

REGULAR MEETING OF THE COMMON COUNCIL

JANUARY 13, 2016

RECOGNITION OF PAL CHEERLEADING TEAMS

**RECOGNITION OF DESTINY MATEO, PAN AMERICAN JUDO CHAMPIONSHIPS, AND
CEANA RODRIGUEZ, TAEKWONDO AWARDS**

OTHER AWARDS, PRESENTATIONS AND SPECIAL RECOGNITIONS

APPROVAL OF MINUTES FROM REGULAR MEETING OF OCTOBER 28, 2015, REGULAR MEETING OF
NOVEMBER 12, 2015, REGULAR MEETING OF DECEMBER 9, 2015 AND SPECIAL MEETING OF
DECEMBER 16, 2015.

PETITIONS

1. PLEASE HAVE PUBLIC WORKS INVESTIGATE SIGNAGE THROUGHOUT THE CITY FOR
EMERGENCY SNOW ROUTES. E. SANCHEZ

**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.

CITY PLAN COMMISSION

- **B.) 33319 RECOMMENDATION FOR PETITION 33319. PURPOSE: RECOMMENDATION FOR
GRANTING OF CERTIFICATE OF LOCATION APPROVAL TO ALLOW A MOTOR VEHICLE
GENERAL REPAIRER'S AND DEALER'S LICENSE FOR PROPERTY AT 1010 WEST MAIN
STREET.
- **C.) 33320 RECOMMENDATION FOR PETITION 33320. PURPOSE: RECOMMENDATION FOR
GRANTING OF CERTIFICATE OF LOCATION APPROVAL TO ALLOW A MOTOR VEHICLE
DEALER'S LICENSE FOR PROPERTY AT 475A JOHN DOWNEY DRIVE.
- **D.) 33321 RECOMMENDATION FOR PETITION 33321. PURPOSE: RECOMMENDATION FOR
GRANTING OF CERTIFICATE OF LOCATION APPROVAL TO ALLOW A MOTOR VEHICLE
DEALER'S LICENSE FOR PROPERTY AT 50/66B ST. CLAIR AVENUE.

OFFICE OF THE CORPORATION COUNSEL

- **E.) ITEM # LOUIS DEPREY V CITY OF NEW BRITAIN. PURPOSE: SETTLEMENT OF SUIT AGAINST
THE CITY OF NEW BRITAIN.
- **F.) ITEM # BEVERLY BROWN V CITY OF NEW BRITAIN BOARD OF EDUCATION, ET AL. PURPOSE:
SETTLEMENT OF SUIT AGAINST THE CITY OF NEW BRITAIN BOARD OF EDUCATION.

FINANCE DEPARTMENT

- **G.) ITEM # MONTHLY PURCHASING REPORT. PURPOSE: PURCHASING REPORT FOR BID
THRESHOLD ITEMS.
- **H.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$8,387 TO DATTCO INC. FOR RESURFACING
AND PAINTING THE MRAP SWAT VEHICLE FOR THE POLICE DEPARTMENT.

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- **I.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$31,290.30 TO EAGLE POINT GUN/TJ MORRIS & SON FOR RIFLE AND PISTOL AMMUNITION FOR THE POLICE DEPARTMENT.
- **J.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$6,703.24 TO JUREK BROTHERS INC. FOR SHOTGUN AND PISTOL AMMUNITION FOR THE POLICE DEPARTMENT.
- **K.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$18,196.79 TO MHQ FOR EMERGENCY SAFETY LIGHTING AND WARNING DEVICES FOR THE POLICE DEPARTMENT.
- **L.) ITEM # SOLE SOURCE. PURPOSE: \$80,550 TO WATCHGUARD VIDEO FOR FIFTEEN IN-CAR CAMERA SYSTEMS WITH ASSOCIATED HARDWARE AND SOFTWARE FOR THE POLICE DEPARTMENT.
- **M.) ITEM # SOLE SOURCE. PURPOSE: \$7,149.60 TO WITMER PUBLIC SAFETY GROUP INC. FOR DOOR LOCK BREACHERS AND RIOT CONTROL SPRAY FOR THE POLICE DEPARTMENT.
- **N.) ITEM # SOLE SOURCE. PURPOSE: \$636,578.22 TO FIREMATIC SUPPLY COMPANY INC. FOR NEW SELF-CONTAINED BREATHING APPARATUS SYSTEM FOR THE FIRE DEPARTMENT.
- **O.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$39,995 TO CROWLEY CHRYSLER-JEEP-DODGE FOR 2016 JEEP GRAND CHEROKEE FOR THE MAYOR.

DEPARTMENT OF PUBLIC WORKS

- **P.) ITEM # ANNUAL REPORT. PURPOSE: 2016 ANNUAL FLEET REPORT.

REPORTS RETURNED FROM COMMITTEE

ADMINISTRATION, FINANCE AND LAW

- **Q.) 33335 RECOMMENDATION FOR RESOLUTION 33335. PURPOSE: AMENDMENT TO THE CODE OF ORDINANCES SEC. 2-44.1 REGARDING HOLDING A STANDING BONDING SUBCOMMITTEE MEETING AND COMMON COUNCIL SPECIAL MEETING ON THE SAME DAY AND TECHNICAL CHANGES.
- **R.) 33340 RECOMMENDATION FOR RESOLUTION 33340. PURPOSE: AMENDMENT TO THE CODE OF ORDINANCES SEC. 2-823 TO REMOVE RESIDENCY REQUIREMENTS FOR THE FINANCE DIRECTOR.

STANDING CLAIMS SUBCOMMITTEE

- **S.) ITEM # CLAIMS SUBCOMMITTEE. PURPOSE: SETTLEMENT OF CLAIMS.

RESOLUTIONS RETURNED FROM COMMITTEE

- 1.) 33335 CODE OF ORDINANCES SEC. 2-44.1. PURPOSE: PROPOSED AMENDMENT TO ALLOW THE HOLDING OF A BONDING SUBCOMMITTEE MEETING AND A COMMON COUNCIL SPECIAL MEETING ON THE SAME DAY AND TECHNICAL CHANGES. J. GIANTONIO, C. CARLOZZI, JR.
- 2.) 33340 CODE OF ORDINANCES SEC. 2-823. PURPOSE: PROPOSED AMENDMENT TO REMOVE RESIDENCY REQUIREMENTS FOR THE FINANCE DIRECTOR. J. GIANTONIO

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NEW RESOLUTIONS

- 3.) ITEM # APPOINTMENT OF FINANCE DIRECTOR FOR THE CITY OF NEW BRITAIN.
J. GIANTONIO
- 4.) ITEM # MUNICIPAL CAMPAIGN FINANCE FILINGS PILOT PROGRAM. PURPOSE: PROVIDE ASSISTANCE TO TOWN CLERKS FOR FILING REPOSITORY DUTIES FOR 2017 ELECTION CYCLE. C. POLKOWSKI
- 5.) ITEM # LAND RECORDS AUDIT. PURPOSE: CONTRACT AMENDMENT WITH DONALD S. LUKOWSKI & ASSOCIATES FOR AUDITING SERVICES NOT TO EXCEED \$11,550.
C. CARLOZZI, JR.
- 6.) ITEM # "CMOM" PROGRAM SELF-ASSESSMENT. PURPOSE: \$251,000 TO CDM SMITH FOR CONSULTING ENGINEERING ASSISTANCE FOR THE PUBLIC WORKS DEPARTMENT.
D. NAPLES, J. SANDERS, JR.
- 7.) ITEM # CODE OF ORDINANCES SEC. 2-566(b). PURPOSE: PROPOSED AMENDMENT TO INCREASE COMPETITIVE BIDDING THRESHOLD FOR SALES OF SURPLUS PROPERTY FROM \$5,000 TO \$12,000 AND TO PROVIDE FOR ONLINE AUCTION. R. SMEDLEY
- 8.) ITEM # STATE OF CONNECTICUT OFFICE OF POLICY MANAGEMENT PURPOSE: RESPONSIBLE GROWTH AND TRANSIT-ORIENTED DEVELOPMENT GRANT PROGRAM APPLICATION PROCESS AND AUTHORIZATION. C. CARLOZZI, JR. D. DAVIS, K. ROSADO, E. SANCEHZ

UNFINISHED BUSINESS

January 13, 2016

REGULAR MEETING OF THE COMMON COUNCIL

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PETITIONS

2. PLEASE HAVE PUBLIC WORKS INVESTIGATE SIGNAGE THROUGHOUT THE CITY FOR
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**REPORTS OF BOARDS, COMMISSIONS, DEPARTMENTS AND
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****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

D'Anna, Anthony

Fredericks, Sylvia E.

Vera, Armando by Atty. Richard L. Zayas

Mark H. Bernacki

City Clerk

CITY PLAN COMMISSION

****B.) 33319 RECOMMENDATION FOR PETITION 33319. PURPOSE: RECOMMENDATION FOR
GRANTING OF CERTIFICATE OF LOCATION APPROVAL TO ALLOW A MOTOR VEHICLE
GENERAL REPAIRER'S AND DEALER'S LICENSE FOR PROPERTY AT 1010 WEST MAIN
STREET.**

REPORT OF: CITY PLAN COMMISSION

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

ITEM #33319

APPLICANT: Haidar Chreihha for Auto Land, LLC

ADDRESS: 1010 West Main Street

ZONE: B-3 (Secondary Business)

The City Plan Commission, at its regular meeting held on January 4, 2016, voted 3 to 1 to recommend that
this proposed certificate of location approval be denied.

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BACKGROUND: The applicant is requesting the granting of a certificate of location approval to allow a State general repairer's license, in accordance with Sections 14-54 of the Connecticut General Statutes. The subject property is on the southwestern corner of West Main Street and Wooster Street and is the site of a former used auto dealer and repair garage. The property is zoned B-3, secondary business, which permits auto sales and automotive repair operations, by special exception. The site was originally a gasoline service station and was granted approval for sales and repairs under the Business "B" zone that existed prior to 1967. The site was licensed for motor vehicle sales and repairs as Don's Auto Service and Townline Motors, until the license expired in 2013. The current applicant was recently granted special exception approval to allow re-establishment of an auto sales and auto repair operation at the site, ZBA Application #4703, granted October 1, 2015.

FINDINGS: The applicant's plans depict the 12,263 square foot lot and existing former service station building. The building has two-garage bays, an approximately 750 square foot repair area, a small office, storage area and restroom facilities. The site is entirely paved and the plan shows a total of 12 parking spaces allocated for display of sales vehicles, three (3) employee spaces and five (5) customer spaces, including one (1) handicapped accessible space. All spaces depicted have conforming dimensions and adequate back-up and maneuvering space.

The requirements for auto dealers and repair locations that were added to the zoning ordinances in March of 2008 include the requirement that the site be at least 10,000 square feet in area, have a minimum street frontage of at least 100 feet and be at least 100 feet from any residential zone. Additionally, they are permitted to have no more than one (1) sales vehicle per every 500 square feet of lot area, and are prohibited from doing any repair work outdoors or having any parts, wrecked or partially dismantled vehicles, outside or unscreened, on the lot. Last, they are required to have 4-foot landscaping islands along all property lines, except locations where there is an access driveway; and they are prohibited from having driveway curb cuts within 25 feet of an intersection. As part of the Zoning Board of Appeals process, the applicant has agreed to add a 4-foot planting strip along the front of the property around the corner to Wooster Street, eliminating the unrestricted access directly onto West Main Street. The Zoning Board of Appeals accepted the premise that site conditions made it impractical to add planting buffers in the narrow yard setbacks on the rear and western sides of the building.

This area along West Main Street includes a mix of business uses with the nearest three corners being improved in the past several years with Dunkin' Donuts on the northwest corner, the Nutmeg State Credit Union on the northeast corner and a revamped commercial plaza on the southeast corner. Further west on West Main Street there are several used auto dealers whose licenses predate the current restrictions on motor vehicle sales and repairs and whose operations are overcrowded and unsightly.

CONCLUSION: While the property has operated as an auto repair business for nearly 40 years, it is relatively small in area to be used as an auto sales business. These types of businesses, particularly on small sites, have become problematic throughout the City, typical with properties becoming overcrowded and hazardous in regards to access. Notwithstanding the ZBA's acceptance of the plan submitted, the site would not fully meet all requirements due to the omission of the 4-foot wide front planting buffer along the rear and western side lot lines.

RECOMMENDATION: The City Plan Commission had recommended against ZBA approval of the special exception on the grounds that the site plan does not show the required 4-foot planting buffer along all property lines; that the property is too limited in area for any reasonable type of used auto sales; and that it is a highly visible gateway location into the City that should be of a higher quality use and appearance. Further, the Commission notes that the plan still lacks the full 4-foot planting buffer and is, therefore, noncompliant with the requirements of Section 230-170-60. The ZBA overlooking this fact and granting special exception approval did not constitute a variance relieving the applicant from the requirement. For these reasons, the Commission recommends against the granting of a certificate of location approval for this business.

Dorothy DiLernia, Vice-Chair
City Plan Commission

January 13, 2016

**C.) 33320 RECOMMENDATION FOR PETITION 33320. PURPOSE: RECOMMENDATION FOR GRANTING OF CERTIFICATE OF LOCATION APPROVAL TO ALLOW A MOTOR VEHICLE DEALER'S LICENSE FOR PROPERTY AT 475A JOHN DOWNEY DRIVE.

REPORT OF: CITY PLAN COMMISSION

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

ITEM # 33320
APPLICANT: Hector Roldan for Extreme Rides, LLC
ADDRESS: 475A John Downey Drive
ZONE: I-1 (Industrial Parks)

The City Plan Commission, at its regular meeting held on January 4, 2016, voted 4 to 0 to recommend that this proposed certificate of location approval be denied.

BACKGROUND: The applicant is requesting the granting of a certificate of location approval to allow a State general repairer's license, in accordance with Sections 14-54 of the Connecticut General Statutes. The subject location is a leased space in part of a 34,000 square foot industrial building that is located on a 4.84 acre parcel on the eastern side of John Downey Drive across from the intersection of Belden Street. The area is zoned I-1, Industrial Park, which permits auto dealers and general repairers by right. The property is the site of the former Ravioli Kitchen manufacturing plant. The site was previously granted an auto dealers and repairers location approval by the Zoning Board of Appeals in July 2006, Application #4260, for R&M Motors which occupied approximately half of the site and building. The R&M license was later transferred to CAM, LLC.

FINDINGS: Repair garages and auto sales are permitted by right in the I-1 zoning district. In accordance with State Statutes, the Zoning Authority in rendering its decisions on the granting of auto repair and sales operations location approvals is required to assess the suitability of the site for the intended use and factors such as traffic conditions, width of highway and effect on public travel, as well as compliance with local zoning and engineering requirements.

The applicant's plans show the 4.84 acre site with the existing 34,000 square foot building. The existing CAM Motors site is situated on the northern side of the building with four (4) proposed access bays and 25 parking spaces as well as 1.5 acres of gravel surface situated behind, screened by a line of arborvitae used for the storage of vehicles. It should be noted that Section 240-70 requires all parking areas to be paved, curbed and have drainage facilities in accordance with City engineering standards. The plan does show the area to have existing drainage structures with appropriate oil/water separators, though the gravel parking surface was somehow permitted to remain, apparently grandfathered as an existing condition in 2006.

The proposed space for the new auto sales and repairer's location is a 3,500 square foot space at the southwestern corner of the building currently occupied by the applicant operating a tire sales and installation business. Tire sales are permissible without any form of DMV licensing, and the applicant's current request reflects a proposed change in his business to an auto dealer and repairer's service. The site plan shows the area with six (6) display spaces, three (3) employee spaces, and five (5) customer spaces on paved portions in front of the building. There are an additional four (4) vehicle storage spaces shown in the southern side yard, near the two garage bay doors, screened by a line of arborvitae. These spaces behind the screening are also unpaved.

Other portions of the 34,000 square foot building include tenant spaces, which are used or have recently been vacated, Guida's Dairy being one recent tenant.

CONCLUSION: While the I-1 zone specifically allows auto repair and sales as a use permitted by right, the City Plan Commission has consistently recommended against approvals for this site, noting not only that the site includes unpaved parking, but also that it abuts Webster Brook and is at least partially within a designated flood zone and that repair and storage of vehicles, particularly on unpaved surface in or near a flood zone, creates a concern relative to impacting water quality.

The Commission also believes that this type of small-scale auto sales and repair does not represent the highest and best use of the property in terms of generating tax base and employment opportunities for the community. Given the shortage of large, industrially- zoned sites suited to modern manufacturing facilities, the City Plan Commission feels that it would be preferable to see I-1 zoned parcels like this reserved for businesses

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with higher value equipment and offering more job creation potential. Also, further expansion of this type of auto-related use detracts from the appearance and character that is desired for a modern, higher quality industrial park setting.

RECOMMENDATION: The City Plan Commission is of the opinion that the site does not comply with City standards relative to paved parking and that expanded auto repair and sales use would be a detriment to the appearance and character of the John Downey Drive Industrial Park. The Commission, therefore, recommends against the granting of this certificate of location approval.

Dorothy DiLernia, Vice-Chair
City Plan Commission

**D.) 33321 RECOMMENDATION FOR PETITION 33321. PURPOSE: RECOMMENDATION FOR GRANTING OF CERTIFICATE OF LOCATION APPROVAL TO ALLOW A MOTOR VEHICLE DEALER'S LICENSE FOR PROPERTY AT 50/66B ST. CLAIR AVENUE.

REPORT OF: CITY PLAN COMMISSION

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

ITEM # 33321
APPLICANT: Ibrahim Abbas for BBC Auto Repair, LLC
ADDRESS: 50/66B St. Clair Avenue
ZONE: I-2 (General Industry)

The City Plan Commission, at its regular meeting held on January 4, 2016, voted 4 to 0 to recommend that this proposed certificate of location approval be denied.

BACKGROUND: The applicant is requesting the granting of a certificate of location approval to allow a State motor vehicle dealer's license, in accordance with Sections 14-54 of the Connecticut General Statutes. The subject location is a small, leased space located on a 3-acre parcel that contains a complex of seven (7) small industrial buildings. It is situated on the north side of St. Clair Avenue, between East Street and Lester Street and is zoned I-2, general industry, which permits auto sales and repair by right. There are presently several other auto repair and sales permit locations on this street, and at least one licensed and operating elsewhere in an interior space on this specific property. In the recent past, this particular leased space, in a somewhat different configuration, was licensed for auto sales under a location approval in February 1998 (ZBA Application #3776) and re-licensed with a revised leased area in April 2007 (Council action #29518). The current, most recent approval for this building space was #31959, granted in August 2012. It had only five (5) parking spaces allocated and was for auto repairs only. This current request has enough area for parking for a total of 18 vehicles, seven (7) in front of the building and an additional eleven (11) in a fenced-in enclosure behind the building.

FINDINGS: The applicant's plans show the proposed business occupying a small portion of one of the rear, interior buildings near the back corner of this seven (7) building complex. The applicant's space would be a single-bay garage with a total floor area of approximately 1,200 square feet, consisting primarily of the work space and a small office area and lavatory. With the 18 parking spaces depicted, the business would meet the minimum requirements for auto sales and single-bay repair operation with 13 spaces available for sales vehicles.

While the depiction of this portion of the site appears to be technically adequate for the proposed business, the actual use of the property is more questionable. On the 3-acre property there are at least 16 different tenant spaces, with approximately 140 available parking spaces. The problem lies in the fact that the various tenant businesses seem to be constantly changing, resulting in shifting parking needs and allocation of space. In 2006, the property owner was required to provide a comprehensive plan showing all the tenant businesses and their parking allocations. In the years since, tenants have changed and use of the property differs substantially from the plan, and the parking and outside storage appears to be very haphazard, to the point that access to many of the parking spaces is impossible.

Presently, the space designated 66A St. Clair Avenue, directly next door in the same building as the proposed dealer/repairer's space, is occupied by the "Almost New Appliance Warehouse", a used appliance

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dealer and recycler. They have no designated parking in front and have utilized the entire fenced-in area behind the building, where BBC Auto is proposing to park eleven (11) vehicles, for the storage of used appliances.

CONCLUSION: The I-2 zone allows auto repairers by right; and, as depicted in the submitted site plan, this site appears to be adequately suited to the small auto repair and sales operation. However, the current use and appearance of the overall site gives the impression that the entire property is over-utilized or, at the very least, that use of the property is poorly planned and managed. Many areas originally shown as parking, particularly on the interior portions of the property, are used for storage of wrecked vehicles or parts or materials, to the point that access is impeded and it is unclear as to whether there is adequate available parking for the current tenants.

RECOMMENDATION: The City Plan Commission notes that the I-2, general industry, district permits auto sales and repair by right and that the submitted plan shows potential compliance with parking requirements. However, given the current state of conditions on the overall property, the Commission would recommend against the granting of a certificate of location approval for this particular business until its conforming parking is re-established, and it is clearly shown that all tenants or tenant spaces on the property have sufficient parking allocated, and that all spaces are accessible and cleared of any stored materials or appliances or inoperable vehicles.

Dorothy DiLernia, Vice-Chair
City Plan Commission

OFFICE OF THE CORPORATION COUNSEL

**E.) ITEM # LOUIS DEPREY V CITY OF NEW BRITAIN. 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: LOUIS DEPREY v. CITY OF NEW BRITAIN, et al.

RESOLVED, By the Common Council of the City of New Britain that the sum of THIRTY TWO THOUSAND FIVE HUNDRED DOLLARS (\$32,500.00) be paid to Louis Deprey and the Law Firm of Butler, Norris & Gold, his attorney, in full settlement of his suit against the City of New Britain, et al, now pending in the New Britain Superior Court, New Britain, Connecticut. The plaintiff had alleged that on August 23rd, 2012 at approximately 5:50 pm, he was operating his motorcycle in a generally eastbound direction on West Main Street, New Britain near its intersection with the Plainville town line. While, the plaintiff was operating his motorcycle at the mentioned location, his front tire struck an upside down cover of a water valve which appeared to be a piece of vertical pipe or conduit that was in a depression that looked like a pot hole in the southern half of West Main Street. The police report stated the plaintiff was ejected from the motorcycle sustaining injuries to his left elbow, index finger, shoulder and lower rear area. The motorcycle sustained damage to the front fender, headlight, driver's side mirror, side peg, clutch and engine components. A witness at the scene informed the officer that she had observed the motorcycle traveling at a reasonable speed and not operating recklessly. The witness testified to the same at her deposition. As a result of the incident, plaintiff alleged to have injured his left shoulder, arm and hand. He received treatment at Bristol Hospital where he was evaluated and diagnosed with road rash on his left forearm, hand and shoulder; swelling in his left forearm and multiple abrasions and a comminuted fracture in his left second finger. Plaintiff has received a 45% permanency rating to his left index finger. In medical specials, the plaintiff has incurred \$48,463.43 and is claiming lost wages of \$22,758.40. The majority of the medical specials are for the two surgeries plaintiff had to repair the multiple fractures of the left middle finger with a displaced angulation and complete destruction. The current settlement recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after settlement negotiations between City Attorney Irena J. Urbaniak and Attorney A. Patrick Alcaez and the Honorable Judge Swinton, with the approval and consent of Gennaro Bizzarro, Esq.

This suit is to be withdrawn by the plaintiff without costs to the City of New Britain and settlement is to be made without admission of any liability.

Irena J. Urbaniak
City Attorney

January 13, 2016

****F.) ITEM # BEVERLY BROWN V CITY OF NEW BRITAIN BOARD OF EDUCATION, ET AL. PURPOSE: SETTLEMENT OF SUIT AGAINST THE CITY OF NEW BRITAIN BOARD OF EDUCATION.**

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: BEVERLY BROWN V. CITY OF NEW BRITAIN BOARD OF EDUCATION, ET AL

Please be advised that on November 18, 2015 the Office of Corporation Counsel obtained a jury verdict in favor of the City of New Britain's Board of Education. The matter was tried in front of the Honorable Judge Janet Hall in the United States District Court located in New Haven, Connecticut. The plaintiff, Beverly Brown had claimed that the Defendant, the Board of Education of the City of New Britain, discriminated against her on account of her being disabled. Ms. Brown alleged that the Board of Education taunted and berated her, made false allegations about her ability to perform as a teacher, and threatened to fire her. She further had alleged that the cumulative effect of the Board of Education's actions left her with no choice but to resign as a teacher. Ms. Brown had asserted that the Board of Education was liable for violation of the Rehabilitation Act.

The Board of Education denied Ms. Brown's allegation that it constructively fired her or violated the Rehabilitation Act. Instead, the Board of Education had asserted that Ms. Brown voluntarily resigned her position.

Irena J. Urbaniak
City Attorney

FINANCE DEPARTMENT

****G.) 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: January 13, 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

****H.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$8,387 TO DATTCO INC. FOR RESURFACING AND PAINTING THE MRAP SWAT VEHICLE FOR THE POLICE 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:

DATE: January 13, 2016

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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 Police Department for resurfacing and painting the MRAP SWAT vehicle.

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
DATTCO, Inc. New Britain, CT	Resurface and Paint the MRAP SWAT Vehicle	\$8,387.00

The New Britain Police Department requested resurfacing and painting the MRAP SWAT vehicle. The MRAP, is a vehicle provided by the federal government under a military surplus program. It currently is painted a light brown sand color because of its original use in desert operations. In keeping with the color scheme of the New Britain Police Department and other area departments that have the same vehicle, it will be painted a flat non-reflective black color. In preparation to receive its new color, the surface must be prepared and the old paint removed. DATTCO, Inc. is under State contract #12PSX0328, to provide repairs and paint to large heavy vehicles. The Purchasing Agent has verified this, and therefore bid solicitation for this service is not needed. Funding is available for this purchase in the Police Department's Asset Forfeiture account number, 289211128-5740, Federal, Other Miscellaneous Equipment.

BE IT RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$8,387.00, to DATTCO, Inc. of New Britain CT for the preparation and paint for the New Britain Police Department's MRAP SWAT vehicle utilizing the State of Connecticut's Contract Award #12PSX0328.

Jack Pieper
Purchasing Agent

**1.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$31,290.30 TO EAGLE POINT GUN/TJ MORRIS & SON FOR RIFLE AND PISTOL AMMUNITION FOR THE POLICE 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: Cooperative Purchasing, Rifle and Pistol Ammunition for the Police Department

DATE: January 13, 2016

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

<u>Supplier</u>	<u>Need Supplies</u>	<u>Total Price</u>
Eagle Point Gun/ TJ Morris & Son Thorofare, NJ.	Rifle and Pistol Ammunition	\$31,290.30

The New Britain Police Department requested a purchase order for Rifle and Pistol Ammunition utilizing the State of Connecticut's Contract Award #14PSX0243. This ammunition is used for training, State recertification's, and to be carried on duty. Funds are available within the Police Department's account number 001211015-5614, Fire Arms Training, Ammunitions and Explosives.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$31,290.30 to Eagle Point Gun/TJ Morris & Son of Thorofare, NJ for the purchase of Rifle and Pistol Ammunitions for the New Britain Police Department utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #14PSX0243.

Jack Pieper
Purchasing Agent

January 13, 2016

**J.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$6,703.24 TO JUREK BROTHERS INC. FOR SHOTGUN AND PISTOL AMMUNITION FOR THE POLICE 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: Cooperative Purchasing, Shotgun and Pistol Ammunition for the Police Department

DATE: January 13, 2016

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

<u>Supplier</u>	<u>Need Supplies</u>	<u>Total Price</u>
Jurek Brothers Inc., Greenfield, MA	Shotgun and Pistol Ammunition	\$6,703.24

The New Britain Police Department requested a purchase order for Shotgun and Pistol Ammunition utilizing the State of Connecticut's Contract Award #14PSX0243. This ammunition is used for training, State recertification's, and to be carried on duty. Funds are available within the Police Department's account number 001211015-5614, Ammunitions and Explosives.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$6,703.24 to Jurek Brothers, Inc. of Greenfield, MA for the purchase of Shotgun and Pistol Ammunition for the New Britain Police Department utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #14PSX0243.

Jack Pieper
Purchasing Agent

**K.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$18,196.79 TO MHQ FOR EMERGENCY SAFETY LIGHTING AND WARNING DEVICES FOR THE POLICE 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:

DATE: January 13, 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 Police Department for safety lighting and warning devices to be installed on the MRAP SWAT vehicle.

<u>Supplier</u>	<u>Items</u>	<u>Price</u>
MHQ Middletown, CT	Emergency Safety Lighting And Warning Devices	\$18,196.79

The New Britain Police Department requested safety lighting and warning devices to be installed on the MRAP SWAT vehicle. The MRAP is a vehicle provided by the federal government under a military surplus program. In order to use it on City streets as an emergency vehicle, it needs emergency safety lighting and warning devices, such as lights and siren, to ensure the safety of officers inside and to warn the public of its approach. MHQ is under State contract #11PSX0134, to provide emergency lighting and warning devices. The Purchasing Agent has verified this, and therefore bid solicitation for this service is not needed. Funding is available for this purchase in the Police Department's Asset Forfeiture account #289211128-5740, Federal, Other Miscellaneous Equipment.

BE IT RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$18,196.79, to MHQ of Middletown CT for the purchase of emergency lighting and warning devices for the New Britain Police Department's MRAP SWAT vehicle utilizing the State of Connecticut's Contract Award #11PSX0134.

Jack Pieper
Purchasing Agent

January 13, 2016

**L.) ITEM # SOLE SOURCE. PURPOSE: \$80,550 TO WATCHGUARD VIDEO FOR FIFTEEN IN-CAR CAMERA SYSTEMS WITH ASSOCIATED HARDWARE AND SOFTWARE FOR THE POLICE 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: In-Car Camera System for the New Britain Police Department

DATE: January 13, 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 Police Department for the purchase of an In-Car Camera System.

<u>Supplier</u>	<u>Items</u>	<u>Total Price</u>
WatchGuard Video Allen, TX	Fifteen (15) In-Car Camera System with Associated Hardware and Software	\$80,550.00

The New Britain Police Department requested the purchase of an additional In-Car Camera System with associated hardware and software. The City purchased this same equipment for the New Britain Police Department with a JAG grant in February 2013 from WatchGuard Video, Inc. who is the manufacturer of these items. At that time, fourteen (14) cameras and associated equipment were purchased for installation in Patrol Cruisers. These additional cameras will be installed in eight (8) incoming Patrol Cruisers, four (4) current Patrol Supervisor vehicles and three (3) current Traffic Safety Bureau vehicles. To insure compatibility within the present In-Car Camera System that the Police Department is utilizing the purchase of an additional In-Car Camera System with associated hardware and software is being requested from the same vendor. Funding is available for this purchase in the New Britain Police Department's Drug Investigation Fund, account #289211121-5659, State Asset Forfeiture Account, Operating Material and Supply.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$80,550.00 to WatchGuard Video, Inc. of Allen, TX, for the purchase of a fifteen (15) In-Car Camera System with associated hardware and software for the New Britain Police Department.

Jack Pieper
Purchasing Agent

**M.) ITEM # SOLE SOURCE. PURPOSE: \$7,149.60 TO WITMER PUBLIC SAFETY GROUP INC. FOR DOOR LOCK BREACHERS AND RIOT CONTROL SPRAY FOR THE POLICE 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: Door Lock Breachers and Riot Control Spray for the New Britain Police Department

DATE: January 13, 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 Police Department for the purchase of Smoke Grenades, Door Lock Breachers and Riot Control Spray.

<u>Supplier</u>	<u>Need Supplies</u>	<u>Total Price</u>
Witmer Public Safety Group, Inc. Coatesville, PA.	Door Lock Breachers, Non-Lethal Ammunition and Riot Control Spray	\$7,149.60

The New Britain Police Department requested the purchase of Door Lock Breachers, Non-Lethal Ammunition and Riot Control Spray. These items are used for training and are issued as duty items. Combined Tactical Systems is the manufacturer of these items. Witmer Public Safety Group, Inc is the only authorized

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distributor for Combined Tactical Systems in New England. The Purchasing Agent has verified this and has documentation from Combined Tactical Systems that Witmer Public Safety Group, Inc is their sole source dealer in the area. Therefore bid solicitation for the purchase of the Door Lock Breachers, Non-Lethal Ammunition and Riot Control Spray would not be beneficial to the City. Funding is available for this purchase in the Police Department's account numbers 001211015-5614, General Fund, Ammunitions and Explosives.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$7,149.60 to Witmer Public Safety Group, Inc of Coatesville, PA. for the purchase of Door Lock Breachers, Non-Lethal Ammunition and Riot Control Spray for the New Britain Police Department.

Jack Pieper
Purchasing Agent

**N.) ITEM # SOLE SOURCE. PURPOSE: \$636,578.22 TO FIREMATIC SUPPLY COMPANY INC. FOR NEW SELF-CONTAINED BREATHING APPARATUS SYSTEM FOR THE FIRE 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: Self-Contained Breathing Apparatus System for the New Britain Fire Department

DATE: January 13, 2016

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), purchase order were requested by the New Britain Fire Department for the purchase of a Self-Contained Breathing Apparatus System.

<u>Supplier</u>	<u>Item</u>	<u>Total Price</u>
Firematic Supply Company Rocky Hill, CT.	New Self-Contained Breathing Apparatus System	\$636,578.22

ITEM	ITEM NUMBER	DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE OF ITEM
1	MSAAG1FS522MA2CC	MSA G1 SCBA, 5500 PSI, 45 MINUTE 5500 PSI G1 SCBA	60	\$5,292.59	\$317,555.40
2	MSAAG1FP	G1 FACEPIECE	140	\$264.29	\$37,000.60
3	MSA10156428SP	5500 PSI 45 MINUTE CYLINDER	175	\$1,172.57	\$205,199.75
4	MSA10041231	RESCUEAIRE II, HP, PTC, NO CYLINDER	4	\$3,428.57	\$13,714.28
5	MSA10156429SP	5500 PSI 60 MINUTE CYLINGER	10	\$1,350.86	\$13,508.60
6	MSA10126741	BAG,ULTRA ELITE FACEPIECE, BLACK	130	\$34.90	\$4,537.00
7	MSA10072240	KIT, BASE STATION, ICM TXR	1	\$1,942.97	\$1,942.97
8	MSA10158407	G1 READER/WRITER	1	\$437.14	\$437.14
9	MSA10083875	TAGS ASSY, ELECTRONIC ID M7 AIR MASK	130	\$34.09	4,431.70

ITEM.	ITEM NUMBER	DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE OF ITEM
10	MSA10144230	SPECTACLE KIT FOR G1 FACEPIECE	10	\$78.57	\$785.70
11	MSA10144231SP	KIT, FILTER ADAPTER ASSY, G1 FACEPIECE	10	\$29.14	\$291.40
12	MSA10042346	CARTRIDGE, OPTIFILTER, TYPE HE, 20/BX	1	\$389.73	\$389.73
13	MSA10158403	G1 SPECIALTY TOOL KIT	2	\$480.86	\$961.72
14	MSAZTCARE 15	ZT-CARE 1.5 CARE INITIAL CERTIFICATION TRAINING	3	\$0.00	\$0.00
15	MSACOMM	G1 SCBA BLUETOOTH RADIO INTERFACE TO BE INSTALLED THIS OPTION IS BEING OFFERED AT NO CHARGE	60	\$0.00	\$0.00
16	02XXX	PORTA COUNT FIT TEST MACHINE MODEL 8038	1	\$15,372.00	\$15,372.00
17	MSA TRAINING	G1 SCBA TRAINING 12 SCBA USER TRAINING SESSIONS WILL BE PROVIDED TO NBFD PERSONNEL AT NO CHARGE UPON DELIVERY.	1	\$0.00	\$0.00
18	02XXX	BOSTROM SEATS WITH SECURE-ALL SCBA BRACKETS	17	\$837.71	\$14,241.07
19	MSA10158385	G1 BATTERY CHARGING STATION	7	\$316.63	\$2,216.41
20	MSA10148741	RECHARGEABLE BATTERY PACK	20	\$223.50	\$4,470.00
21	02XXX	POSI 3 USB FLOW TEST MACHINE	1	\$11,522.75	\$11,522.75
22		SUB-TOTAL			\$648,578.22
23		TRADE-IN TRADE IN VALUE FOR EXISTING SCBA AND ASSOCIATED EQUIPMENT			-\$12,000.00
24		TOTAL PRICE AFTER TRADE			\$636,578.22

The New Britain Fire Department requested the purchase of a new Self-Contained Breathing Apparatus (SCBA) System for use by New Britain's firefighters. These SCBA units are used daily by firefighters to protect them from the hazards of toxic smoke, lethal gases and other productions of combustion. Today's modern building contents contain high amounts of synthetics and petrochemical based products which when burning are extremely toxic and carcinogenic. These SCBA units allow firefighters to perform their jobs safely and effectively. A committee of firefighters developed the specifications and performed a thorough review of major brands for the new SCBA. The consensus was to change the brand of the units used by City firefighters for 40 years from the Scott Company to the MSA Company. The SCBA committee found that the MSA product was

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superior. The MSA units are also less expensive than the Scott units. The current SCBA units and accessory equipment were purchased twenty (20) years ago and are heavily worn. These new SCBA units will allow the air bottles to hold more compressed breathing air at a pressure of 5,500 psi versus 4,500 psi in the current SCBA model. These modern units are more functional and meet the latest safety standards for fire service breathing apparatus. This SCBA replacement program includes all the necessary ancillary SCBA equipment needed to implement a total replacement of all equipment associated with the Fire Department's inventory of SCBA units. The purchase price also includes a trade-in value of \$12,000.00 for the trade-in of existing SCBA units. Firematic Supply Company is the only authorized distributor for MSA Corporation Center, the manufacturer of the Self-Contained Breathing Apparatus System in Connecticut. The Purchasing Agent has verified this and has documentation from MSA Corporation Center indicating this. Therefore, bid solicitation for the purchase of the new Self-Contained Breathing Apparatus System would not be beneficial to the City. The funding for this purchase was approved by the Common Council at their June 25, 2013 meeting, Resolution 32373-1. Funding is available for this purchase within the Fire Department's account number, 0041200114-57022, SCBA, Self-Contained Breathing Apparatus, Replacement Program.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$636,578.22 to Firematic Supply Company, Inc. of Rocky Hill, CT for the purchase of a new Self-Contained Breathing Apparatus System.

Jack Pieper
Purchasing Agent

**O.) ITEM # COOPERATIVE PURCHASING. PURPOSE: \$39,995 TO CROWLEY CHRYSLER-JEEP-DODGE FOR 2016 JEEP GRAND CHEROKEE FOR THE MAYOR.

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, 2016 Jeep Grand Cherokee for the Mayor

DATE: January 13, 2016

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested for the following under the State of Connecticut's Cooperative Purchasing Plan by the Public Works Department for the Mayor.

<u>Supplier</u>	<u>Item</u>	<u>Total Price</u>
Crowley Chrysler-Jeep -Dodge Bristol, CT.	2016 Jeep Grand Cherokee	\$39,995.00

The Public Works Department requested the purchase of a new 2016 Jeep Grand Cherokee for the Mayor utilizing the State of Connecticut's contract Award 10PSX0239. The Mayor's vehicle is ten (10) years old and has had mechanical problems that requiring a lot of repairs and maintenance. Also because of the age of this vehicle, parts are becoming obsolete and hard to obtain to make the needed repairs. The vehicle is needed by the Mayor to go to public meetings that she must attend. Funding for this purchase was reapproved by the Standing Bonding Subcommittee, Resolution #32387-7 on December 16, 2015. Funds are available within the Public Works Department's number, 004038101-5742, Capital Equipment, GL Expense Rollup, Vehicles.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$39,995.00 to Cowley Chrysler-Jeep -Dodge of Bristol, CT for the purchase of a 2016 Jeep Grand Cherokee for the Mayor utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #10PSX0239.

Jack Pieper
Purchasing Agent

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DEPARTMENT OF PUBLIC WORKS

**P.) ITEM # ANNUAL REPORT. PURPOSE: 2016 ANNUAL FLEET REPORT.

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: 2016 Annual Fleet Report

Working with Mayor Stewart, Public Works just completed the City's first Annual Fleet Report. Currently New Britain has a fleet of 384 vehicles and 111 pieces of larger equipment. The intent of this year's report is to benchmark the size of the fleet, and fuel usage along with other relevant information related to the management of the City's fleet. This bench marking will then be used to target areas where saving and improvements can be made moving forward.

This Annual Fleet Report itself report documents the following items:

- OVERVIEW
 - STAFFING
 - FLEET SAFETY
 - VEHICLES AND EQUIPMENT (BY DEPARTMENT)
 - FLEET LIFECYCLE MANAGEMENT
 - FLEET MAINTENANCE
 - VEHICLE AND EQUIPMENT REPLACEMENT AND SALVAGE
 - PARTS ORDERING AND SUPPLY
 - FLEET POLICIES
 - FUEL CONSUMPTION AND COSTS
 - ALTERNATIVE FUEL VEHICLES
 - FLEET GOALS AND ACCOMPLISHMENTS
 - SUMMARY
- APPENDICES
- APPENDIX A – 2015 FLEET VEHICLE LIST
 - APPENDIX B – 2015 FLEET EQUIPMENT LIST
 - APPENDIX C – 2015 VEHICLE AND EQUIPMENT SALVAGE LIST
 - APPENDIX D – FLEET POLICIES

Mark Moriarty, Director of Public Works

**REPORTS RETURNED FROM COMMITTEE
ADMINISTRATION, FINANCE AND LAW**

**Q.) 33335 RECOMMENDATION FOR RESOLUTION 33335. PURPOSE: AMENDMENT TO THE CODE OF ORDINANCES SEC. 2-44.1 REGARDING HOLDING A STANDING BONDING SUBCOMMITTEE MEETING AND COMMON COUNCIL SPECIAL MEETING ON THE SAME DAY AND TECHNICAL CHANGES.

REPORT OF: COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

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

ITEM #: 33335
RE:

The Committee on Administration, Finance and Law at a regular meeting and public hearing held on Wednesday evening, January 6, 2016, at 7:00 PM in the Council Chambers, to which was referred the matter of resolution #33335 – Amend Sec. 2-44.1 of the Code of Ordinances to allow the holding of a Standing Bonding

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Subcommittee meeting and a Common Council special meeting on the same day and technical changes, voted to accept and refer back to the Common Council with a favorable recommendation.

Alderman Robert Smedley
Chair

**R.) 33340 RECOMMENDATION FOR RESOLUTION 33340. PURPOSE: AMENDMENT TO THE CODE OF ORDINANCES SEC. 2-823 TO REMOVE RESIDENCY REQUIREMENTS FOR THE FINANCE DIRECTOR.

REPORT OF: COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

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

ITEM #: 33339
RE:

The Committee on Administration, Finance and Law at a regular meeting and public hearing held on Wednesday evening, January 6, 2016, at 7:00 PM in the Council Chambers, to which was referred the matter of resolution #33340 – Amend Sec. 2-823 of the Code of Ordinances to remove residency requirements for finance director, voted to accept and refer back to the Common Council with a favorable recommendation.

Alderman Robert Smedley
Chair

STANDING CLAIMS SUBCOMMITTEE

**S.) ITEM # CLAIMS SUBCOMMITTEE. PURPOSE: SETTLEMENT OF CLAIMS.

REPORT OF: STANDING CLAIMS SUBCOMMITTEE OF THE COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

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: The Standing Claims Subcommittee

The Standing Claims Subcommittee of the Committee on Administration, Finance and Law at a regular meeting held on Wednesday evening, January 6, 2016, at 6:00 PM in Room 201, City Hall, having held public hearings and made investigations of said claims, respectfully begs leave to recommend the following:

RESOLVED; that the sum of \$16,092.49 be paid to Sylvia Fredericks of 72 Collins Street, New Britain, Conn., in full settlement of her claim of property damages sustained as a result of the City's sewer main back up on November 15, 2015.

Alderman Don Naples
Chair

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RESOLUTIONS RETURNED FROM COMMITTEE

- 1.) 33335 CODE OF ORDINANCES SEC. 2-44.1. PURPOSE: PROPOSED AMENDMENT TO ALLOW THE HOLDING OF A BONDING SUBCOMMITTEE MEETING AND A COMMON COUNCIL SPECIAL MEETING ON THE SAME DAY AND TECHNICAL CHANGES.
J. GIANTONIO, C. CARLOZZI, JR.

Item #33335 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: INTENT AND PURPOSE: To amend Section 2-44.1 of the Code or Ordinances to allow the holding of a Bonding Subcommittee meeting and Common Council special meeting on the same day and to make technical and clarifying changes.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Chapter 2, Section 2-44.1 of the Code of Ordinances City of New Britain, be amended as follows: (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

Sec. 2-44.1 Standing bonding subcommittee.

- (a) Establishment; composition; chairperson. There is hereby created a standing bonding subcommittee of the committee on administration, finance and law (also referred to as the "bonding committee"). Such standing bonding subcommittee shall consist of all members of the committee on administration, finance and law and the common council shall appoint these members. The bonding committee shall also contain two (2) members of the board of finance and taxation who shall be appointed by the mayor with the consent of the common council. The chairperson of the standing bonding subcommittee shall be the same as the chairperson of the committee on administration, finance and law. The mayor or the chair of the committee on administration, finance and law shall have the authority to call meetings of the standing bonding subcommittee.
- (b) Duties. The bonding committee shall examine all public works projects, capital improvement projects, school building projects, accrued liabilities, refunding bond proposals and all other projects in the city for which bonding has been proposed and referred by the mayor. The bonding committee shall report its recommendations concerning such projects to the common council and the mayor within sixty (60) days of the referral of those projects to the bonding committee.
- (c) Bond authorization and adoption. The bonding committee shall present a report regarding its bond appropriation recommendation to the common council at a special meeting, ~~to be held no sooner than two (2) days after the meeting of the bonding committee~~, called specifically to act upon such recommendation and bond resolution.
- (d) Public notice of Common Council Special Meeting. Publication of a notice in a newspaper circulated in the city as well as being posted on the City of New Britain website, shall be made at least forty-eight (48) hours prior to the special meeting of the common council, which notice shall contain the date, time and location and the proposed recommendation and bond resolution.
- (e) Sale of notes and bonds. The mayor and treasurer shall have the authority to borrow in the name of the city, by obligations signed by the mayor and countersigned by the treasurer, such sums of as in their opinion may be needed to defray bond appropriations which have been authorized. Such borrowings in the form of bond anticipation notes, revenue or general obligation bonds may at the discretion of the mayor be sold ~~through~~ on a negotiated sale basis or through competitive bid, whichever is deemed by the mayor to be in the best interest of the city.

Alderman Jamie Giantonio
Alderman Carlo Carozzi, Jr.

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2.) 33340 CODE OF ORDINANCES SEC. 2-823. PURPOSE: PROPOSED AMENDMENT TO REMOVE RESIDENCY REQUIREMENTS FOR THE FINANCE DIRECTOR. J. GIANTONIO

Item #33340 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: INTENT AND PURPOSE. To amend Section 2-823 of the Code of Ordinances to remove the residency requirement for finance director for the purpose of expanding the pool of eligible candidates. Only five individuals, including one New Britain resident, applied for the position which will be reposted after this ordinance is amended.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Chapter 2, Section 2-823 of the Code of Ordinances, City of New Britain, be amended as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

Sec. 2-823. Examinations.

Open-competitive examinations shall be administered by the personnel director or by a competent outside agency.

All tests shall be practical and appropriate and shall consist only of subjects which will fairly determine the capacity of the persons examined to perform the essential duties of the position, and may include tests of physical and psychological fitness or of manual skill. Any oral portion of the test shall be conducted by persons qualified in the relevant field. Efficiency in service shall be considered in connection with tests for promotion. No credit shall be allowed for service rendered under a provisional or emergency appointment.

Failure of the candidate appointed to a department head position, with the exception of the position of finance director, to take up permanent residence in New Britain within one (1) year after the conclusion of the probationary period, shall result in immediate termination of employment.

Alderman Jamie Giantonio

NEW RESOLUTIONS

3.) ITEM # APPOINTMENT OF FINANCE DIRECTOR FOR THE CITY OF NEW BRITAIN.
J. GIANTONIO

4.) ITEM # MUNICIPAL CAMPAIGN FINANCE FILINGS PILOT PROGRAM. PURPOSE: PROVIDE ASSISTANCE TO TOWN CLERKS FOR FILING REPOSITORY DUTIES FOR 2017 ELECTION CYCLE. C. POLKOWSKI

Item # RE: APPROVE TOWN CLERK'S APPLICATION TO THE STATE ELECTIONS ENFORCEMENT COMMISSION'S MUNICIPAL FILING PILOT PROGRAM

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, on June 30, 2015, the Governor signed into law Special Act # 2015-04, An Act Establishing A Pilot Program for Municipal Campaign Finance Filings; and

WHEREAS, this Special Act establishes a pilot program for the State Elections Enforcement Commission (SEEC) to provide assistance to the town clerks of up to twenty (20) municipalities with the completion of some or all of their filing repository duties for the 2017 election cycle; and

WHEREAS, the application to participate in the pilot program requires the approval of the municipality's legislative body; now therefore be it

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RESOLVED, that the New Britain Common Council approves Town Clerk Mark H. Bernacki filing an application to participate in the SEEC's Municipal Filing Pilot Program for the 2017 Election Cycle and be it further

RESOLVED, that a copy of this signed resolution be forwarded along with the Town Clerk's application.

Ald. Christopher Polkowski

5.) ITEM # LAND RECORDS AUDIT. PURPOSE: CONTRACT AMENDMENT WITH DONALD S. LUKOWSKI & ASSOCIATES FOR AUDITING SERVICES NOT TO EXCEED \$11,550. C. CARLOZZI, JR.

Item # RE: Land Records Audit – Town Clerk Office

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, Connecticut State Statutes require the appointment of a person to examine municipal indexes of land records and to provide a detailed report in writing to the Town and City Clerk of all errors and omissions; and

WHEREAS, these professional services have been performed by Donald S. Lukowski & Associates; and,

WHEREAS, the scope of services includes a general review and verification of all documents recorded in the published volumes against a book and page listing furnished by the City of New Britain; verifiable items include names, volume, page, description, type of document and date of recordation; and

WHEREAS, the audit is performed for each of the twelve months of the year and a correction sheet is submitted to the Town and City Clerk monthly listing all corrections; following the completion calendar year audit, a state examination and inspection certificate is issued for subsequent submission to the State of Connecticut Public Records Administrator; and,

WHEREAS, authorization is requested to extend the current contractual agreement for an additional term through June 30, 2018; and,

WHEREAS, the annual cost of such services is not to exceed \$11,550 contingent upon annual funding made by the Common Council for this purpose; therefore be it

RESOLVED that the Purchasing Agent is hereby authorized to execute a contract amendment with Donald S. Lukowski dba Donald S. Lukowski & Associates for the proposed services and cost stated above through June 30, 2018.

Alderman Carlo Carozzi, Jr.

6.) ITEM # "CMOM" PROGRAM SELF-ASSESSMENT. PURPOSE: \$251,000 TO CDM SMITH FOR CONSULTING ENGINEERING ASSISTANCE FOR THE PUBLIC WORKS DEPARTMENT. D. NAPLES, J. SANDERS, 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:

WHEREAS, the City of New Britain and the U.S. Environmental Protection Agency entered into an Order on Consent for a Capacity, Management, Operation and Maintenance ("CMOM") Program Self-Assessment of the City's Sanitary Sewer Collection System; and,

WHEREAS, the City must prepare and implement an emergency response plan for sanitary sewer overflows, a sanitary sewer inflow and infiltration control plan, a fats, oils and grease (FOG) control program, a self-assessment and corrective action plan of the sanitary sewer collection system, a CMOM program manual specific to the City of New Britain and finally a CMOM program implementation annual report; and,

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WHEREAS, the Public Works Utilities Division needs Consulting Engineering Assistance to prepare these plans, programs and an annual report; and,

WHEREAS, the Public Works Department interviewed three (3) qualified consultants for Bid No. 3806 for On-Call Architectural/Engineering Services who are qualified to prepare the required plans, programs and an annual report; and,

WHEREAS, CDM Smith of East Hartford, CT. and Comprehensive Environmental, Inc. of New Britain, CT. are on the City's On-Call Architectural/Engineering Services per Bid 3806 and CDM Smith of East Hartford, CT will be the prime engineering consultant and Comprehensive Environmental, Inc. of New Britain, CT. will be the sub engineering consultant for this project; and

WHEREAS, the costs for this Consulting Engineering Assistance exceeded the maximum purchase order authorization amount of \$50,000.00 per Bid No. 3806; and,

WHEREAS, the funding for the Consulting Engineering Assistance is in the Public Works Utilities Division's account 208315101-5453, Engineering/Appraisals; and

THEREFORE Be It Resolved, that the Common Council authorizes the Purchasing Agent to issue a Purchase Order for \$251,000.00 to CDM Smith of East Hartford, CT. for Consulting Engineering Assistance for the Public Works Utilities Division.

Alderman Don Naples
Alderman Jim Sanders, Jr.
Common Council Liaisons
Public Works Department

7.) ITEM # CODE OF ORDINANCES SEC. 2-566(b). PURPOSE: PROPOSED AMENDMENT TO INCREASE COMPETITIVE BIDDING THRESHOLD FOR SALES OF SURPLUS PROPERTY FROM \$5,000 TO \$12,000 AND TO PROVIDE FOR ONLINE AUCTION. R. SMEDLEY

Item # RE: Sales of Surplus Property and online auctions

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 Section 2-566(b) of the Code of Ordinances to increase the competitive bidding threshold for sales of surplus property from \$5,000.00 to \$12,000.00 and to provide for online auctions. The intent of the amendment is to hopefully increase the number of interested persons in submitting requests to purchase without having to go through the competitive bidding process. To revise Sections 2-591 and 2-596(b) to be consistent with the proposed change to Section 2-566(b).

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Chapter 2, Sections 2-566(b), 2-591 and 2-596(b) 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. 2-566. When contract required.

(a) Purchases over seven thousand-five hundred dollars (\$7,500.00). All supplies and contractual services, except as otherwise provided in this article when the estimated cost thereof shall exceed seven thousand-five hundred dollars (\$7,500.00), shall be purchased by formal, written contract from the lowest responsible bidder, after due notice inviting proposals.

A monthly report of the purchases in the aggregate of between five hundred dollars (\$500.00) and seven thousand-five hundred dollars (\$7,500.00) shall be provided to the Common Council by the Purchasing Director or designee for the City and by the Chief Financial Officer or designee for the Board of Education. Said report shall include a detailed description of the item(s) or services(s) purchased, the name of vendor from whom the items were purchased or services rendered, Owner(s) of the Business, and the dollar amount spent on each individual purchase and the aggregate total of spend to date for the fiscal year. These reports are for informational purposes only.

January 13, 2016

(b) Sale over ~~five~~ twelve thousand dollars (~~\$5,000.00~~) (\$12,000.00). All sales of personal property which has become obsolete or unusable when the estimated value shall exceed ~~five~~ twelve thousand dollars (~~\$5,000.00~~) (\$12,000.00) shall be sold by formal, written contract to the highest responsible bidder, after due notice inviting proposals.

The Purchasing Director is authorized to sell, trade or auction personal property which has a value of twelve thousand dollars (\$12,000.00) or less. Public auction may include the use of sales and auctions via the internet at the discretion of the Purchasing Director. The Purchasing Director shall provide a monthly report to the Common Council concerning sales under this subsection.

Sec. 2-591. Common sales and purchases ----Dollar limitations.

All purchases of supplies and contractual services of less than an Estimated value of ~~three thousand seven thousand five hundred~~ dollars (~~\$3,000.00~~) (\$7,500.00) and all sales of personal property which has become obsolete or unusable, of less than an estimated value of ~~five~~ Twelve thousand dollars (~~\$5,000.00~~) (\$12,000.00) shall be made in open market, without newspaper advertisement and without following the procedure prescribed in sections 2-534 and 2-567 for the award of formal contracts.

Sec. 2-596. Surplus stock; disposition.

(a) Report to agent. All using agencies shall submit to the agent, at such form as he shall prescribe, reports showing stocks of all supplies which are no longer used or which have become obsolete, worn out or scrapped.

(1) Transfer. The agent shall have the authority to transfer surplus stock to other using agencies.

(2) Sale. The agent shall have the authority to sell all supplies which have become unsuitable for public use, or to exchange the same, or trade in the same, on new supplies.

(b) Competitive bidding. Sales under this section shall be made to the highest responsible bidder and according to the standards established in sections 2-534 and 2-567 through 2-582, or in sections 2-592 through 2-595. All sales under this section in the amount of ~~three thousand five hundred~~ twelve thousand dollars (~~\$3,000.00~~) (\$12,000.00) or more must be approved by common council.

Alderman Robert Smedley

8.) ITEM # STATE OF CONNECTICUT OFFICE OF POLICY MANAGMENT PURPOSE: RESPONSIBLE GROWTH AND TRANSIT-ORIENTED DEVELOPMENT GRANT PROGRAM APPLICATION PROCESS AND AUTHORIZATION. C. CARLOZZI, JR. D. DAVIS, K. ROSADO, E. SANCEHZ

Item # RE Responsible Growth and Transit-Oriented Development (TOD) Grant Program

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 Office and Policy Management is accepting applications from municipalities and regional councils of government for funds under the Responsible Growth and Transit-Oriented Development (TOD) Program, and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of New Britain:

1. That it authorizes submission of the City of New Britain's TOD Proposal to the State Office of Policy and Management in accordance with the Responsible Growth and Transit-Oriented Development Grant Request for Applications;
2. That it authorizes the Mayor to sign the grant application and any other documents associated with administering the grant if awarded, including any amendments thereto, and to act as the authorized representative of the City of New Britain.

Alderman Carlo Carozzi, Jr.
Alderman Daniel Davis
Alderman Kristian Rosado
Alderman Emmanuel Sanchez

UNFINISHED BUSINESS