

REGULAR MEETING OF THE COMMON COUNCIL
FEBRUARY 24, 2016
MATTABASSETT DISTRICT PRESENTATION FROM ART SIMONIAN
OTHER AWARDS, PRESENTATIONS AND SPECIAL RECOGNITIONS

APPROVAL OF MINUTES FROM REGULAR MEETING OF JANUARY 27, 2016

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.**

FINANCE DEPARTMENT

****B.) ITEM # LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET FOR PERIOD OCTOBER 6, 2015 THROUGH FEBRUARY 16, 2016. PURPOSE: TRANSFERRED MONIES FROM ONE LINE ITEM TO ANOTHER WITHIN THEIR DEPARTMENTAL BUDGET.**

****C.) ITEM # ON-CALL ENGINEERING SERVICES. PURPOSE: \$10,500 TO LENARD ENGINEERING INC TO CONDUCT INSPECTIONS OF SIX DAMS AT THE CITY'S RESERVOIRS AND SUBMIT REPORTS TO CT DEEP FOR THE PUBLIC WORKS DEPARTMENT.**

BOARD OF POLICE COMMISSIONERS

****D.) 33119 RESPONSE TO PETITION 33119. PURPOSE: TRAFFIC STUDY OF CHURCH STREET BETWEEN STANLEY STREET AND FAIRVIEW STREET.**

****E.) 33120 RESPONSE TO PETITION 33120. PURPOSE: TRAFFIC STUDY OF BROOK STREET.**

****F.) 33122 RESPONSE TO PETITION 33122. PURPOSE: BASSETT STREET "NO PARKING" SIGNS.**

****G.) 33158 RESPONSE TO PETITION 33158. PURPOSE: TRAFFICE STUDY AT THE INTERSECTION OF PERSHING AVENUE AND STERLING STREET.**

TAX DEPARTMENT

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

REPORTS RETURNED FROM COMMITTEE

COMMITTEE ON LICENSES

****I.) 33386 RECOMMENDATION FOR RESOLUTION 33386. PURPOSE: LICENSE TO BE ISSUED FOR PURPOSE OF CONDUCTING THE LITTLE POLAND FESTIVAL.**

RESOLUTIONS RETURNED FROM COMMITTEE

1.) 33386 POLISH FOUNDATION OF GREATER NEW BRITAIN LITTLE POLAND FESTIVAL. PURPOSE: LICENSE TO BE ISSUED FOR PURPOSE OF CONDUCTING A FESTIVAL. D. DAVIS, S. BLACK, T. COLLINS, C. POLKOWSKI

February 24, 2016

NEW RESOLUTIONS

- 2.) ITEM # PROPOSED AMENDMENT TO THE CODE OF ORDINANCES. PURPOSE: INCREASE OF CERTAIN FEES FOR FOOD ESTABLISHMENTS AND TO ADOPT A PROVISION FOR MOBILE FOOD TRUCKS. D. SALERNO

- 3.) ITEM # RPIP GRANT SUPPORT FOR CRCOG. PURPOSE: REGIONAL PERFORMANCE INCENTIVE PROGRAM PROJECT PROPOSAL AND AUTHORIZATION.
J. GIANTONIO, D. SALERNO, C. CARLOZZI, JR.

- 4.) ITEM # HOLY CROSS CHURCH BAZAAR/CARNIVAL. PURPOSE: LICENSE TO BE ISSUED FOR PURPOSE OF CONDUCTING A BAZAAR/CARNIVAL. D. NAPLES, R. SMEDLEY

UNFINISHED BUSINESS

February 24, 2016

REGULAR MEETING OF THE COMMON COUNCIL

FEBRUARY 24, 2016

**MATTABASSETT DISTRICT PRESENTATION FROM ART SIMONIAN
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APPROVAL OF MINUTES FROM REGULAR MEETING OF JANUARY 27, 2016

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

Hansen, Peter V.
Rivera, Richard

Mark H. Bernacki
City Clerk

FINANCE DEPARTMENT

**B.) ITEM # LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET FOR PERIOD OCTOBER 6, 2015 THROUGH FEBRUARY 16, 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 October 6, 2015 through February 16, 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 February 16, 2016

3. Department: Civil Service
From: 001521002-5338 (Test Fees)
To: 001521002-5334 (Employee Physicals)
Amount: \$2,500.00
Brief Description: Additional funds needed due to employee required physicals for CDL license renewals

Rebecca Salerni
Deputy Finance Director

February 24, 2016

****C.) ITEM # ON-CALL ENGINEERING SERVICES. PURPOSE: \$10,500 TO LENARD ENGINEERING INC TO CONDUCT INSPECTIONS OF SIX DAMS AT THE CITY'S RESERVOIRS AND SUBMIT REPORTS TO CT DEEP FOR THE PUBLIC WORKS DEPARTMENT.**

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: On-Call Engineering Services

DATE: February 24, 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 February 9, 2016 meeting.

Project Name: Dam Inspections
Vendor: Lenard Engineering, Inc.
Amount: \$10,500.00
Line Items: 9303500101-5659 Water Operating Expense or Supply, Operating Material and Supply
Requested By: Public Works Department, Utilities Division

Scope: Lenard Engineering, Inc will conduct inspections of the six (6) dams and two (2) dikes at the Utilities Division's Reservoirs in accordance with the CT DEEP Dam Inspection Regulations. Lenard Engineering, Inc will review their findings from past inspection of the Dams that was conducted in 2014 to more closely evaluate any past problem areas. The inspections will include observations of visible components of the Dams including their embankments, spillways, downstream channels, intake and outlet structures and training walls. Photographs of the Dam components and areas of concern will be taken along with aerial photographs of the watershed and impoundment areas of the reservoirs. Lenard Engineering, Inc will then create internal reports describing the conditions of each dam and estimate any seepage found. They will then meet with the Utilities Division to discuss their site inspection results of the Dams. They will make recommendations for any maintenance, improvements or repairs to the Dams. Lenard Engineering, Inc will then prepare the required CT DEEP formal Dam inspection reports and then submit the reports to them.

Resolved: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$10,500.00 to Lenard Engineering, Inc of Glastonbury, CT to conduct inspections of the six (6) dams at the City's Reservoirs and submit required reports to the CT DEEP for the Public Works Department, Utility Division.

Jack Pieper
Purchasing Agent

BOARD OF POLICE COMMISSIONERS

****D.) 33119 RESPONSE TO PETITION 33119. PURPOSE: TRAFFIC STUDY OF CHURCH STREET BETWEEN STANLEY STREET AND FAIRVIEW STREET.**

REPORT OF: THE BOARD OF POLICE COMMISSIONERS

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

ITEM #: 33119

RE: Common Council Petition #33119, re: Please conduct a traffic study of Church Street in the area between Stanley Street and Fairview Street. There have been numerous complaints of excessive speeding in the area.

Date: February 24, 2016

This is an area that has seen more than a dozen motor vehicle stops in the past year. The Traffic Safety Bureau and the Patrol Division will continue increased law enforcement activity in this area.

No further action is required by the Board.

Jack W. Ferguson II
Clerk of the Board

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**E.) 33120 RESPONSE TO PETITION 33120. PURPOSE: TRAFFIC STUDY OF BROOK STREET.

REPORT OF: THE BOARD OF POLICE COMMISSIONERS

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

ITEM #: 33120

RE: Common Council Petition #33120, re: Please conduct a traffic study of Brook Street. There have been numerous complaints of excessive speeding at all hours of the day.

Date: February 24, 2016

A similar petition (#33091), was addressed by the Board in June 2015. Since that time, increased enforcement activity has taken place in in this area. Both the Traffic Safety Bureau and the Patrol Division will continue increased enforcement in this area.

No further action is required by the Board.

Jack W. Ferguson II
Clerk of the Board

**F.) 33122 RESPONSE TO PETITION 33122. PURPOSE: BASSETT STREET "NO PARKING" SIGNS.

REPORT OF: THE BOARD OF POLICE COMMISSIONERS

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

ITEM #: 33122

RE: Common Council Petition #33122, re: Please install "No Parking" signs the length of Bassett Street. Current signs are either faded or have been removed.

Date: February 24, 2016

There are currently authorized parking restrictions in the area of Northend School. There is also a weekday, daytime restriction on the east side of Bassett Street just north of Brook Street. No further new restrictions are needed. However, the authorized signage will be reviewed by Public Works so faded and missing signs can be replaced.

No further action is required by the Board.

Jack W. Ferguson II
Clerk of the Board

**G.) 33158 RESPONSE TO PETITION 33158. PURPOSE: TRAFFICE STUDY AT THE INTERSECTION OF PERSHING AVENUE AND STERLING STREET.

REPORT OF: THE BOARD OF POLICE COMMISSIONERS

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

ITEM #: 33158

RE: Common Council Petition #33158, re: Please conduct a traffic study at the intersection of Pershing Avenue and Sterling Street for the possibility of adding a four-way "Stop" sign.

Date: February 24, 2016

The Traffic Safety Bureau supervisor surveyed this area and determined that this request is trying to use "STOP" signs for speed control, which is not an authorized use of a "STOP" sign. A check of the past three year history of this intersection finds only one motor vehicle accident since January 1, 2012. He recommends denying this petition.

The Board voted to deny this request for a four-way "STOP" sign at the intersection of Pershing Avenue and Sterling Street.

Jack W. Ferguson II
Clerk of the Board

February 24, 2016

TAX DEPARTMENT

**H.) 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 LICENSES

**I.) 33386 RECOMMENDATION FOR RESOLUTION 33386. PURPOSE: LICENSE TO BE ISSUED FOR PURPOSE OF CONDUCTING THE LITTLE POLAND FESTIVAL.

REPORT OF: COMMITTEE ON LICENSES

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

ITEM #: 33386

RE: Little Poland Festival

The Committee on Licenses, held a meeting on Monday, February 22, 2016, at 7:00 pm in the Council Chambers, voted to adopt and refer back to the Common Council with a favorable recommendation the following:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Polish Foundation of New Britain, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances, for Sunday, April 24, 2016, between the hours of 11:00 AM to 6:00 PM for the purpose of conducting the annual "Little Poland Festival" on Broad Street. The organization is also requesting that the Police Department allow the closure of Broad Street from Gold Street to Washington Street and the closure of Grove Street from Orange Street to Lyman Street. Horace Street access to Broad Street would also be closed.

Alderman Daniel Davis, Chair

RESOLUTIONS RETURNED FROM COMMITTEE

1.) 33386 POLISH FOUNDATION OF GREATER NEW BRITAIN LITTLE POLAND FESTIVAL.
PURPOSE: LICENSE TO BE ISSUED FOR PURPOSE OF CONDUCTING A FESTIVAL.
D. DAVIS, S. BLACK, T. COLLINS, C. POLKOWSKI

Item #33386 RE: Little Poland Festival

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Polish Foundation of New Britain, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances, for Sunday, April 24, 2016, between the hours of 11:00 AM to 6:00 PM for the purpose of conducting the annual "Little Poland Festival" on Broad Street. The organization is also requesting that the Police Department allow the closure of Broad Street from Gold Street to Washington Street

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and the closure of Grove Street from Orange Street to Lyman Street. Horace Street access to Broad Street would also be closed.

Alderman Daniel Davis
Alderwoman Shirley Black
Alderman Tremell Collins
Alderman Christopher Polkowski

NEW RESOLUTIONS

2.) ITEM # PROPOSED AMENDMENT TO THE CODE OF ORDINANCES. PURPOSE: INCREASE OF CERTAIN FEES FOR FOOD ESTABLISHMENTS AND TO ADOPT A PROVISION FOR MOBILE FOOD TRUCKS. D. SALERNO

Item # RE: Increase of certain fees and addition of mobile food vehicles

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 amend the Code of Ordinance to provide for the increase of certain fees for food establishments and to adopt a provision for mobile food trucks.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Chapter 10, Article II and Chapter 14, Article X 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]):

CHAPTER 10, ARTICLE II - DIVISION 2. LICENSES

Sec. 10-37. - Classifications of food establishments; fees for issuance of licenses; duration; inspection intervals; re-inspection fees; late charge.

- (a) All licenses to conduct, operate or maintain any food establishment shall be issued for a period of one (1) year beginning July 1 and ending June 30 of the following year, except that any license issued after July 1 of any year shall expire as of the June 30 following the date of issuance of such license.
- (b) Food establishments shall be classified as follows:
- (1) Class I establishment — Food service establishment with commercially prepackaged food and/or hot or cold beverages only. No preparation, cooking or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours; e.g., cold commercially packaged sandwiches and sandwich meat and cheeses, pastries, confectioneries, snacks, popcorn, pretzels, donuts, coffee, tea, soft drinks, etc.
 - (2) Class II establishment — Food service establishment using cold or ready to eat commercially processed food requiring no further heat treatment and/or hot or cold beverages. No cooking, heating or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours, and commercially precooked hot dogs, kielbasa and soup may be heated if transferred directly out of the original package and served within four (4) hours; e.g., cold deli sandwiches, salads, commercially prepared, processed and packaged sandwiches, hot dogs, kielbasa, soups, coffee, tea, soft drinks, etc.
 - (3) Class III establishment — Food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and consumed by the public within four (4) hours of preparation; e.g., hot meat sandwiches, pizza, soups, seafood, etc.
 - (4) Class IV establishment — Food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and held for more than four (4) hours prior to consumption by the public; e.g., meats, poultry, eggs, seafood, dairy, etc.
- (c)

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Food establishments shall be inspected at the following intervals:

- (1) Class I establishment — 360 days;
- (2) Class II establishment — 180 days;
- (3) Class III establishment — 120 days;
- (4) Class IV establishment — 90 days;
- (5) Temporary food service establishment — At intervals based on the applicable class of the establishment.

(d)

Every applicant for a license to conduct, operate or maintain a food establishment shall pay a fee or fees for such establishment in accordance with the following schedule:

- (1) Class I establishment:
 - a. Fixed establishment — One hundred ten dollars (\$110.00) per year, or part thereof.
 - b. Mobile establishment — Seventy-five dollars (~~\$75.00~~ \$90.00) per year, or part thereof.
- (2) Class II establishment:
 - a. Fixed establishment — One hundred forty-five dollars (\$145.00) per year, or part thereof.
 - b. Mobile establishment — One hundred dollars (~~\$100.00~~ \$125.00) per year, or part thereof.
- (3) Class III establishment:
 - a. Fixed establishment — One hundred eighty dollars (\$180.00) per year, or part thereof, plus two dollars (\$2.00) per seat for each seat in excess of thirty-five (35).
 - b. Mobile establishment — One hundred forty dollars (~~\$140.00~~ \$170.00) per year, or part thereof.
- (4) Class IV establishment — Two hundred fifteen dollars (\$215.00) per year, or part thereof, plus two dollars (\$2.00) per seat for each seat in excess of thirty-five (35).
- (5) Temporary food service establishment — Thirty-five dollars (\$35.00) per day up to a maximum of one hundred seventy-five dollars (\$175.00) per year.

(e)

Late charge for food establishment licensing fee. There shall be a thirty dollar (\$30.00) late charge for any food establishment licensing fee not received by June 30. In addition, there shall be an additional thirty dollars (\$30.00) charge for each additional thirty-day period that the fee remains delinquent.

(f)

Re-inspection fee. In the event that a food establishment shall require a re-inspection as a result of having failed to attain a passing grade on the initial inspection (4 pt. item(s) not corrected or previous grade below 80), such food establishment shall be required to pay a re-inspection fee of one hundred twenty-five dollars (\$125.00) for each required re-inspection.

(g)

All new or extensively remodeled food establishments must undergo a plan review before beginning operation. A fee of one hundred fifty dollars (\$150.00) is to be paid for each plan review.

CHAPTER 14,
ARTICLE X. ITINERANT VENDORS

Sec. 14-211. - Scope of article.

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- (a) The provisions of this article shall not apply to, sales made to dealers by commercial travelers or selling agents in the usual course of business nor to bona fide sales of goods, wares and merchandise by sample for future delivery, nor to any sale of goods, wares or merchandise on the grounds of any incorporated agricultural society during the continuance of any annual fair held by such society.
- (b) No itinerant vendor shall be relieved or exempted from the provisions and requirements of this article by reason of associating himself temporarily with any local dealer, auctioneer, trader or merchant, or by conducting any temporary or transient business in connection with or in the name of any local dealer, auctioneer, trader or merchant.
- (c) Mobile food vehicles on public property in the city, as defined in this article, shall be subject to regulation, including the requirement of regulatory licenses and permits. Vending in the public right-of-way without a permit issued pursuant to this article shall be unlawful and subject to the penalties as set forth in this section.

Sec. 14-212. - Definitions.

As used in this article:

Itinerant vendor shall mean any person, whether principal or agent, who engages in a temporary or transient business, either in one location or traveling from place to place, selling goods, wares and merchandise, and who, for the purpose of carrying on such business, hires, leases or occupies any building or structure in the city for the exhibition and sale of such goods, wares and merchandise.

Peddler shall mean any person, whether principal or agent, who goes from town to town or from place to place in the same town selling or bartering, or carrying for sale or barter, or exposing therefor, any goods, wares or merchandise, either on foot or from any animal or vehicle.

Temporary or transient business shall mean any exhibition and sale of goods, wares and merchandise which is carried on in any tent, booth, building or other structure, unless such place shall be open for business during usual business hours for a period of at least nine (9) months in each year.

Designated food vehicle area means a geographic area designated in this article wherein permitted food vehicle vendors may vend from available metered parking spaces in accordance with this article and in accordance with Chapter 24 of the City of New Britain Code of Ordinances.

Mobile Food Vehicle means any motor vehicle used for vending of food items to the public in designated food vehicle areas.

A "mobile food vendor" is: one who sells food and/or drink which is processed or prepared in, and sold from, a licensed or moveable vehicle to walk-up customers. A mobile food vendor shall include "food truck" vendors.

Sec. 14-213. - License—Required. Exceptions.

- (a) No itinerant vendor, except one exempt under the general statutes, shall sell or offer for sale in the city any goods, wares or merchandise, unless he has obtained a license to do so issued by the ~~city police department~~ Department of Licenses, Permits, and Inspections.
- (b) No peddler, except one exempt under the general statutes, shall sell or offer for sale in the city any goods, wares or merchandise, unless he has obtained a license to do so issued by ~~the city police department~~; Department of Licenses, Permits, and Inspections; provided, however, that no such peddler's license shall be required for sales by farmers and gardeners of the produce of their farms and gardens on their own premises or at public farmers' markets designated by the common council.
- (c) No mobile food vendor shall:
 - 1) Conduct his/her business upon any street, alley, sidewalk, park or any other public place unless his/her license specifies that the sale of food in such public place is permitted thereunder, and, in no case shall such sale be allowed without approval of a license by the Director of Licenses, Permits and Inspections; and

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2) Park or stand his/her wagon, automobile or other vehicle upon any sidewalk or sidewalk area, or upon any street, alley highway or public thoroughfare so as to cause or increase congestion, obstruct travel or inconvenience the public. For the purpose of this section, the judgment of a Police Officer, exercised in good faith, shall be conclusive as to whether the area is congested, or the public impeded or inconvenienced.

(d)

The Director of Licenses, Permits and Inspections shall have the authority to approve the license and designate the public location after considering the location or area proposed by the applicant, the type of business to be conducted and any other applicable information.

Sec. 14-214. - Same—Applications.

(a)

Applicants for a license required by this article who are not residents of the state shall file their applications at least two (2) weeks prior to the effective date for the use of such license.

(b)

Applicants, when applying for such license, must show conclusive proof of possession of a state sales and use tax permit and a state vendor's permit.

(c)

Any person desiring to operate a mobile food vehicle shall make a written application for such license to the Director of Licenses, Permits, and Inspections. The application for such license shall be on forms provided by the Director of Licenses, Permits, and Inspections and shall include the following:

1. Name, signature and address of each applicant and each corporate officer.
2. Name and address of the approved commercial supply source and the affiliated licensed food establishment in the city.
3. Plans and specifications for the mobile food vehicle, including the proposed layout, photographs, mechanical schematics, construction materials, finish schedules, equipment types, manufacturers, model numbers, locations, dimensions, weight of vehicle per wheel, performance capacities, power source, installation specifications, and information on any custom fabricated equipment.
4. Proof of access to restrooms with a hand sink for use by employees within two hundred (200) feet of the mobile food vehicle, when the vehicle is parked in one location for more than two hours. Proof of access shall be evidenced by written agreement between the vendor and the business or entity which will provide such access.
5. A signed statement that the vendor shall hold harmless the city and its officers and employees, and shall indemnify the city, its officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on or under the terms of the permit. Vendor shall furnish and maintain such public liability, food products liability, and property damage insurance as will protect vendor, property owners, and the city from all claims for damage to property or bodily injury, including death, which may arise from the operations under the license or in connection therewith. Such insurance shall provide coverage of not less than one million dollars (\$1,000,000.00) per occurrence. The policy shall further provide that it may not be cancelled except upon thirty (30) days written notice served upon the City of New Britain, The Office of Corporation Council. A license issued pursuant to the provisions of this section shall be invalid at any time the insurance required herein is not maintained and evidence of continuing coverage is not filed with the Department of Licenses, Permits and Inspections.

Sec. 14-216. - Same—Fees and Penalties.

The fee for a vendor's license under this article shall be ~~two five hundred fifty~~ five hundred dollars (~~\$250.00~~) (\$500.00) per year except that there shall be no fee for a license issued to vendors of toys, flags, foodstuffs, novelties, crafts and similar items for use and in connection with parades, bazaars, circuses and similar community events located within the city. ~~Such license shall be for a period not to exceed five (5) days. Sales under such a license shall be limited to the route of the parade or the location of the bazaar, circus or similar community event. Such license shall expire upon the ending of the event.~~ Each vendor unit shall be permitted separately. The initial fee for said vendor's license shall be pro-rated on a daily basis from the date of approval of the license until June 30th. Vendor permits must be renewed every July 1st.

Each mobile food vehicle vendor that uses metered parking spaces designated in a mobile food vehicle area between the hours of 6:00 am and 7:00 pm, Monday through Friday shall be required to prepay parking permit fees for said designated spaces ~~of~~ at a daily rate.

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Any person not in compliance with Sec. 14-213 and Sec. 14-216 shall be fined two hundred fifty dollars (\$250.00) for each violation and each day not in compliance shall constitute a separate and distinct violation.

Sec. 14-218. - Same—Revocation.

(a)

The license issued pursuant to this article may be revoked by the ~~board of police commissioners of the city,~~ Director of Licenses, Permits, and Inspections, after notice and hearing, for any of the following causes:

(1)

Any fraud, misrepresentation or false statement contained in the application for license;

(2)

Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares or merchandise;

(3)

Any violation of this article;

(4)

Conviction of the licensee of any felony or of a misdemeanor involving moral turpitude; or

(5)

Conducting the business licensed under this article in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

(b)

Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee, at his last known address, at least five (5) days prior to the date set for the hearing.

Sec. 14-219. - Same—Expiration.

Unless sooner revoked, all licenses required by this section shall expire ~~one year from the date of their issuance~~ on June 30th of each year.

Sec. 14-222. - Selling goods from vehicles prohibited in certain areas.

(a)

No person shall sell or offer for sale merchandise, food or drinks of any kind or description from parked vehicles or mobile units on Main Street between North Street and Franklin Square or on Franklin Square from Main Street to Whiting Street or on any street which intersects Main Street or Franklin Square for a distance of three thousand (3,000) feet from the point at which such street intersects Main Street or Franklin Square except in locations that are designated by the City of New Britain for mobile food vendors or in connection with a parade, bazaar, circus, or similar community event for which a license has been issued.

(b)

No person shall sell or offer for sale merchandise of any kind or description, including, but not limited to, foodstuffs within three thousand (3,000) feet of any public, parochial or private school at the time of dismissal or for one-half (½) hour following dismissal except in locations that are designated by the City of New Britain for mobile food vendors.

Sec. 14-223. - Duty of ~~police Director~~ Department of Licenses, Permits, and Inspections to enforce.

It shall be the duty of the Department of Licenses, Permits and Inspections ~~police officers~~ of the city to examine all places of business and persons in their respective territories subject to the provisions of this article, to determine if this article has been complied with and to enforce the provisions of this article against any person found to be violating the same.

Sec. 14-224 – Vending operational rules.

(a)

Amplified sound or sound equipment must comply with Chapter 16, Article V of the City of New Britain Noise Ordinances regarding noise;

(b)

Designated food truck areas shall be open to mobile food vehicles on a first come-first served basis;

(c)

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Permits are issued on a first-come-first-served basis until such time as the number of applicants exceeds the maximum vendors allowed;

- (d) All vendors shall display their valid vending permits and any required copies of licensing agreements at the valid vendor location;
- (e) Any power required for the mobile food vehicle located on a public way shall be self-contained and shall not use utilities drawn from the public right-of-way. No power cable or equipment shall be extended at grade across any city street, alley or sidewalk;
- (f) The mobile food vehicle must prominently display the name and address of the owner;
- (g) No mobile food vehicle shall use external signage, bollards, seating, or any other equipment not contained within the vehicle;
- (h) Vending carts and/or food trucks shall not be left unattended or stored at any time in the operating area when vending is not taking place or during restricted hours of operation;
- (i) The mobile food vehicle shall not have a drive-through; and
- (j) Food trucks may only be open to and may only serve customers from the side of the truck facing the sidewalk. Food trucks are prohibited from operating with their trucks open to the roadway.

Alderman Daniel Salerno

- 3.) ITEM # RPIP GRANT SUPPORT FOR CRCOG. PURPOSE: REGIONAL PERFORMANCE INCENTIVE PROGRAM PROJECT PROPOSAL AND AUTHORIZATION.
J. GIANTONIO, D. SALERNO, C. CARLOZZI, JR.

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:

RESOLUTION SUMMARY: RPIP Grant Support for CRCOG

WHEREAS, Section 4-124s as amended by Section 251 and 253 of Public Act 13-247 passed by the Connecticut State Assembly provides statewide incentive grants to regional planning organizations for projects that involve shared services; and

WHEREAS, the Capitol Region Council of Governments is acting as a convener and facilitator of service sharing projects around the CRCOG region; and

WHEREAS, on November 24, 2015 and January 27, 2016 the Policy Board of CRCOG passed resolutions authorizing development and submittal of an application package to the State Office of Policy and Management for founding under the Regional Performance Incentive Grant Program, on behalf of the Council's member municipalities, and municipalities of other regions, which are participating in Council initiatives; and

WHEREAS, the Chief Elected Officials and municipal staff of the Capitol Region have developed a list of service sharing project proposals that will be included in this application package, to the benefit of individual municipalities and the region as a whole; and

WHEREAS, the City of New Britain has expressed an interest in taking part in the project proposal(s) entitled:

1. Stop Loss Captive Insurance
2. Anchor Institution and Neighborhood Engagement in TOD – Next Steps
3. Regional Computer Forensics Laboratory
4. Economic Development Grant for the Towns of Bolton, Coventry, Mansfield and Tolland
5. Regional Service Management (CRM) System
6. Code Enforcement Software

February 24, 2016

7. Call Handling and Response Triage

NOW THEREFORE BE IT RESOLVED, that the New Britain Common Council does hereby endorse the above referenced Regional Performance Incentive Program project proposal and authorizes the Mayor to sign all necessary agreements and take all necessary actions to allow for the City's participation in this program.

Alderman Jamie Giantonio
President Pro Tempore
Alderman Daniel Salerno
Majority Leader
Alderman Carlo Carozzi, Jr.
Minority Leader

4.) ITEM # HOLY CROSS CHURCH BAZAAR/CARNIVAL. PURPOSE: LICENSE TO BE ISSUED FOR
PURPOSE OF CONDUCTING A BAZAAR/CARNIVAL. D. NAPLES, R. SMEDLEY

Item # RE: Holy Cross Church Bazaar/Carnival

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Holy Cross Church, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for the period of June 16-18, 2016, for the purpose of conducting a bazaar/carnival at 221 Farmington Avenue, New Britain, Connecticut.

Alderman Don Naples
Alderman Robert Smedley

UNFINISHED BUSINESS