

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 10, 2016
AWARDS, PRESENTATIONS AND SPECIAL RECOGNITIONS
PETITIONS
REPORTS OF BOARDS, COMMISSIONS, DEPARTMENTS AND
LEGISLATIVE COMMITTEES

****CONSENT AGENDA**

REPORTS
CITY CLERK

****A.) ITEM # CLAIMS FOR INJURIES AND/OR PROPERTY DAMAGE. PURPOSE: RECEIPT OF CLAIMS.**

OFFICE OF THE CORPORATION COUNSEL

****B.) ITEM # MARYLA LESNIAK V. STANLEY STERNAL, ET. AL. PURPOSE: SETTLEMENT OF SUIT AGAINST THE CITY OF NEW BRITAIN.**

FINANCE DEPARTMENT

****C.) ITEM # MONTHLY PURCHASING REPORT. PURPOSE: PURCHASING REPORT FOR BID THRESHOLD ITEMS.**

****D.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$13,456 TO FFF ENTERPRISES FOR 800 DOSES OF INFLUENZA VIRUS VACCINE.**

****E.) ITEM # DOWNTOWN STREETScape IMPROVEMENTS PHASE V PROJECT. PURPOSE: \$330,000 TO FUSS & O'NEILL FOR PRELIMINARY DESIGN AND SIGNATURE STRUCTURE AND BRIDGE IMPROVEMENTS OVER THE MAIN STREET OVERPASS.**

****F.) ITEM # ON-CALL ENGINEERING SERVICES. PURPOSE: \$34,800 TO LENARD ENGINEERING, INC. FOR A SITE SURVEY OF THE WHIGVILLE RESERVOIR DAM.**

****G.) ITEM # ON-LINE AUCTION. PURPOSE: \$6,681 RECEIVED DURING JULY 2016 FOR THE SALE OF SURPLUS AND UNREPAIRABLE CITY VEHICLES AND OLD FIRE GEAR.**

****H.) ITEM # PUBLIC BID NO. 3884. PURPOSE: \$774,000 TO MA&M, INC. FOR ADA AND ALTERNATE RENOVATIONS AT VETERANS STADIUM.**

****I.) ITEM # LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET FOR PERIOD JUNE 13, 2016 THROUGH JUNE 30, 2016. PURPOSE: TRANSFERRED MONIES FROM ONE LINE ITEM TO ANOTHER WITHIN THEIR DEPARTMENTAL BUDGET.**

****J.) ITEM # LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET FOR PERIOD JULY 1, 2016 THROUGH AUGUST 1, 2016. PURPOSE: TRANSFERRED MONIES FROM ONE LINE ITEM TO ANOTHER WITHIN THEIR DEPARTMENTAL BUDGET.**

TAX DEPARTMENT

****K.) ITEM # TAX ABATEMENTS, CORRECTIONS AND REFUNDS.**

August 10, 2016

**REPORTS RETURNED FROM COMMITTEE
COMMITTEE ON PLANNING, ZONING AND HOUSING**

- **L.) 33536 RECOMMENDATION FOR RESOLUTION 33536. PURPOSE: SALE OF PATTON BROOK WELL BY THE NEW BRITAIN WATER COMMISSION TO THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF SOUTHLINGTON.
- **M.) 33526 RECOMMENDATION FOR RESOLUTION 33526. PURPOSE: PROPOSED AMENDMENT TO THE CODE OF ORDINANCES ANTI-BLIGHT PROGRAM, SEC. 7-42; 7-43; 7-44; AND 7-45 TO BE IN COMPLIANCE WITH CITY POLICY AND STATE LAW.

RESOLUTIONS RETURNED FROM COMMITTEE

- 1.) 33536 SALE OF PROPERTY. PURPOSE: SALE OF PATTON BROOK WELL TO THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF SOUTHLINGTON. J. GIANTONIO
- 2.) 33526 CODE OF ORDINANCES SEC. 7-42; 7-43; 7-44; AND 7-45. PURPOSE: PROPOSED AMENDMENT TO THE ANTI-BLIGHT PROGRAM TO BE IN COMPLIANCE WITH CITY POLICY AND STATE LAW. J. GIANTONIO

NEW RESOLUTIONS

- 3.) ITEM # DEEP FUNDING. PURPOSE: \$300,000 TO DEVELOP AND COMPLETE A MONUMENT IN RESPECT TO THE 65TH INFANTRY REGIMENT, ALSO KNOWN AS "THE BORIQUENEERS". E. SANCHEZ, W. PABON, K. ROSADO
- 4.) ITEM # AD HOC COMMITTEE. PURPOSE: CREATION OF THE BORIQUENEERS MONUMENT OVERSIGHT COMMITTEE TO OVERSEE THE CONSTRUCTION OF THE BORIQUENEERS MONUMENT. E. SANCHEZ
- 5.) ITEM # CODE OF ORDINANCES SEC. 2-54. PURPOSE: PROPOSED AMENDMENT TO THE CODE OF ORDINANCES TO ELIMINATE THE HUD GRANTS COMMITTEE. J. GIANTONIO
- 6.) ITEM # SUBSTANCE ABUSE ACTION COUNCIL FUNDING. PURPOSE: \$7,116 TO SUPPORT ALCOHOL, TOBACCO AND BULLYING PREVENTION ACTIVITIES. T. COLLINS
- 7.) ITEM # CONVEYANCE OF PROPERTY. PURPOSE: SALE OF 74 KELSEY STREET TO CHRYSALIS CENTER REAL ESTATE CORP. FOR \$80,000. J. GIANTONIO
- 8.) ITEM # CT RECREATIONAL TRAILS PROGRAM GRANT. PURPOSE: CT DEEP ENVIRONMENTAL PROTECTION GRANT FOR THE COMPLETION OF A.W. STANLEY PARK MULTI-USE TRAIL. J. GIANTONIO, C. CARLOZZI, JR.
- 9.) ITEM # BUDGET AMENDMENT – TOWN CLERK'S OFFICE. PURPOSE: \$12,700 FOR HISTORICAL RECORDS RETENTION. J. GIANTONIO
- 10.) ITEM # CHARTER REVISION COMMISSION. PURPOSE: CHARTER REVISION QUESTIONS FOR THE NOVEMBER BALLOT. J. GIANTONIO

UNFINISHED BUSINESS

August 10, 2016

REGULAR MEETING OF THE COMMON COUNCIL

AUGUST 10, 2016

AWARDS, PRESENTATIONS AND SPECIAL RECOGNITIONS

PETITIONS

**REPORTS OF BOARDS, COMMISSIONS, DEPARTMENTS AND
LEGISLATIVE COMMITTEES**

****CONSENT AGENDA**

REPORTS

CITY CLERK

****A.) ITEM # CLAIMS FOR INJURIES AND/OR PROPERTY DAMAGE. PURPOSE: RECEIPT OF CLAIMS.**

REPORT OF: City Clerk

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: CLAIMS FOR INJURIES AND/OR PROPERTY DAMAGE

CLAIMANTS NAME

McCloud, Akeem Taijhon
Simpson, Ellen Perkins

Mark H. Bernacki
City Clerk

OFFICE OF THE CORPORATION COUNSEL

****B.) ITEM # MARYLA LESNIAK V. STANLEY STERNAL, ET. AL. PURPOSE: SETTLEMENT OF SUIT
AGAINST THE CITY OF NEW BRITAIN.**

REPORT OF: Office of Corporation Counsel

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: MARYLA LESNIAK v. STANLEY STERNAL, ET AL

Please be advised that on July 25, 2016 the Honorable Judge Robert Young ordered a judgment of dismissal in the above captioned matter. On December 22, 2015, plaintiff brought an action alleging she was injured when she fell on a defective sidewalk covered with an accumulation of ice in front of 199 Broad Street. The action was brought against the property owner and also against the City. Argument was presented by the City that the City could not be the sole proximate cause because there was an accumulation of ice on the sidewalk and the City has an ordinance making the property owner the responsible party for removal of snow and ice. The property owner settled with the plaintiff. Judgment of Dismissal was entered in favor of the Defendant City of New Britain without any contribution from the City.

Irena J. Urbaniak
City Attorney

August 10, 2016

FINANCE DEPARTMENT

****C.) ITEM # MONTHLY PURCHASING REPORT. PURPOSE: PURCHASING REPORT FOR BID THRESHOLD ITEMS.**

REPORT OF: Finance Dept., Purchasing Div.

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:
RE: Purchasing report for bid threshold items
DATE: August 10, 2016

In accordance with the New Britain Code of Ordinances, Section 2-566, a monthly report of purchases between \$500 and \$7,500 shall be provided to the Common Council. The report shall include a detailed description of items or services purchased, name of vendor, owner of business and dollar amount spent on each individual purchase as well as the aggregate total of spend to date for the fiscal year.

The Finance Department, Purchasing Division has provided an electronic list of monthly purchases. This document is available in the Council office for review by Council members.

Acceptance and adoption is respectfully requested.

Jack Pieper
Purchasing Agent

****D.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$13,456 TO FFF ENTERPRISES FOR 800 DOSES OF INFLUENZA VIRUS VACCINE.**

REPORT OF: Finance Dept., Purchasing Division

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:
RE: Cooperative Purchasing, Influenza Virus Vaccines for the Health Department, Nursing Division
DATE: August 10, 2016

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested by the New Britain Health Department, Nursing Division, for the following under the State of Connecticut Cooperative Purchasing Plan:

Table with 5 columns: Supplier, Description, Quantity, Unit Price, Total Price. Row 1: FFF Enterprises Temecula, CA, Influenza Vaccines, 800 Doses, \$16.82, \$13,456.00

The New Britain Health Department, Nursing Division, requested the purchase of 800 Doses of Influenza Virus Vaccine utilizing the State of Connecticut Contract Award, 16PSX0067. The Health Department's primary objective is to promote good health and prevent disease. The Health Department does this by providing influenza vaccinations to all individuals interested in receiving this service. FFF Enterprises requests that a purchase order be issued to them prior to August 31, 2016 for the upcoming flu season. This will enable FFF Enterprises to produce an adequate supply of influenza vaccinations and have them delivered to the Health Department prior to the commencement of the inoculation program, October through mid-November. Funding is available for this purchase within the Health Department's Account Number, 001522002-5336, Nursing, Other Purchasing Services.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$13,456.00 to FFF Enterprises of Temecula, CA for the purchase of 800 Doses of Influenza Vaccines for the Health Department, Nursing Division, utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award # 16PSX0067.

Jack Pieper
Purchasing Agent

August 10, 2016

****E.) ITEM # DOWNTOWN STREETScape IMPROVEMENTS PHASE V PROJECT. PURPOSE: \$330,000 TO FUSS & O'NEILL FOR PRELIMINARY DESIGN AND SIGNATURE STRUCTURE AND BRIDGE IMPROVEMENTS OVER THE MAIN STREET OVERPASS.**

REPORT OF: Finance Dept., Purchasing Div.

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: Preliminary Design Engineering Services (Informational Report Only)

DATE: August 10, 2016

The following Preliminary Design Engineering services have been negotiated and entered into agreement by the Mayor for the Downtown Streetscape Improvements Phase V Main Street Overpass project as authorized by the Common Council at their Regular Meeting of September 10, 2014, Resolution 32853.

Project Name: Downtown Streetscape Improvements Phase V Project (Main Street Overpass)
Vendor: Fuss & O'Neill
Amount: \$330,000.00
Line Items: 0083238401-5331 Streetscape Improvements, Professional Services
Requested By: Public Works Department, Engineering Division

Scope: Fuss & O'Neill will create a Preliminary Design for the Main Street improvements and the signature structure and bridge improvements over the Main Street, Route 72 overpass based on Connecticut Department of Transportation standards. The Preliminary Design includes traffic signals, crosswalks, pedestrian ramps, revised lane arrangements and to determine locations for the historical walking tour signs. Fuss & O'Neill will also create Preliminary Design landscaping plans which include Brick Paver Sidewalks, Tree Planters, Benches, Grass Lawns, Retaining Walls and Lighting. They will then create a Preliminary Design report that will include cost of the project in accordance with Connecticut Department of Transportation requirements. They will then meet with the Connecticut Department of Transportation, to get their approval of the Streetscape and Bridge Improvements for the Main Street, Route 72, overpass. Once the design is approved by the Connecticut Department of Transportation, Fuss & O'Neill will create the designs and estimated cost of the Streetscape Improvements, Phase V project.

Jack Pieper
Purchasing Agent

****F.) ITEM # ON-CALL ENGINEERING SERVICES. PURPOSE: \$34,800 TO LENARD ENGINEERING, INC. FOR A SITE SURVEY OF THE WHIGVILLE RESERVOIR DAM.**

REPORT OF: Finance Dept., Purchasing Div.

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: On-Call Engineering Services

DATE: August 10, 2016

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3806, approved at its Regular Meeting of January 14, 2015. This project was presented and approved by the Water Commission at their August 09, 2016 meeting.

Project Name: Breach Analysis of the Whigville Reservoir Dam
Vendor: Lenard Engineering, Inc.
Amount: \$34,800.00
Line Items: 9303500101-5300 Water Operations Expenses Source of Supplies, Consulting and Contractual
Requested By: Public Works Department, Utilities Division

Scope: Lenard Engineering, Inc. will conduct a site survey of the Whigville Reservoir Dam per the requirements of the Connecticut Department of Energy and Environmental Protection (CT DEEP). This site survey will help them to create a breach analysis from the dam to a point downstream where the breach flood wave will no longer pose risk to life and property. They will then be able to prepare a Hydraulic Analysis of the

August 10, 2016

Dam and tributary downstream areas to determine Breach and No-Breach conditions in the areas. Lenard Engineering, Inc. will then be able to create a map of the area and identify the homes business, farms and public infrastructures that may be adversely flooded due to a breach of the dam. They will also create a Emergency Action Plan for the area. They will then meet with the Utilities Division to go over the results of the site survey before meeting with the CT DEEP. Leonard Engineering, Inc. will meet with the CT DEEP to discuss their findings and submit CT DEEP's required forms that will comply with their requirements as well as the Emergency Action Plan for the area.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$34,800.00 Lenard Engineering, Inc. of Winsted, CT for the Breach Analysis of the Whigville Reservoir Dam.

Jack Pieper
Purchasing Agent

**G.) ITEM # ON-LINE AUCTION. PURPOSE: \$6,681 RECEIVED DURING JULY 2016 FOR THE SALE OF SURPLUS AND UNREPAIRABLE CITY VEHICLES AND OLD FIRE GEAR.

REPORT OF: Finance Dept., Purchasing Division

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: Sale of Surplus and Unrepairable City Vehicles and Old Fire Gear (Informational Report Only)

DATE: August 10, 2016

Per Resolution 33363-2, dated February 10, 2016, the Purchasing Agent reports that he and the City's Public Works Fleet Manager and Fire Department Administration conducted an on-line auction for some of the City's Surplus and Unrepairable Vehicles and Old Fire Gear. The on-line auction services was provided by Gov-Deals at no charge to the City. Gov-Deals provides on-line auction services for vehicles and equipment only to government agencies. They provide this service to over 5,900 municipalities and state governments in 48 states. They have over 315,000 registered buyers who receive e-mails from them regarding the items that they have on their website for auction.

The money received for the sale of the Surplus and Unrepairable Vehicles and the Old Fire Gear was deposited into the City's General Fund Account, 001624005-4481, General and Administrative, Sale of Property.

The highest bidders for the auctioned Surplus and Unrepairable Vehicles and the Old Fire Gear for the month of July 2016 are attached. It indicates the Vehicle or Fire Gear, buyer, number of bids received and the dollar amount received for each Vehicle and the Fire Gear Sold.

The total dollar amount that the City received for the on-line auction sale of the Surplus and Unrepairable Vehicles and the Old Fire Gear during July of 2016 was \$6,681.00.

Jack Pieper
Purchasing Agent

**H.) ITEM # PUBLIC BID NO. 3884. PURPOSE: \$774,000 TO MA&M, INC. FOR ADA AND ALTERNATE RENOVATIONS AT VETERANS STADIUM.

REPORT OF: Finance Dept., Purchasing Division

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: Public Bid No. 3884, ADA Renovations at Veterans Stadium for the Parks, Recreation and Community Services Department.

DATE: August 10, 2016

Public Bid No. 3884 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the ADA Renovations at Veterans Stadium. The ADA Renovations are to the grandstands and

August 10, 2016

support building for handicapped accessibility. Funding is available for the ADA Renovations in City Capital Projects account number, 0083237501-5454, Citywide Park ADA Improvements, Construction Contracts.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to forty-two (42) Contractors. The Purchasing Agent did not receive any letters from the Contractors on the mailing list who indicated that they could not respond to the bid request. Responses were received as per attached.

The bids were reviewed for conformance to specifications by the Parks, Recreation and Community Services Department's Administration, the City's On-call Engineering Company associated with this project and the Purchasing Agent. Therefore the Director of the Parks, Recreation and Community Services Department is recommending the bid be awarded to M.A.&M, Inc. of Middletown, CT. who submitted the total lowest responsible bid and met all of the bid specifications for the base bid and alternate bid.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$774,000.00 and enter into a contract with M.A.&M., Inc. of Middletown, CT. for the ADA and Alternate Renovations at Veterans Stadium for the Parks, Recreation and Community Services Department per the terms and specifications of Public Bid No. 3884.

Jack Pieper
Purchasing Agent

**1.) ITEM # LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET FOR PERIOD JUNE 13, 2016 THROUGH JUNE 30, 2016. PURPOSE: TRANSFERRED MONIES FROM ONE LINE ITEM TO ANOTHER WITHIN THEIR DEPARTMENTAL BUDGET.

REPORT OF: Finance Department

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: Line Item Transfers within a department's budget for the period June 13, 2016 through June 30, 2016 (This report for information purposes only)

In accordance with the city of New Britain ordinance of Article VII – Finance, Section 2-494(3), the following departments have transferred monies from one line item to another within their departmental budget (total department budget has not changed). Each transfer will be continuously numbered from month to month throughout the fiscal year. This report represents the transfers executed by the mayor in accordance with the aforementioned ordinance for the period ending June 30, 2016

| | | | | |
|-----|--------------------|---------------------------------------|------------|--------------------------|
| 10. | Department: | Town Clerk | | |
| | From: | 001108001-5663 | | (Election Supplies) |
| | To: | 001108001-5122 | \$ 26.00 | (Overtime) |
| | | 001108001-5336 | \$143.00 | (Other Purchase Svs) |
| | | 001108001-5610 | \$668.00 | (Postage, Copies, Scans) |
| | | 001108001-5611 | \$157.00 | (Office Supplies) |
| | | 001108001-5810 | \$ 55.00 | (Membership Dues & Conf) |
| | | 001108001-5816 | \$ 90.00 | (Vital Statistics) |
| | | 001108001-5818 | \$920.00 | (Credit Card Fees) |
| | Amount: | | \$2,059.00 | |
| | Brief Description: | To adjust for budget overages in FY16 | | |

Becky Salerni
Deputy Finance Director

August 10, 2016

****J.) ITEM #** LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET FOR PERIOD JULY 1, 2016 THROUGH AUGUST 1, 2016. PURPOSE: TRANSFERRED MONIES FROM ONE LINE ITEM TO ANOTHER WITHIN THEIR DEPARTMENTAL BUDGET.

REPORT OF: Finance Department

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: Line Item Transfers within a department's budget for the period July 1, 2016 through August 1, 2016 (This report for information purposes only)

In accordance with the city of New Britain ordinance of Article VII – Finance, Section 2-494(3), the following departments have transferred monies from one line item to another within their departmental budget (total department budget has not changed). Each transfer will be continuously numbered from month to month throughout the fiscal year. This report represents the transfers executed by the mayor in accordance with the aforementioned ordinance for the period ending August 1, 2016

1. Department: Enterprise Fund – Water Department
From: 9303500101-5659 (Operating Material & Supplies)
To: 9303500101-5300 (Consulting & Contractual)
Amount: \$20,000.00
Brief Description: Lenard Engineering to prepare EAP for Whigville Dam

Becky Salerno
Deputy Finance Director

TAX DEPARTMENT

****K.) ITEM #** TAX ABATEMENTS, CORRECTIONS AND REFUNDS.

REPORT OF: Tax Collector

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #:

RE: Tax Abatements, Corrections and Refunds

The Collector of Taxes has referred a list of tax abatements, corrections and refunds. Acceptance and adoption is respectfully recommended.

Cheryl S. Blogoslawski
Tax Collector

REPORTS RETURNED FROM COMMITTEE

COMMITTEE ON PLANNING, ZONING AND HOUSING

****L.) 33536** RECOMMENDATION FOR RESOLUTION 33536. PURPOSE: SALE OF PATTON BROOK WELL BY THE NEW BRITAIN WATER COMMISSION TO THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF SOUTHTON.

REPORT OF: THE COMMITTEE ON PLANNING, ZONING AND HOUSING

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #: 33536

RE:

The Common Council of the City of New Britain having held a public hearing on Monday, July 11, 2016, at 7:00 pm in Council Chambers, and the Committee on Planning, Zoning and Housing having held a special

August 10, 2016

meeting on Tuesday, July 19, 2016, at 7:00 pm in Council Chambers, to which was referred the matter of item #33536, the sale of Patton Brook Well by the Board of Water Commissioners of the City of New Britain to the Board of Water Commissioners of the Town of Southington, voted to accept and recommend that the following item be referred back to the Common Council with a neutral recommendation.

Alderman Christopher Polkowski
Chair

**M.) 33526 RECOMMENDATION FOR RESOLUTION 33526. PURPOSE: PROPOSED AMENDMENT TO THE CODE OF ORDINANCES ANTI-BLIGHT PROGRAM, SEC. 7-42; 7-43; 7-44; AND 7-45 TO BE INCOMPLIANCE WITH CITY POLICY AND STATE LAW.

REPORT OF: THE COMMITTEE ON PLANNING, ZONING AND HOUSING

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

ITEM #: 33526
RE:

The Common Council Committee on Planning, Zoning and Housing having held a regular meeting and public hearing on Tuesday, August 2, 2016, at 7:00 pm in Council Chambers, to which was referred the matter of item #33526, proposed amendment to the Code of Ordinances Anti-Blight Program, Sec. 7-42; 7-43; 7-44; and 7-45, voted to accept and recommend that the following item be referred back to the Common Council with a favorable recommendation.

Alderman Christopher Polkowski
Chair

RESOLUTIONS RETURNED FROM COMMITTEE

1.) 33536 SALE OF PROPERTY. PURPOSE: SALE OF PATTON BROOK WELL TO THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF SOUTHINGTON. J. GIANTONIO

Item #33536 RE: Sale of Watershed Property in Southington

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

WHEREAS, the City of New Britain and Board of Water Commissioners lease the Patton Brook Well located in Southington, Connecticut to the Board of Water Commissioners of the Town of Southington; AND

WHEREAS, Patton Brook Well has been verified to be Class I Water Company Land by the Connecticut Department of Public Health, Water Supplies Section; AND

WHEREAS, the Board of Water Commissioners of the Town of Southington has offered to purchase the Patton Brook Well; AND

WHEREAS, in connection with the proposed sale, the City of New Britain Board of Water Commissioners is required to relinquish its diversion registration of 1.207 million gallons per day permitted withdrawal capacity and all riparian rights for this parcel to Southington; AND

WHEREAS, the City of New Britain Board of Water Commissioners will be required to obtain the approval of the Connecticut Department of Public Health, Water Supplies Section to sell Patton Brook Well because it is Class I Water Company Land; AND

WHEREAS, Section 15-4(x) authorizes the City of New Britain to sell water property it no longer needs subject to approval of the Board of Water Commissioners and Common Council; AND

WHEREAS, the City of New Britain Board of Water Commissioners voted at its Meeting of June 7, 2016 to sell the Patton Brook Well to the Board of Water Commissioners of the Town of Southington, and to forward the sale to the Mayor and Common Council with a favorable recommendation for their approval; AND

August 10, 2016

WHEREAS, Mayor Erin E. Stewart has approved the sale of Patton Brook Well and recommends it to the Common Council of the City of New Britain; therefore, be it

RESOLVED, that the Common Council of the City of New Britain hereby approves the sale of Patton Brook Well by the City of New Britain Board of Water Commissioners to the Board of Water Commissioner of the Town of Southington for a purchase price of not less than One Million & 00/100 (\$1,000,000.00) Dollars and the Mayor and the Chairman of the City of New Britain Board of Water Commissioners are hereby authorized to execute any and all documents necessary for the conveyance of said property.

Alderman Jamie Giantonio

2.) 33526 CODE OF ORDINANCES SEC. 7-42; 7-43; 7-44; AND 7-45. PURPOSE: PROPOSED AMENDMENT TO THE ANTI-BLIGHT PROGRAM TO BE IN COMPLIANCE WITH CITY POLICY AND STATE LAW. J. GIANTONIO

Item #33526 RE:

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

Resolution Summary: PURPOSE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Article III of the Code of Ordinances, City of New Britain, be amended by amending Article III Anti-blight Program Sec. 7-42; 7-43; 7-44; and 7-45 to be in compliance with City of New Britain Policy and State Law (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

Sec. 7-42 . Definitions.

For the purposes of this article, the following words, terms and phrases shall have the following ascribed meanings, unless the context clearly indicates otherwise. Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall include both genders:

(a) Accessory structure shall mean a structure, the use of which is customarily incidental and subordinate to that of the principal building, structure or use on the same lot.

(b) A blighting condition shall refer to any of the conditions identified pursuant to this subsection that could contribute to defining a property as blighted premises. Multiple instances of the same type of blighting condition shall be separate blighting conditions.

(1) Each occurrence of the following public safety conditions shall constitute a blighting condition:

~~a. Any felony or misdemeanor arrest on the premises, except any arrest:~~

~~1. For trespassing pursuant to a standing order by the owner of the property owner that any person trespassing on the property should be arrested for trespassing.~~

~~2. Made pursuant to a complaint by the victim of such crime when the victim is a resident of the premises, or~~

~~3. Of any person because such person entered such property in violation of a protective order of any kind.~~

a.b. Any police call to the property arising from complaints by neighbors for noise, loud music or any other disturbances, except any complaint excluded by an anti-blight enforcement officer because such officer determines that the complaints ~~(s)~~ are made for false, malicious or frivolous reasons.

(2) Each instance of the following physical conditions shall constitute a blighting condition:

a. Doors, windows or other openings into houses, apartment buildings or commercial buildings which are (i) broken or missing, (ii) boarded up with unpainted wood, metal or other material or (iii) boarded up, but some or all of the material used to board up the windows or doors in question ~~have~~ has been broken, pried off or apart or otherwise vandalized;

~~b. Collapsing or missing walls, floors or roof;~~

b.e. Exterior walls which contain holes, breaks, loose or rotting materials, which are not properly surface-coated to prevent deterioration, or the paint on which is significantly discolored or faded;

c.d. Foundation walls which contain open cracks and breaks;

d.e. Overhang extensions, including, but not limited to, canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts which contain rust, tearing, fading or other decay;

e.f. Chimneys and similar appurtenances which are in a state of disrepair;

f.g. Screening which contains tears or ragged edges;

g.h. Vermin infestation;

August 10, 2016

~~h.i.~~ Garbage, trash or abandoned vehicles on the premises unless the premises is a junkyard licensed by the State of Connecticut;

~~i.j.~~ Uncut grass, weeds or undergrowth at least one (1) foot in length;

~~i.k.~~ A fence with missing or rotted boards or with broken or ragged links or other material or which, if made from wood, is not properly surface-coated to prevent deterioration, ~~significant discoloration or fading~~;

~~k.l.~~ Bushes, ~~other shrubbery~~, or trees allowed to grow anywhere in an area more than one (1) foot laterally and less than seven (7) feet vertically over a walkway, driveway or street;

~~l.m.~~ Accumulation of stagnant or unsanitary water;

~~m.n.~~ Dead trees deemed hazardous to the public or to adjacent property;

~~n.o.~~ Display lights or exterior signs in a broken or disassembled state;

~~o.p.~~ Exterior paint significantly chipped or faded;

~~p.q.~~ Clothing left hanging from trees, shrubs or fences in the front yard of any residence;

~~q.r.~~ Interior furniture left outside, exposed to the elements;

~~r.s.~~ Accumulations of feces or putrefying substances;

~~s.t.~~ Vehicles parked on premises unlawfully;

~~t.u.~~ Graffiti, as defined in section 7-60 of this Code of Ordinances;

~~u.v.~~ Any violation of building, housing, zoning, fire or health codes.

(c) Blighted premises shall mean any building, structure or parcel of land whether vacant or occupied in which (1) City of New Britain determines that existing conditions pose a significant risk to health and safety or because of at least one (1) of the conditions identified in subparagraphs (b)(2)a. or b. of this section or (2) an anti-blight enforcement officer has found there to be at least fifteen (15) occurrences in a one-year period of any of the conditions identified in subsection (b)(2)a. or b. of this section that do not pose a significant risk to health and safety, but which, taken as a whole, such antiblight enforcement officer determines to cause the building, structure or parcel of land to have a significant deleterious effect on neighborhood quality of life, the economic viability of the surrounding area or the taxable value of the property, itself.

(d) Building shall mean a fixed construction with walls, foundation and roof, such as a house, factory or garage, which is either vacant or occupied.

(e) As used herein, the City of New Britain shall include the fire marshal, director of health and director of licenses, permits and inspections. In addition, references to actions taken by the fire marshal, the director of health and/or the director of licenses, permits and inspections shall also apply to similar actions taken by the subordinates or representatives of these officials. [General] Statutes, section 29-260.

(f) Dilapidated shall mean no longer adequate for the purpose or use for which it was intended or having fallen into partial or total ruin or decay.

(g) Legal occupancy shall mean human habitation of a building that is legal by virtue of compliance with state building, state fire safety, local zoning, local housing and all other pertinent codes.

(h) Neighborhood shall mean an area of the city comprising buildings, structures or parcels of land any part of which is within a radius of one thousand (1,000) feet of a blighted premises.

(i) Owner shall mean any person, institution, foundation, corporation, partnership, entity or authority which holds title to or leases real property within the City of New Britain.

~~(j) Significant risk to health or safety shall refer to conditions that would likely result in illness, injury or death if allowed to persist.~~

~~(j)(k)~~ Proximate property shall mean any building, structure or parcel of land within one thousand (1,000) feet of a blighted premises.

~~(k)(l)~~ Structure shall mean that which has been or is built or constructed and which is, or should be, fastened, anchored, attached or rests on a building, foundation or on the ground, including, but not limited to, any building, fences, fire escapes, railings, towers, sidewalks or stairways.

~~(l)(m)~~ Vacant shall mean a period of sixty (60) days or longer during which a building or structure or part thereof is not legally occupied by human beings.

~~(m)(n)~~ Vacant parcel shall mean a parcel of land with no buildings or structures thereon.

~~(n)(o)~~ Anti-blight enforcement officer means any city official or employee designated by the mayor as such.

(Res. No. 30710-2, 9-9-09; Res. No. 31094-5, 1-11-12)

Sec. 7-43. Lien for costs and expenses incurred by the City of New Britain.

Whenever the owner fails to comply with an order or citation to repair, board, maintain, or demolish a building, sign, or structure and/or remove the blighting condition or in order to make the property safe and sanitary under any provision of the Connecticut General Statutes or the City of New Britain building, health, housing or safety codes or regulations and the City of New Britain has made repairs, boarded, or demolished the building, sign, or structure and/or removed the blighted condition or to make the property safe and sanitary after the owner's

August 10, 2016

failure to do so, reasonable costs and expenses incurred by the City of New Britain shall be a lien against the real property in accordance with section 49-73b. of the General Statutes.

The lien shall be recorded with the records of land ~~evidence records~~ of the municipality, and the lien shall incur legal interest from the date of recording. The costs incurred the City of New Britain, plus interest thereon, in the repair, boarding or demolishing of a building, sign or structure and/or removal of the blighting condition, or to make the property safe and sanitary shall ~~be added to the amount of taxes due on the real property where the building, sign or structure was located.~~ be recorded as a lien and will take precedence over any other encumbrances except municipal tax assessments.

(Res. No. 30710-2, 9-9-09; Res. No. 31094-2, 9-22-10; Res. No. 31094-5, 1-11-12; Res. No. 31766-2, 4-11-12)

Sec. 7-44. Violations and penalties.

(a) Each violation of any provision of this article shall be considered a separate offense hereunder and each day any violation of any provision of this article shall continue shall constitute a separate offense hereunder.

~~(b) When the owner of a property has failed to comply with an order within thirty (30) days after said order became effective, an antiblight enforcement officer shall charge to the property owner a fine for each blighting condition addressed in the order until the property owner complies with the order. The fine shall be two hundred fifty dollars (\$250.00) for each day that each separate blighting condition persist beyond thirty (30) days from the effective date of the order. In the case of violations of subdivision (1) of subsection (b) of section 7-42, conditions shall be considered corrected only if no events identified as blighting conditions under subdivision (1) of subsection (b) of section 7-42 occur on the premises in question within a period of twenty-one (21) consecutive days. If such a period of twenty-one (21) consecutive days is not met, the entire number of blighting conditions under subdivision (1) of subsection (b) of section 7-42 that contributed to the premises being identified as a blighted premises in the order or modified order shall be considered ongoing blighting conditions for the purpose of assessing a fine of two hundred fifty dollars (\$250.00) per outstanding blighting condition per day after the expiration of the thirty-day period. The fine will double if not paid within ten (10) days of issuance.~~

(b) When the owner of the property has been found in violation of this article, a blight enforcement official shall issue a ticket for such violation, which ticket shall provide for a fine of ninety dollars (\$90.00) per violation payable to the City of New Britain.

(c) No fee or fine shall be due while a reconsideration, hearing or appeal is pending in the matter; however, such action shall not prevent further accumulation of the penalty if the order is upheld.

(d) The imposition of any fee or fine under this article shall not be construed to prevent the enforcement of other laws upon the premises nor to prevent the initiation of other enforcement measures or penalties.

~~(e) A one-percent per day interest charge shall be applied for failure to pay, within forty-five (45) days, any fine charged for violation of this article.~~ Failure to pay any fee or fine arising from the enforcement of this article shall constitute a debt in favor of the city and shall constitute a lien upon the real estate against which the fee or fine was imposed from the original date of such fine or fee. Each such lien may be continued, recorded and released in the manner provided by the Connecticut General Statutes for continuing, recording and releasing property tax liens. The Connecticut General Statutory lien will accumulate from the date of recording to the date of payment and will be added to the amount owed at the time of payment. Each such lien shall take precedence over all other liens and encumbrances filed after the effective date of this article to the fullest extent permitted by law, except taxes, and may be enforced in the same manner as property tax liens.

(f) Whenever, under article III of chapter 7 or chapter 13 of this Code or any rule or regulation promulgated by any officer of the city under authority vested in such officer by these ordinances, any act is prohibited or is declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful, the violation of such ordinance, rule or regulation shall be punished by a fine not exceeding one hundred dollars (\$100.00). Each day any such violation shall continue, shall constitute a separate offense.

(Res. No. 30710-2, 9-9-09; Res. No. 31094-2, 9-22-10; Res. No. 31094-5, 1-11-12)

Sec. 7-45. Enforcement.

The anti-blight enforcement officers shall be responsible for enforcement of this code.

(b) Complaints. The mayor or his or her designee shall cause there to be kept a correlated database of blighting conditions recorded by the departments of the city such that the number of blighting conditions present on each premises may be determined. ~~The anti-blight enforcement officers of the city shall regularly review this record.~~ Based on this database or other evidence, an antiblight enforcement officer, any individual affected by the action or inaction of an owner of a dwelling unit or other space subject to the provisions of this article, any civic

August 10, 2016

organization, and any appropriate municipal agency may file, in writing, a complaint of violation of any of these sections with the City of New Britain. Any complaint made pursuant to this subsection shall be kept in the database provided for in this subsection, correlated by premises in question.

(c) Investigation. An antiblight enforcement officer shall undertake an investigation of the complaint by conducting an inspection of the property. If, in the course of such inspection, the antiblight enforcement officer observes a condition which he/she believes may constitute a violation of a code outside of his/her competence, he/she shall notify the appropriate personnel, agency or department and request that personnel, agency or department to conduct an inspection and provide to the antiblight enforcement officer a copy of said report together with any actions which are necessary to abate conditions which constitute a violation(s) of the provisions of this article. ~~The antiblight enforcement officer shall make a determination, based on the database kept pursuant to subsection (a) of this section, such officer's own investigation, the reports from other code enforcement officials and the records of police calls to the premises, whether the property is a blighted premises in accordance with this article.~~

(d) Orders to take corrective action. Enforcement officer makes a determination, pursuant to subsection (c) of this section, that a property is a blighted premises or that fines or fees for a previous violation have remained unpaid for a period of thirty (30) calendar days, and prior notice to the property owner is mandated under the relevant state code, then the City of New Britain shall send a notice of violation and/or unpaid fines or fees and an order to correct such violation on the owner of the property by certified mail or in-hand service by any proper officer or indifferent person. ~~If the owner cannot be identified or if the address is unknown, copy of such notice shall be published in a newspaper having general circulation in the municipality, as well as being posted on the City of New Britain website.~~ The order shall require the owner to abate and/or correct any condition which contributes to classification of the property as a blighted premises pursuant to this article in the manner specified in said order within thirty (30) days after the date on which said order is sent to the owner by certified mail or by in-hand service or published in a newspaper. In the case of violations of subdivision (1) of subsection (b) of section 7-42, conditions shall be considered corrected if no further events identified as blighting conditions under subdivision (1) of subsection (b) of section 7-42 occur on the premises in question during any twenty-one (21) consecutive days after the effective date of the order. A copy of the order shall be placed on the land records to serve as notice to any subsequent purchaser of the existence of a violation on the premises.

(e) The notice from the City of New Britain shall include 1) the allegations against him or her and the amount of fines, penalties, costs or fees due; 2) that the individual may contest liability before a hearing officer appointed by the mayor by delivering an appeal request in person or by mail written notice within ten (10) days of the date thereof; 3) that if no hearing is demanded an assessment and judgment may be entered and issued without further notice.

(f) A ppeal of order. Any person aggrieved by any decision rendered herein may appeal pursuant to section 1-17 of the Code of Ordinances entitled "Procedure of enforcement of municipal ordinances".

(Res. No. 30710-2, 9-9-09; Res. No. 31094-2, 9-22-10; Res. No. 31094-5, 1-11-12)

Alderman Jamie Giantonio

NEW RESOLUTIONS

3.) ITEM # DEEP FUNDING. PURPOSE: \$300,000 TO DEVELOP AND COMPLETE A MONUMENT IN RESPECT TO THE 65TH INFANTRY REGIMENT, ALSO KNOWN AS "THE BORIQUENEERS". E. SANCHEZ, W. PABON, K. ROSADO

Item # RE:

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

WHEREAS, the State of Connecticut Bonding Committee has funding available under the Department of Energy and Environmental Protection and,

WHEREAS, these funds are to be used to develop and complete a monument in respect to the 65th Infantry Regiment, also known as "The Boriqueneers", and,

WHEREAS, there is no requirement for a cash match from the City and,

WHEREAS, these funds, in the amount of \$300,000, will be used as set forth in the budget listed below and monitored in an advisory capacity by an Ad Hoc Boriqueneers Monument Oversight Committee established by the Common Council, THEREFORE, BE IT

August 10, 2016

RESOLVED, that the sum of \$300,000 be appropriated as follows:

| | | |
|----------------|------------------------------------------------|------------|
| Revenue: | | |
| 255315017-4222 | Boriqueneers Monument – State Revenue | \$ 300,000 |
| | | |
| Expenditures: | | |
| 255315017-5454 | Boriqueneers Monument – Construction Contracts | \$ 300,000 |
| | | |

Ald. Emmanuel Sanchez
Ald. Wilfredo Pabon
Ald. Kristian Rosado

4.) ITEM # AD HOC COMMITTEE. PURPOSE: CREATION OF THE BORIQUENEERS MONUMENT OVERSIGHT COMMITTEE TO OVERSEE THE CONSTRUCTION OF THE BORIQUENEERS MONUMENT. E. SANCHEZ

Item # RE:

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

WHEREAS, in 2011 Sergeant Nieves, a veteran of the 65th Infantry Regiment, also known as “The Boriqueneers”, approached State Representative Robert Sanchez to request a monument honoring the veterans of this regiment; and

WHEREAS, in 2012, through hard work and dedication towards the fulfillment of achieving this goal, the State Delegation along with the City of New Britain, determined an appropriate location for this monument; and

WHEREAS, the area at the intersection of Beaver Street, Washington Street and Farmington Avenue was designated in honor of this unit; and

WHEREAS, there have been numerous fundraisers and community events in support of this special project; and

WHEREAS, in 2016, State Representative Robert Sanchez submitted an application requesting State funding for the Boriqueneers monument; and

WHEREAS, on July 12, 2016, the State Bonding Committee has accepted and approved the funding for this project; and

WHEREAS, we celebrate the hard work of all those involved over the past five years in obtaining the funding for this project and endeavor to be good stewards of this money and ensure progress and realization for such a great symbol; and

WHEREAS, this project will require oversight from various sources and the Mayor and Common Council will require periodic reports on the work progress; and

WHEREAS, the best way to accomplish this is to create an Ad HOC Committee; and

NOW, THEREFORE, BE IT RESOLVED, that an Ad HOC Boriqueneers Monument Oversight Committee be established in an advisory capacity with the purpose of overseeing the construction of the monument and to periodically report on the progress to the Mayor and the Common Council;

AND, NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Committee shall be comprised of 7 members:

- 1 member of the Mayor’s Office, Mayor Erin E. Stewart or her designee
- 1 member of the Public Works Department, Director Mark Moriarty
- 3 members of the Common Council, Alderman Wilfredo Pabon, Emmanuel Sanchez and Kristian Rosado
- 2 members of the Public: State Representative Robert Sanchez and Latino Coalition President Carmelo Rodriguez

Alderman Emmanuel Sanchez

August 10, 2016

5.) ITEM # CODE OF ORDINANCES SEC. 2-54. PURPOSE: PROPOSED AMENDMENT TO THE CODE OF ORDINANCES TO ELIMINATE THE HUD GRANTS COMMITTEE. J. GIANTONIO

Item # RE: To eliminate the HUD Grants Committee

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned begs leave to recommend the adoption of the following:

Resolution Summary: PURPOSE. To eliminate the HUD Grants Committee because it is an unnecessary part of the grant approval process, which is ultimately the responsibility of the Common Council.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that, Section 2-54 of Chapter 2, Article II, Division 2 of the Code of Ordinances, City of New Britain, be amended to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

~~Sec. 2-54. HUD grants committee.~~

~~(a) — Establishment and composition. There is hereby established a HUD grants committee of the common council. Said HUD grants committee shall consist of all current members of the common council except for those members who have a conflict of interest as defined under the conflict of interest regulations for HUD programs. The chair shall be elected by the members of the committee.~~

~~(b) — Duties. The HUD grants committee shall be responsible for the consideration and approval of all grants issued by HUD, including, but not limited to, under the community development block grant program, HOME program and emergency solutions grant program.~~

~~(Res. No. 31754-2, 4-11-12)~~

Alderman Jamie Giantonio

6.) ITEM # SUBSTANCE ABUSE ACTION COUNCIL FUNDING. PURPOSE: \$7,116 TO SUPPORT ALCOHOL, TOBACCO AND BULLYING PREVENTION ACTIVITIES. T. COLLINS

Item # RE: Receipt of Local Prevention Council Funding from Substance Abuse Action Council

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

Resolution Summary: PURPOSE: This resolution allows for receipt of Local Prevention Council funding of \$7,116 from the Substance Abuse Action Council. Funds to be used to support alcohol, tobacco, and bullying prevention activities, including; "Take Back the Streets"; Abilities Walk; and Bike Safety Day. There is no match obligation on the part of the city for these entitlement funds.

WHEREAS, the City of New Britain is committed to the prevention of Alcohol, Tobacco, Bullying and other negative (abusive) behaviors by its residents, and particularly its children, AND

WHEREAS, there is a Local Prevention Council appointed under jurisdiction of the Commission on Youth Services, AND

WHEREAS, prevention funding from the Substance Abuse Action Council has been made available for Local Prevention councils on an annual basis, AND

WHEREAS, such funding has been awarded to New Britain Youth & Family Services, the Local Prevention Council for New Britain, AND

NOW THEREFORE BE IT RESOLVED, that Mayor Erin E. Stewart receive full authority to execute all contracts in receipt of Local Prevention Council funding in the amount of \$7,116, AND

BE IT FURTHER RESOLVED, that such funding, upon receipt, be placed in appropriate revenue and expenditure accounts as detailed below, under administrative purview of New Britain Youth & Family Services.

August 10, 2016

| | | |
|------------------------|------------------------------|---------|
| Revenue Account:: | Local Revenue/Contributions | \$7,116 |
| 296536105-4476 | | |
| Expenditures accounts: | | |
| 296536105-5659 | Operating Materials/Supplies | \$3,558 |
| 296536105-5336 | Other Purchase Services | \$3,558 |
| | TOTAL | \$7,116 |

Alderman Tremell J. Collins

7.) ITEM # CONVEYANCE OF PROPERTY. PURPOSE: SALE OF 74 KELSEY STREET TO CHRYSALIS CENTER REAL ESTATE CORP. FOR \$80,000. J. GIANTONIO

Item # RE: Purchase and Sale Agreement with Chrysalis Center Real Estate Corporation

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

RESOLUTION SUMMARY: PURPOSE. To convey a City of New Britain-owned vacant property for rehabilitation and housing.

WHEREAS, The City of New Britain is committed to improving the housing stock and quality of life of its residents; and

WHEREAS, The City of New Britain currently owns property known as 74 Kelsey Street, which has been acquired through purchase from the previous owner; and

WHEREAS, Chrysalis Center Real Estate Corporation has offered to purchase the property for \$80,000.00 and will immediately work to obtain the funding to rehabilitate the condition of the building; and

WHEREAS, Chrysalis Center Real Estate Corporation has had significant experience in rehabilitating buildings and improving the appearance and condition of residential property; and

WHEREAS, Chrysalis Center Real Estate Corporation intends to spend at least six million dollars (\$6,000,000.00) in rehabilitating and refurbishing this building and will not seek any enterprise zone benefits; and

WHEREAS, Chrysalis Center Real Estate Corporation intends to create approximately thirty rental apartment units with four units being reserved as a priority for veterans and the other units to be offered at a range of rental rates; and

WHEREAS, Chrysalis Center Real Estate Corporation will agree to a clause that all agreements between the parties will be canceled and the property will automatically revert back to the City of New Britain if it does not obtain project funding, purchase the property and start construction within forty eight months of the date of the Purchase and Sale Agreement that will be prepared from this Resolution; and

WHEREAS, it is in the best interests of the City of New Britain to have this property restored to the grand list with property assessment and property taxes determined in a way that shows City financial support for this project to the project funders and establishes property taxes that are based on the restricted Fair Market Value of the property; now, therefore, be it

RESOLVED, That Erin E. Stewart, Mayor is hereby authorized to negotiate and execute on behalf of the City of New Britain, a Purchase and Sale Agreement with Chrysalis Center Real Estate Corporation for property known as 74 Kelsey Street, and to execute any and all documents necessary for the conveyance of said property in accordance with the terms of said agreement at a sale price of Eighty Thousand Dollars (\$80,000.00), and to execute any and all documents necessary to establish a property tax assessment that reflects the restricted Fair Market Value based on the actual project net operating income and the current market capitalization rate, and to establish a phased in property tax with no property taxes during construction and for one year following completion of construction, and property taxes phased in at 10% per year over the next 10 years.

Alderman Jamie Giantonio

August 10, 2016

8.) ITEM # CT RECREATIONAL TRAILS PROGRAM GRANT. PURPOSE: CT DEEP ENVIRONMENTAL PROTECTION GRANT FOR THE COMPLETION OF A.W. STANLEY PARK MULTI-USE TRAIL. J. GIANTONIO, C. CARLOZZI, JR.

Item # RE: CT Department of Energy and Environmental Protection Grant for Completion of A.W. Stanley Park Multi-Use Trail

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

WHEREAS, The Public Works Department submitted a Connecticut Recreational Trails Program Grant Application to the Connecticut Department of Energy and Environmental Protection (DEEP) to complete the multi-use loop trail around the lower pond at A.W. Stanley Park and provide access to Village Square; and

WHEREAS, DEEP awarded a grant in the amount of \$94,000 with a minimum local match of in-kind services of \$24,252 for a total project cost of \$118,252; and

WHEREAS, The work will include extending the existing 3,415 foot paved trail by paving an additional 1,138 feet, creating a complete 1.13 mile long loop around the pond as well as paving a 200 foot long connector path to provide access from the multi-use trail to Village Square Drive; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN:

1. That it is in the best interest on the City of New Britain to enter into contracts with the Department of Energy and Environmental Protection; and
2. That Erin E. Stewart, Mayor of the City of New Britain, is duly authorized to enter into and sign said contracts on behalf of the City of New Britain; and
3. That Erin E. Stewart currently holds the office of Mayor in the City of New Britain and has held that office since November 11, 2013; and
4. The Mayor is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, recessions, and revisions thereto.
5. That a budget appropriation be made as follows:

| | | |
|------------------------|------------------------|-----------|
| Increase Expenditures: | | |
| 255315017-5454 | Construction Contracts | \$ 94,000 |
| Increase Revenues: | | |
| 255315017-4222 | Connecticut DEEP | \$ 94,000 |

Alderman Jamie Giantonio
Alderman Carlo Carlozzi, Jr.

9.) ITEM # BUDGET AMENDMENT – TOWN CLERK’S OFFICE. PURPOSE: \$12,700 FOR HISTORICAL RECORDS RETENTION. J. GIANTONIO

Item # RE: PRESERVATION OF HISTORICAL DOCUMENTS

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

WHEREAS, effective July 1, 2000 the State of Connecticut passed into law, Public Act 00-146, an “Act Concerning Real Estate Filings and Preservation of Historical Documents” and,

WHEREAS, this legislation established a state “Historic Document Preservation” account for the “Preservation and Management of Historic Documents” and,

WHEREAS, the Town Clerk’s Office continues the project of scanning New Britain’s historic land records into Cott System Resolution3 for preservation, retention and backup, now therefore be it

August 10, 2016

RESOLVED, that a budget amendment in the amount of \$12,700 be appropriated within the city's Special Revenue Fund entitled "Historical Records Retention" established to meet the needs of the Town Clerk's Office as follows:

INCREASE REVENUE BUDGET

| | |
|--------------------------------------------------------------------|----------|
| #249108101-4561 Historic Preservation Document Preservation (Town) | \$12,700 |
|--------------------------------------------------------------------|----------|

INCREASE EXPENDITURE BUDGET

| | |
|--------------------------|----------|
| #249108101-5122 Overtime | \$10,000 |
|--------------------------|----------|

| | |
|---------------------------------|---------|
| #249108101-5611 Office Supplies | \$1,100 |
|---------------------------------|---------|

| | |
|------------------------------------------------|----------------|
| #249108101-5659 Operating Materials & Supplies | <u>\$1,600</u> |
| TOTAL | \$12,700 |

President Pro Tempore Jamie Giantonio

10.) ITEM # CHARTER REVISION COMMISSION. PURPOSE: CHARTER REVISION QUESTIONS FOR THE NOVEMBER BALLOT. J. GIANTONIO

UNFINISHED BUSINESS