

**CITY OF BRIDGEPORT
CONTRACTS COMMITTEE
SPECIAL MEETING
JUNE 26, 2013**

ATTENDANCE: C. Silva, Co-Chair; M. Marella, Co-Chair (6:15 PM); S. Brannelly (6:15 PM); M.E. Brantley (left at 7:10 PM); A. dePara Jr.; R. Paoletto, Jr.; A. Baker (6:15 PM)

STAFF: T. Grabarz; R. Pacacha; R. Preston

OTHERS: B. Lockhart, CT Post

CALL TO ORDER

Co-chair Silva called the meeting to order at 6:05 PM. He introduced the members present. There was a quorum present.

AGENDA ITEMS

Item 79-12 Proposed ATM Service Agreement with Webster Bank national Association for two (2) ATM Machines on the premises of 999 Broad Street and 45 Lyon Terrace.

Mr. Ron Preston, City Treasurer and Atty. Ron Pacacha, Assoc. City Attorney presented the revised agreement which came as a result of a number of questions from the committee at the last meeting. Mr. Preston said Webster Bank has reduced the transaction fee they charge from \$3.00 to \$1.95 per transaction. This is the only change and appears on page 2, paragraph 2.02.

**** COMMITTEE MEMBER BRANTLEY MOVED TO AMEND BY
SUBSTITUTION REVISED AGREEMENT MARKED AS ITEM 79-12B
** COMMITTEE MEMBER PAOLETTO SECONDED
** THE MOTION PASSED UNANIMOUSLY**

**** COMMITTEE MEMBER BRANTLEY MOVED TO APPROVE ITEM 79-12B
** COMMITTEE MEMBER PAOLETTO SECONDED**

Mr. DePara asked for further details on the agreement. Mr. Preston said he went back to Webster Bank with the concerns of the committee. Mr. DePara asked Mr. Preston if he was able to determine the costs of installing, fit-up, etc. of the ATM machine. Mr. Preston indicated the costs would be paid by Webster Bank.

Mr. Paoletto then asked the cost to operate the machine on an on-going basis i.e. electricity, etc. Mr. Preston said he was unable to determine that information. Mr. Pacacha said there would not be a separate meter. Mr. Preston said it would be no more than a vending machine.

Mr. DePara asked how this transaction fee compares to fees from other banks. Mr. Preston replied he pays \$3.50 at the Citizens ATM and \$ 5.00 at another ATM.

**** THE MOTION PASSED UNANIMOUSLY**

110-12 Request of Cambridge Manor for Waiver of Restrictive Covenant.

Atty. Ron Pacacha, Assoc. City Attorney presented this item. Cambridge Manor, an assisted living facility located in Fairfield and abutting Fairchild Wheeler Golf Course, was built 27 years ago. When Zoning approvals were given there was a restrictive covenant that required consent from all abutting owners, including the City of Bridgeport, if and when they chose to expand the footprint of the building.

Mr. Pacacha noted the information furnished to all committee members including a history of the covenant from John Fallon, Attorney for the applicant. There is another 3 years left on the covenant. The owners seek to enclose an existing patio and make improvements inside that space. Mr. Pacacha also submitted a copy of an e-mail from D. Kooris, OPED, dated 2/27/13, stating he saw no issue with this request and approves waiving the covenant for this purpose.

**** COMMITTEE MEMBER BRANTLEY MOVED TO ENTER D. KOORIS E-MAIL AS EXHIBIT #1 6.26.13 (110-12) INTO THE RECORD.**

**** COMMITTEE MEMBER PAOLETTO SECONDED**

**** THE MOTION PASSED UNANIMOUSLY**

Mr. DePara asked why there was a restrictive covenant placed on this project. Mr. Pacacha said the property is close to other towns and there was a concern that should they want to further expand there would be as opportunity for neighbors to review.

Mr. DePara asked for further information on exactly what they intend to do, and if they had architectural drawings so they know exactly what this will look like.

Mr. Pacacha noted Mr. Fallon's e-mail referenced plans that were to be sent to the City Attorney's office. He indicated he did not have those plans with him this evening.

Mr. Paoletto said this request is for a relatively small project, with little change in footprint. However the e-mail from Atty. Fallon is dated 3 months earlier and asked why the lag of 3 months. If the City Attorney's Office has the plans they should have been made part of the submission and record.

Co-Chair Silva said he just saw this tonight. Mr. Pacacha said this appeared on an earlier agenda but was tabled because the City Attorney was not able to make the meeting.

**** CO-CHAIR MARELLA MOVED TO TABLE ITEM 110-12
** COMMITTEE MEMBER PAOLETTO SECONDED
** THE MOTION PASSED UNANIMOUSLY**

Item 98-12 Proposed Resolution Approving a Lease and Option to Purchase Agreement with JRRC Associates for 53 Seaview Avenue and 85 Seaview Avenue.

Atty. Pacacha provided a copy of the amended proposed lease agreement to all committee members. He summarized the changes as follows:

1. It strikes the language that gives the landlord the right to give a proposal for all improvement work to be done. It now reads: Any work done by the City will be done by competitive bid.
2. Added: City has the right to create landscaped areas for taxi waiting areas.
3. Addressed environmental issues: the Landlord owns the contamination which is on site now. City owns any contamination as a result of their moving dirt, etc. on site now. The landlord indemnifies the City from existing contamination and the City indemnifies the Landlord from City added/created contamination.
4. Additional questions such as fees, why parking needed, etc. will be addressed by Ted Grabarz.

Ted Grabarz gave a review of work currently in process at Pleasure Beach and future work currently in the planning process. A major contract was given to Terry (sp?) Construction and work started in Feb/March of this year. They are replacing the existing pier. They are replacing the roof, fixing the toilet rooms and the boardwalk at the Pavilion, and they will be refurbishing the Welcome Hut. They expect completion to be late in 2013. He added there is a lot of Federal and State oversight with this project.

The water taxis are being built in Washington State by Munson Boats, the only viable bid received, and they expect delivery early December, 2013. He said they have a bid out for temporary water taxis for a soft opening in 2013.

They also need to fence some areas off and they have a RFQ out for design and construction /refurbishment of existing ball fields.

The way that people will be gaining access via the taxis is on Central Avenue, which currently has 6-8 existing parallel parking spots. It is hoped that Pleasure Beach, approximately 60 acres, will become an eco-tourist destination and in preparation for that they need additional parking.

They are trying to get the electricity turned back on and are trying to work with UI in getting this done.

Mr. DePara asked where the money will come from to pay the lease, capital improvements and environmental clean-up.

Atty. Pacacha said he spoke with the owner's environmental consultant. He said all petroleum waste was previously removed from the site in 2001-2002. This was the only part that was harmful to humans. What remains is typical urban fill, which is only dangerous once and if it is moved along and makes its way into the harbor. Capping of this fill can be designed into the improvements made to the lot. The renovation – site grading will need a soil management plan. Landscaped areas will need to have 2 ft. soil removed and replaced and then plantings, etc. added.

Mr. DePara asked if the City has received the documentation of the previous remediation. Mr. Pacacha said the Phase 1's, 2's and 3's were shared by the landlord, reviewed and discussed with the owner's environmental consultant. Mr. Pacacha said these are identified as Exhibit 2 in the document.

Mr. DePara asked the cost for the improvements and Mr. Grabarz said there has not been a design developed yet. Mr. DePara asked where the money for the lease would come from. Mr. Grabarz said it would come out of the capital budget and possible some grants. He said it is a level site, and they could put down millings for the parking area for the short term.

Mr. DePara asked if they had any idea of the costs of the improvements. Mr. Grabarz said for 100 parking spaces he expects it to be between \$250,000 and \$500,000 but would expect it to be at the lower end. This would include a design fee and construction, exclusive of remediation. Mr. Pacacha said we would only have to move soils to the extent that we disturb soils.

Mr. DePara asked where the lease funds will come from. Mr. Pacacha said it is below market rent, \$35,000 per year, increasing \$5,000 per year. The city has the option to purchase at fair market value at any time in the first five years. He said this price covers taxes for the 2 properties plus \$5,000.

Ms. Brantley asked how much it would be if we purchased the property. Mr. Pacacha said Bill Coleman indicated it would be \$550,000 - \$600,000 for both lots.

Ms. Brantley asked if the opening will be in 2014 and Mr. Grabarz said yes. She confirmed with Mr. Pacacha the City can purchase the land any time during the 5 years and that he reviewed the environmental documents to his satisfaction. He replied yes.

Ms. Brantley said she would like to see something put in place that would make this a self-sustaining project with respect to the lease, the parking lot fees and maintenance, the taxi service.

Mr. Grabarz said the city would need to establish positive controls over the operation of the parking lots. Ms. Brantley asked what the taxi fees will be. Mr. Grabarz said the City will own the taxis but it has not been determined whether the city will operate it or it will be contracted out.

Ms. Brannelly agreed that it needs to generate some revenue. She confirmed the Parks Commission and the City Council should be involved in determining the fees. She also said this can be an incredible asset and we will need the parking that this proposal offers.

Mr. Paoletto said he feels this is a good deal but his will not be the last time to discuss this. This needs to be presented to the entire City Council along with discussion on funding sources, fees, etc. The fee for parking is an important consideration, and we don't want to price it out of reach. He thanked Mr. Pacacha for his hard work on this.

Mr. Baker said this project is greatly needed along with the parking, but he is not a fan of leasing. Long term we would pay \$200,000 over 5 years, along with improvement and remediation costs vs. purchasing it for \$500,000. Mr. Pacacha said the owner has 2 interested parties previously.

Mr. Baker said this owner – Julian Construction - does business with the City and it might be smarter to negotiate a purchase rather than leasing. Perhaps we could do a land swap with him.

Mr. Pacacha said initially the owner was interested in leasing to cover taxes. We do have the option to purchase on day 1 and we can talk to them about other arrangements.

Mr. Marella said it would be a better problem if 100 parking spaces were not enough and we don't want parking overflowing on to the local streets. Mr. Grabarz said the 2 lots actually are large enough to create 200-250 spaces total. He also said he is in favor of purchasing this property if the money is available. He is not in favor of delaying this either as a purchase or a lease. The City will need places for people to park.

Ms. Brannelly said access to more parking spots is very important. When the Metro Train Station opened in Black Rock they had to get aggressive in configuring the parking to keep parking in check and not have it overwhelm the neighborhood. The same thing will have to happen here to protect the neighborhood. Also, she felt the lease to buy is an ideal situation so it can be tried out before purchasing.

Mr. DePara said the arguments for this project have helped him see the potential but he still has some concerns i.e. environmental issues, whether to purchase or lease.

****COMMITTEE MEMBER DEPARA MOVED TO ENTER FINAL COPY OF LEASE AS EXHIBIT #1 6.26.13 (98-12)**

**** COMMITTEE MEMBER PAOLETTO SECONDED**

****THE MOTION PASSED UNANIMOUSLY**

****COMMITTEE MEMBER MARELLA MOVED TO APPROVE ITEM 98-12 AS AMENDED**

**** COMMITTEE MEMBER BRANNELLY SECONDED**

****THE MOTION PASSED 4 IN FAVOR (SILVA, MARELLA, BRANNELLY, PAOLETTO), 1 AGAINST (DEPARA)**

**** COMMITTEE MEMBER PAOLETTO MOVED TO ADJOURN**

**** COMMITTEE MEMBER BRANNELLY SECONDED**

****THE MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:35 PM

Respectfully submitted,

Jill Kuzmich
Telesco Secretarial Services