times per year for ten years. Mr. Arum and Mrs. Cappabianca also clarified that THS administrators and guidance counselors would be responsible for administering the program. Councilors Cavagnero, Rubino and Waagner expressed their support for the PLA. Councilor Ruwet explained that she supports open bidding and planned to vote against the PLA.

**Contract Award: THS Building Project Architect**

On a motion by Councilor Rubino, seconded by Councilor Waagner, the Council voted with four votes in favor (Councilors Waagner, Cavagnero, Oliver and Rubino) and one opposed (Councilor Ruwet) to authorize the Mayor to execute the contract with The SLAM Collaborative, Inc. of Glastonbury, CT for architectural services for the new Middle/High School construction project.

Councilor Cavagnero requested clarification that the Council was not voting on the design for the new Middle/High School construction project. Mayor Carbone confirmed that the Council was only authorizing the execution of a contract with the architect.

**Contract Award: Local Flood Protection – Routine Maintenance**

On a motion by Councilor Ruwet, seconded by Councilor Rubino, the Council voted unanimously to accept the recommendation of the Deputy Public Works Director & City Engineer to award the contract for routine maintenance along the Naugatuck River and the former Torrington landfill site to Premier Landscaping, LLC of Thomaston, CT for the total amount of \$70,000 for one year, with the option to renew up to four years, and authorize the Mayor to act on the behalf of the City regarding the award and execution of the contract agreement.

**Contract Award: Parking Wayfinding Signage**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to accept the recommendation of the Economic Development Director to award the contract for parking wayfinding signage (RFP #PWS-039-042321) to SIGNLite of North Haven, CT for \$14,550 plus installation fees, if necessary, as outlined in the fee proposal, and authorize the Mayor to act on the behalf of the City regarding the award and execution of the contract agreement. Councilor Rubino expressed disappointment that the local bidder was not awarded the contract.

**Contract Award: Salt Shed Cover Replacement**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to accept the recommendation of the Public Works Superintendent and Purchasing Agent and award the contract for the purchase and installation of one 70'x130' fabric style salt shed cover for the Street Department to Iron Horse Structures of North Eastham, MA for the total amount of \$89,500. Councilor Rubino expressed concern that the City only received one bid. Supt. Mayers explained that the contract was bid three times and he discussed the difficulty of finding a contractor to perform the work. Councilor Cavagnero questioned whether it would be possible for the total cost of the project to increase due to rising costs of building/construction materials. Supt. Mayers explained that it was an inclusive bid, so the cost would not change.

**Resolution to Request Payment of COVID Relief Funds**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to adopt a resolution authorizing the City to submit to the Connecticut Office of Policy and Management (OPM) a request for payment of the Non-Entitlement Units and County Pass Through Corona Virus Local Fiscal Recovery Funds / American Rescue Plan Act of 2021, as provided in the OPM memo dated June 2, 2021. Mayor Carbone summarized the process by which the City needed to request the funds from the State, as opposed to being awarded the money directly, due to the City’s population size. Councilor Ruwet expressed her frustration regarding how the funds were being awarded to the State and managed by OPM, as opposed to being awarded directly to municipalities, and she asked how much the City would be receiving. Mayor Carbone reported that the City would be receiving a total of \$10,750,000 and she discussed the parameters for how the money could be spent.

**WPCA Invoices Approved**

On a motion by Councilor Ruwet, seconded by Councilor Rubino, the Council, herein acting as the WPCA, voted unanimously to approve the following payments from Fund #490 Sanitary Sewer Capital Improvements:

DATE	CONTRACTOR	INVOICE #	AMOUNT
5/13/2021	Wright-Pierce Engineer	0000213539	\$11,981.80
5/13/2021	Wright-Pierce Engineer	0000213538	\$692.92

**Release of Liens**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to accept Corporation Counsel’s recommendation and authorize the Mayor, pursuant to C.G.S. §§12-179 and 7-148aa, to release the liens described in Atty. Muschell’s memo dated June 7, 2021.

**Tax Collector Refunds**

On a motion by Councilor Rubino, seconded by Councilor Waagner, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the tax refunds indicated on the list dated June 7, 2021.

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council, herein acting as the WPCA, voted unanimously to accept the recommendation of the Tax Collector and authorize the sewer usage refunds indicated on the list dated June 7, 2021.

**Motion to Add to the Agenda**

On a motion by Councilor Rubino, seconded by Councilor Waagner, the Council voted unanimously to add an item to the agenda, for the purpose of appointing Elinor Carbone to the Northwestern CT Transit District’s Board of Directors.

**Appointment of Elinor Carbone to NWCTD**

On a motion by Councilor Cavagnero, seconded by Councilor Rubino, the Council voted unanimously to approve the appointment of Elinor Carbone as a regular member of the Board of Directors for the Northwestern CT Transit District for a term of four years, expiring on July 1, 2025.

Councilor Ruwet questioned why the Mayor wished to be appointed to the NWCTD Board of Directors. Mayor Carbone discussed the difficulty of finding someone to fill the vacancy. She also explained that the NWCTD was in a state of flux and would benefit from her knowledge of the City’s resources/needs and noted that most of the other Board members were Selectmen for the surrounding municipalities.

**Building Dept. Report**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to accept the Building Department’s report for the month of April, 2021.

**Business by Dept. Heads**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to consider business by Department Heads. Atty. Muschell provided an update on blight enforcement and foreclosure orders by the Superior Court for three properties in Torrington.

**Business by Mayor & Members**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to consider business by the Mayor and members of the City Council. Councilor Cavagnero expressed his frustration regarding the solar farm on East Pearl Road and requested an update on the legal actions taken with regard to the Yankee Pedlar property. Mayor Carbone reported that the attorney representing the property owner expressed concerns about the constitutionality of the new law (PA 19-92 *An Act Concerning Abandoned and Blighted Property Receivership*) and the City's population size, as it pertains to the law. She also reported that the property owner was granted a two-week extension to June 15, 2021 to get price estimates for the work that the City asked them to do.

**Adjournment**

On a motion by Councilor Waagner, seconded by Councilor Rubino, the Council voted unanimously to adjourn the meeting at 8:55 p.m.

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

ATTEST:

*Carol L. Anderson*  
CAROL L. ANDERSON, CITY CLERK