

## REGULAR MEETING OF THE COMMON COUNCIL

MAY 25, 2016

### AWARDS, PRESENTATIONS AND SPECIAL RECOGNITIONS

APPROVAL OF MINUTES FROM THE REGULAR MEETING OF MARCH 23, 2016,  
SPECIAL MEETING OF APRIL 13, 2016 AND REGULAR MEETING OF APRIL 13, 2016.

### PETITIONS

1. PLEASE CONDUCT A TRAFFIC STUDY TO ADD A MID-BLOCK CROSSWALK AT THE INTERSECTION OF LINCOLN AND ADAMS STREETS ALONG WITH UPDATING THE EXISTING CROSSWALK AT ADAMS AND VINE STREETS. AREA RESIDENTS USE THIS PATH FOR DIRECT ACCESS TO WALNUT HILL PARK. C. POLKOWSKI
2. PLEASE CONDUCT A TRAFFIC STUDY TO ADD A CROSSWALK AT 59 ARCH STREET TO SOUTH CONGREGATIONAL FIRST BAPTIST CHURCH. RESIDENTS HAVE EXPRESSED A NEED FOR A CROSSWALK IN THIS AREA. 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.

#### FINANCE DEPARTMENT

- \*\*B.) ITEM # SOLE SOURCE PURCHASING. PURPOSE: \$8,985.76 TO NAVEX GLOBAL INC. FOR ONE YEAR RENEWAL OF THE POLICY AND PROCEDURE MANAGEMENT SOFTWARE LICENSE AND TECHNICAL SUPPORT PACKAGE FOR THE POLICE DEPARTMENT.
- \*\*C.) ITEM # ON-CALL ENGINEERING. PURPOSE: \$20,000 TO TO DESIGN, LLC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE SENIOR CENTER ACCESSIBLE GREENHOUSE.
- \*\*D.) ITEM # ON-CALL ENGINEERING. PURPOSE: \$11,000 TO TO DESIGN, LLC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NEW WATER LINES AND HOSE BIDS AT THE FAIRVIEW CEMETERY.
- \*\*E.) ITEM # PUBLIC BID NO. 3876. PURPOSE: RIGHT OF WAY IMPROVEMENT PROGRAM FOR THE PUBLIC WORKS DEPARTMENT.
- \*\*F.) ITEM # SALE OF SURPLUS AND UNREPAIRABLE CITY VEHICLES. PURPOSE: CITY RECEIVED \$6,848 FOR MAY 2016 ON-LINE AUCTION SALE OF SURPLUS VEHICLES.

#### DEPARTMENT OF PUBLIC WORKS

- \*\*G.) ITEM # 2016 - 2017 SEWER USER FEES. PURPOSE: INCREASE OF SEWER USER RATE.

#### TAX DEPARTMENT

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

## **NEW RESOLUTIONS**

- 1.) ITEM # NEW BRITAIN DOWNTOWN DISTRICT. PURPOSE: ADDITIONAL LEVY OF 4.2 MILLS FOR THE MUNICIPAL FISCAL YEAR BEGINNING JULY 1, 2016. W. PABON
- 2.) ITEM # BUDGET AMENDMENT – FAIRVIEW CEMETERY. PURPOSE: \$15,000 FROM FAIRVIEW CEMETERY TRUST TO TO DESIGN, LLC. FOR DEISGN SERVICES FOR NEW WATER LINES AND HOSE BIBS AT FAIRVIEW CEMETERY. S. BLACK, J. HARGRAVES, D. SALERNO, L. SALVIO
- 3.) ITEM # CODE OF ORDINANCES SEC. 13-18. PURPOSE: PROPOSED AMENDMENT TO THE CODE OF ORDINANCES REGARDING THE DEFINITION OF FAMILY. D. NAPLES, R. SMEDLEY
- 4.) ITEM # LEASE AGREEMENT. PURPOSE: LEASE OF THIRTY PARKING SPACES OF THE SERGEANT HENRYJ. SZCZESNY PARKING GARAGE TO THE HOUSING AUTHORITY OF THE CITY OF NEW BRITAIN FOR USE BY THE ELDERLY OF D’AMATO APARTMENTS. J. GIANTONIO
- 5.) ITEM # DEEP GRANT. PURPOSE: WASTEZERO TO PERFORM PUBLIC OUTREACH AND EDUCATION RELATED TO IMPLEMENTING A “SMART” PAYT PROGRAM. D. NAPLES, J. SANDERS, JR.
- 6.) ITEM # LED STREET LIGHT CONVERSION FOR THE PUBLIC WORKS DEPARTMENT. D. NAPLES, J. SANDERS, JR.
- 7.) ITEM # AMEND CODE OF ORDINANCES. PURPOSE: AMEND CODE OF ORDINANCES ANTI-BLIGHT PROGRAM. J. GIANTONIO, D. SALERNO

## **UNFINISHED BUSINESS**

May 25, 2016

**REGULAR MEETING OF THE COMMON COUNCIL**

**MAY 25, 2016**

**AWARDS, PRESENTATIONS AND SPECIAL RECOGNITIONS**

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**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

Niro, Kieandra

Perretta, Anne Marie

Mark H. Bernacki  
City Clerk

**FINANCE DEPARTMENT**

**\*\*B.) ITEM # SOLE SOURCE PURCHASING. PURPOSE: \$8,985.76 TO NAVEX GLOBAL INC. FOR ONE YEAR RENEWAL OF THE POLICY AND PROCEDURE MANAGEMENT SOFTWARE LICENSE AND TECHNICAL SUPPORT PACKAGE 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: Renewal of Policy and Procedure Management Software License and Technical Support Package for the New Britain Police Department

DATE: May 25, 2016

May 25, 2016

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-541 (a), a purchase order was requested by the New Britain Police Department for a one (1) year renewal of their Policy and Procedure Management Software License and Technical Support Package.

<u>Supplier</u>	<u>Services</u>	<u>Total Price</u>
NAVEX Global Inc. Lake Oswego, OR	Renewal of Policy and Procedure Management Software License and Technical Support Package	\$8,985.76

The New Britain Police Department has requested a one (1) year renewal of their Policy and Procedure Management Software License and Technical Support Package. The Common Council approved the acquisition of this Policy and Procedure Management Software License and Technical Support Package through a State OPM Grant on April 24, 2013 per Resolution 32268. The actual purchase was completed on June 27, 2013, providing two (2) years of Technical Support. The Common Council also approved a renewal of the Policy and Procedure Management Software and Technical Support Package for one (1) year on May 27, 2015 per Resolution 33126. NAVEX Global, Inc. is the sole proprietor and provider of this Policy and Procedure Management Software License and Technical Support. The Purchasing Agent has verified that NAVEX Global Inc. is still the sole proprietor and provider of this Policy and Procedure Management Software License. Therefore bid solicitation for the purchase of the renewal of the Policy and Procedure Management Software License and Technical Support Package would not be beneficial to the City. Funding for this one (1) year License renewal and Technical Support Package is available in the Police Department's Administration account number 001211002-5436, Equipment Maintenance and Repair.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$8,985.76 to NAVEX GLOBAL, Inc. of Lake Oswego, OR, for the one (1) year renewal of the Policy and Procedure Management Software License and Technical Support Package for the New Britain Police Department.

Jack Pieper  
Purchasing Agent

\*\*C.) ITEM # ON-CALL ENGINEERING. PURPOSE: \$20,000 TO TO DESIGN, LLC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE SENIOR CENTER ACCESSIBLE GREENHOUSE.

REPORT OF: Finance Dept., Purchasing Div.

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

ITEM #:  
RE: On-Call Engineering Services  
DATE: May 25, 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.

Project Name: Senior Center Accessible Greenhouse  
Vendor: TO DESIGN, LLC  
Amount: \$20,000.00  
Line Items: 2131900116-52088, LOCIP Parks Administration, Senior Center Greenhouse  
Requested By: Parks, Recreation and Community Services Department

Scope: TO DESIGN, LLC will conduct an on-site inspection of the Senior Center. This will help them to prepare preliminary schematic drawings for the Accessible Greenhouse, any needed site upgrades and total costs of the project. TO DESIGN, LLC will then meet with the Parks, Recreation and Community Services Department to discuss their findings. TO DESIGN, LLC will then develop specifications and engineering prints for this project so it can be put out to bid. They will attend any meetings that may be held to answer questions from bidders during the bidding process. Once the bids are received, TO DESIGN, LLC will review the bids submitted to ensure compliance with the bid specifications. When the project has been awarded, they will conduct

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meetings with the contractor awarded the bid in addition to on-site visits to assure that the Accessible Greenhouse and needed site upgrades are being conducted to specifications.

Resolved: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$20,000.00 to TO DESIGN, LLC for Architectural and Engineering Services for the Senior Center Accessible Greenhouse.

Jack Pieper  
Purchasing Agent

\*\*D.) ITEM # ON-CALL ENGINEERING. PURPOSE: \$11,000 TO TO DESIGN, LLC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NEW WATER LINES AND HOSE BIDS AT THE FAIRVIEW CEMETERY.

REPORT OF: Finance Dept., Purchasing Div.

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

ITEM #:  
RE: On-Call Engineering Services  
DATE: May 25, 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.

Project Name: New Water Lines and Hose Bibs at the Fairview Cemetery  
Vendor: TO DESIGN, LLC  
Amount: \$11,000.00  
Line Items: 204419103-5331, Cemetery Fund, Professional Services  
Requested By: Parks, Recreation and Community Services Department

Scope: TO DESIGN, LLC will conduct an on-site inspection of Fairview Cemetery. They will also meet with the Public Works Department, Utilities Division, to obtain the locations and details of the water mains in the City Streets near the Cemetery. This will help them to prepare a plan and draft preliminary schematic drawings for the new water lines and hose bibs at the Cemetery. TO DESIGN, LLC will then meet with the Parks, Recreation and Community Services Department to discuss their findings. TO DESIGN, LLC will then develop specifications and engineering prints for this project so it can be put out to bid. They will attend any meetings that may be held to answer questions from bidders during the bidding process. Once the bids are received, TO DESIGN, LLC will review the bids submitted to ensure compliance with the bid specifications. When the project has been awarded, they will conduct meetings with the contractor awarded the bid in addition to on-site visits to assure that the water lines, hose bibs and needed site upgrades are being conducted to specifications.

Resolved: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$11,000.00 to TO DESIGN, LLC for Architectural and Engineering Services for the New Water Lines and Hose Bibs at the Fairview Cemetery.

Jack Pieper  
Purchasing Agent

\*\*E.) ITEM # PUBLIC BID NO. 3876. PURPOSE: RIGHT OF WAY IMPROVEMENT PROGRAM 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: Public Bid No. 3876, Right of Way Improvement Program for the Public Works Department,  
DATE: May 25, 2016

May 25, 2016

Public Bid No. 3876 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Right of Way Improvement Program for the Public Works Department. Funding is available for The Right Away Maintenance Program within the Public Works Department's from account number 0082950302-5454, Street Infrastructure Bond, Construction Contracts.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to thirty-one (31) Construction Companies. The Purchasing Agent did not receive any letters from Construction Companies on the mailing list indicating that they could not provide a response to the bid request. Responses were received as per attached.

The bids were reviewed for conformance to specifications by the Public Works Department Administration and the Purchasing Agent. Therefore the Public Works Director is recommending that the bid be awarded to the following bidders on an On-Call Basis to Martin Laviero Contractor, Inc. of Bristol CT, T&S Caminito Concrete, LLC of Middletown, CT, and Colonna Concrete and Paving, LLC of Woodbridge, CT for this service, which will enable the Public Works Department to have the needed Right of Way improvements or repairs started within ten (10) days of notification to the contractor. These three (3) Contractors were awarded the bid for the Right of Way Improvement Program the last time it was put out to bid. The Right of Way Improvement work that they conducted on various City Streets for the Public Works Department meet all of the bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract with and authorized to issue purchase orders for individual assignments up to a total of \$300,000.00 with Martin Laviero Contractor, Inc. of Bristol CT, T&S Caminito Concrete, LLC of Middletown, CT, and Colonna Concrete and Paving, LLC of Woodbridge, CT on an On-Call Basis for a period effective from June 1, 2016, to May 31, 2018 with an option for the City to extend the term through May 31, 2019 if approved and agreed upon by the Public Works Director for the Right of Way Improvement Program at the pricing on the attached and per the terms and specifications of Public Bid No. 3876.

Jack Pieper  
Purchasing Agent

\*\*F.) ITEM # SALE OF SURPLUS AND UNREPAIRABLE CITY VEHICLES. PURPOSE: CITY RECEIVED \$6,848 FOR MAY 2016 ON-LINE AUCTION SALE OF SURPLUS VEHICLES.

REPORT OF: Finance Dept., Purchasing Division

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

ITEM #:

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

DATE: May 25, 2016

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

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

The highest bid for the auctioned surplus vehicles for the month of May 2016 is attached. It indicates the vehicle, buyer, number of bids received and the dollar amount received for each surplus vehicle sold.

The total dollar amount that the City received for the on-line auction sale of the surplus vehicles during May of 2016 was \$6,848.00.

Jack Pieper  
Purchasing Agent

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## DEPARTMENT OF PUBLIC WORKS

**\*\*G.) ITEM # 2016 - 2017 SEWER USER FEES. PURPOSE: INCREASE OF SEWER USER RATE.**

REPORT OF: Department of Public Works

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 – 2017 SEWER USER FEES

On May 16, 2016 the Board of Public Works, acting as the Water Pollution Control Authority, held a required Public Hearing on the 2016-2017 Sewer User Fee rates.

The Board of Public Works convened immediately following the public hearing and approved the sewer user rate of \$3.88/ccf for properties serviced by New Britain-owned sanitary sewer lines which are located within the City of New Britain, and a 70% surcharge on the in-town sewer user fee for properties serviced by New Britain-owned sanitary sewer lines but are not located within the City of New Britain.

Mark E. Moriarty, Director Public Works

## 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

## NEW RESOLUTIONS

**1.) ITEM # NEW BRITAIN DOWNTOWN DISTRICT. PURPOSE: ADDITIONAL LEVY OF 4.2 MILLS FOR THE MUNICIPAL FISCAL YEAR BEGINNING JULY 1, 2016. W. PABON**

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 New Britain Downtown District was created in 1983 by majority vote of the property owners within the district in accordance with a resolution of the Common Council of the City of New Britain, and as amended by a resolution; and

WHEREAS; by requirement of Chapter of the Connecticut General Statutes and of Section VI, paragraph 1 (a) of the Ordinances establishing the district, the district budget as approved by a general meeting of property owners in the district is to be submitted to the City Treasurer, and a levy upon taxable interests in real property in the district is to be recommended to the Common Council; and

WHEREAS; at a general meeting of district property owners held on May 18, 2016 the attached budget was approved for submission to the City Treasurer; and

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WHEREAS; the property owners approved a levy upon taxable interests of 4.2 mills for the municipal fiscal year beginning July 1, 2016, NOW, THEREFORE, BE IT

RESOLVED; that the Common Council of the City of New Britain acknowledges receipt of the budget for the New Britain Downtown District for the fiscal year beginning July 1, 2016 and ending on June 30, 2017, as approved by a majority of the property owners of this municipal special services district established within the boundaries of the City of New Britain; and BE IT FURTHER

RESOLVED; that in accordance with Section 7-339r (d) of the Connecticut General Statutes, the Common Council shall impose the recommended levy of 4.2 mills for the municipal fiscal year beginning July 1, 2015, on the taxable interest in real property in such district, as described in Section III, paragraph 1 of the ordinance establishing the district, and such levy shall be in addition to the regular municipal levy for the benefit of the district.

Alderman Wilfredo Pabon

2.) ITEM # BUDGET AMENDMENT – FAIRVIEW CEMETERY. PURPOSE: \$15,000 FROM FAIRVIEW CEMETERY TRUST TO TO DESIGN, LLC. FOR DEISGN SERVICES FOR NEW WATER LINES AND HOSE BIBS AT FAIRVIEW CEMETERY. S. BLACK, J. HARGRAVES, D. SALERNO, L. SALVIO

Item # RE: Fairview Cemetery Budget Amendment

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:

Purpose: The purpose of this resolution is to set aside funding for the design services of new water lines and hose bibs at Fairview Cemetery.

Whereas, on Tuesday, April 12, 2016, the Fairview Cemetery Commission voted to withdraw \$15,000 from the Fairview Cemetery Trust in order to pay To Design, LLC for design services for new water lines and hose bibs at Fairview Cemetery, and

Whereas, the scope of the work to be provided by To Design, LLC will include: Schematic Design, Design Development, Construction Documents (review meeting with client and development team, water line plan, street connections plan, coordination with New Britain Water Department), Bidding Services (coordination of reproduction of drawings and specs, attending pre-bid conference) and Construction Administration (attending job meetings, preparing minutes, reviewing submittals, preparing and approving payment requests), and

Whereas, it is estimated that \$15,000 would be needed to cover the cost of the design services, and

Therefore, Be it Further Resolved, that the FY 15-16 Fairview Cemetery budget amended by \$15,000 for this purpose as outlined below:

Increase Revenues:		
204419103-4567	Cemetery Fund Revenue	\$ 15,000
Increase Expenditures:		
204419103-5331	Cemetery Fund – Professional Services	\$ 11,000
204419103-5454	Cemetery Fund – Construction Contracts	\$ 4,000
		\$ 15,000

Alderwoman S. Black  
Alderman J. Hargraves  
Alderman D. Salerno  
Alderman L. Salvio



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3.) ITEM # CODE OF ORDINANCES SEC. 13-18. PURPOSE: PROPOSED AMENDMENT TO THE CODE OF ORDINANCES REGARDING THE DEFINITION OF FAMILY.  
D. NAPLES, R. SMEDLEY

Item # RE: Amend Sec. 13-18 of the Code of Ordinances regarding the definition of family.

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:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Chapter 2, Section 13-18 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. 13-18. - Definitions.

The following definitions shall apply in the interpretation and enforcement of this article.

All terms not defined in this article, shall have the meaning ascribed thereto in section 201.0 of the state building code, if defined in such code.

Accessory building or structure shall mean a detached structure which is not used or not intended to be used for living or sleeping by human occupants and which is located on the same premises with a dwelling.

Appropriate authority shall mean that person within the governmental structure of the corporate unit who is charged with the administration of the appropriate code.

Approved shall mean approved by the local or state authority having such administrative authority.

Ashes shall mean the residue from the burning of combustible materials.

Basement shall mean the portion of the building partly underground, but having less than one-half its clear floor to ceiling height below the average grade of the adjoining ground.

Cellar shall mean the portion of the building partly underground, having one-half or more than one-half of its clear floor to ceiling height below the average grade of the adjoining ground.

Central heating system shall mean a single system supplying heat to one or more than one dwelling unit or more than one rooming unit.

Chimney shall mean a vertical masonry shaft of reinforced concrete or other approved noncombustible, heat-resisting material enclosing one or more flues for the purposes of removing products of combustion from solid, liquid or gaseous fuel.

Dilapidated shall mean no longer adequate for the purpose or use for which it was originally intended; having fallen into partial ruin or decay.

Dwelling shall mean any enclosed space wholly or partly used or intended to be used for living, sleeping, cooking and eating by human occupants; provided that, temporary housing as defined in this section, shall not be regarded as a dwelling.

Dwelling unit shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities used or intended to be used by a single family for living, sleeping, cooking and eating purposes.

Egress shall mean an arrangement of exit facilities to assure a safe means of exit from buildings.

Enforcement officer shall mean the official designated herein or otherwise charged with the responsibilities of administering this article, or his authorized representative.

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Extermination shall mean the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination method approved by the enforcing officer.

Family shall mean any number of individuals, related by blood or legal adoption or by marriage, living and cooking together on the premises as a single housekeeping unit. ~~When five (5) or fewer individuals not related by blood or by marriage do live and cook together on the premises as a single housekeeping unit, such individuals, not exceeding five (5), may be considered a "family."~~ A group of not more than three (3) unrelated persons living and cooking as one housekeeping unit may be considered a "family".

Flush water closet shall mean a toilet bowl flushed with water under pressure with a water sealed trap above the floor level.

Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, serving and nonconsumption of food; and shall also mean combustible waste material.

Guest shall mean any person who shares a dwelling unit in a non-permanent status for not more than thirty (30) days.

Gross floor area shall mean the total area of all habitable space in a building or structure.

Habitable room shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, kitchenettes and utility rooms of less than fifty (50) square feet of floor space, foyers or communicating corridors, stairways, closets, storage space and workshops, hobby and recreation areas in unsealed or uninsulated parts of a structure below ground level or in attics.

Heated water shall mean water heated to a temperature of not less than one hundred twenty (120) degrees Fahrenheit, at the outlet.

Housing official shall mean the official charged with the administration and enforcement of this article, or his authorized representative.

Infestation shall mean the presence, within or around a dwelling or other structure, of insects, rodents or other pests.

Kitchen shall mean any room used for the storage of foods, preparation of foods and containing any or all of the following equipment: sink and/or other device for dish washing; stove or other device for cooking; and refrigerator or other device for cool storage of food.

Kitchenette shall mean a small kitchen or an alcove containing cooking facilities.

Kitchen sink shall mean a sink of size and design adequate for the purpose of washing eating and drinking utensils, located in the kitchen, properly connected with a cold and hot water line.

Lavatory sink shall mean a handwashing basin which is properly connected with both a hot and cold water line and which is separate and distinct from a kitchen sink.

Lead paint shall mean any pigmented, liquid substance applied to surfaces by brush, roller or spray in which the total non-volatile ingredient contains more than one per cent of lead, by weight, calculated as metallic lead.

Meaning of certain words. Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," "premises," and "structure" are used in this ordinance they shall be construed as though they were followed by the words "or any part thereof."

Multiple dwelling or multi-family dwelling shall mean any dwelling containing more than two (2) dwelling units and/or rooming units.

Occupant shall mean any person over one year of age living, sleeping, cooking or eating in, or actually having possession of, a dwelling or rooming unit.

Operator shall mean any person who has charge, care, control, or management of a building, or part thereof, in which dwelling units or rooming units are let.

Ordinary summer conditions shall mean a temperature ten (10) degrees Fahrenheit below the highest recorded out-of-doors temperature in the locality for the prior ten (10) year period.

Ordinary winter conditions shall mean a temperature fifteen (15) degrees Fahrenheit above the lowest recorded out-of-doors temperature in the locality for the prior ten (10) year period.

Owner shall mean any person who, alone or jointly or severally with others:

- (1) Shall have legal title to any premise, dwelling or dwelling unit, with or without accompanying actual possession thereof, or
- (2) Shall have charge, care or control of any premise, dwelling or dwelling unit, as owner or agent of the owner, or an executor, administrator, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

Permissible occupancy shall mean the maximum number of persons permitted as family or household to reside in a dwelling unit or rooming unit based upon the square footage per person in habitable rooms.

Plumbing shall mean and include all of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, septic tank system, or gas lines.

Potential hazardous material shall mean any material, including building material, containing lead and/or other toxic heavy metal compound in concentrations dangerous to the public health as deemed by the state department of health.

Premises shall mean a platted lot or part thereof, or unplatted lot or parcel of land, or plot of land, either occupied or unoccupied by any dwelling or non-dwelling structure, and includes any such building, accessory structure, or other structures therein.

Privacy shall mean the existence of conditions which will permit an individual or individuals to carry out an activity commenced without interruption or interference, either by sight or sound by unwanted persons.

Properly connected shall mean connected in accordance with the ordinances of the city and the laws of the state as from time to time enforced; provided, however, that, the application of this definition shall not require the alteration or replacement of any connection in good working order and not constituting a hazard to life or health.

Rat harborage shall mean any conditions or place where rats can live, nest, or seek shelter.

Ratproofing shall mean a form of construction which will prevent the ingress or egress of rats to or from a given space or building, or from gaining access to food, water or harborage. It consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings, and other places that may be reached and entered by rats climbing, burrowing or other methods, by the use of materials impervious to rat gnawing, and other methods approved by the director of health.

Refuse shall mean all putrescible and nonputrescible solids (except body wastes) including garbage, rubbish, ashes, and dead animals.

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Refuse container shall mean a watertight container that is constructed of metal or other durable material impervious to rodents, that is capable of being serviced without creating unsanitary conditions, or such other containers as have been approved by the appropriate authority. Openings to the container such as covers and doors shall be tight fitting.

Rooming house shall mean any dwelling, other than a hotel or motel, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to five (5) or more persons who are not members of a single family.

Rooming unit shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

Rubbish shall mean nonputrescible solid wastes (excluding ashes) consisting of:

- (1) Combustible wastes as old batteries, paint scrapings, paper, cardboard, plastic containers, yard clippings, wood, and
- (2) Noncombustible wastes as tin cans, glass, crockery, dust.

Safety shall mean the condition of being reasonably free from danger and hazards which may cause accidents or disease.

Septic tank shall mean a receptacle, usually underground, to which sewage is drained and retained, to effect disintegration of the organic matter by bacteria, and as defined in section 19-13-B20A of the Connecticut Public Health Code.

Supplied shall mean paid for, furnished, provided by or under the control of the owner or operator.

Temporary housing shall mean any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utility system on the same premises for more than thirty (30) consecutive days.

Tenement house shall mean any house or building, or portion thereof, which is rented, leased or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of three (3) or more families, living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways or yard.

Toilet shall mean a water closet with bowl and trap made in one piece, which is of such shape and form and which holds a sufficient quantity of water under pressure so that no fecal matter will collect on the surface of the bowl and which is equipped with flushing rims which permit the bowl to be properly flushed and scoured when water is discharged through the flushing rim.

Toxic substance shall mean any chemical product applied on the surface of, incorporated into or contained in any structural or decorative material which constitutes a potential hazard to human health at acute or chronic exposure levels.

Undefined words not specifically defined in this article or in section 201.0 of the state building code shall have the common definitions set forth in a standard dictionary.

Ventilation shall mean the process of supplying and removing air by natural or mechanical means to or from any space.

Workmanlike manner shall mean that such maintenance and repair shall be made in a reasonable skillful manner as is generally acceptable in the applicable trade or industry.

Alderman Don Naples  
Alderman Robert Smedley

May 25, 2016

- 4.) ITEM # LEASE AGREEMENT. PURPOSE: LEASE OF THIRTY PARKING SPACES OF THE SERGEANT HENRYJ. SZCZESNY PARKING GARAGE TO THE HOUSING AUTHORITY OF THE CITY OF NEW BRITAIN FOR USE BY THE ELDERLY OF D'AMATO APARTMENTS. J. GIANTONIO

Item # RE: LEASING OF 30 PARKING SPACES – SZCZESNY PARKING GARAGE FOR USE BY THE ELDERLY OF D'AMATO APARTMENTS

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:

TO AUTHORIZE THE CITY OF NEW BRITAIN TO ENTER INTO A LEASE AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF NEW BRITAIN TO LEASE A MINIMUM OF THIRTY (30) PARKING SPACES ON THE FIRST FLOOR OF THE FIRST SERGEANT HENRY J. SZCZESNY PARKING GARAGE AT A MONTHLY RATE OF \$30.00 PER VEHICLE FOR USE BY THE ELDERLY RESIDENTS OF THE D'AMATO APARTMENTS.

WHEREAS, the Housing Authority of the City of New Britain has requested to lease a minimum of thirty (30) parking spaces on the first floor of the First Sergeant Henry J. Szczesny Parking Garage for use by residents of the D'Amato Apartments, 40 Chestnut St., New Britain, Connecticut for the term July 1, 2016 through June 30, 2021; and

WHEREAS, the Housing Authority of the City of New Britain has been leasing thirty (30) parking spaces at the Szczesny Garage since April 1, 2004.

NOW, THEREFORE, BE IT RESOLVED that the City of New Britain is hereby authorized to enter into a Lease Agreement with the Housing Authority of the City of New Britain to lease a minimum of thirty (30) parking spaces on the 1<sup>st</sup> floor of the First Sergeant Henry J. Szczesny Parking Garage for the use by the elderly residents of D'Amato Apartments, for the rate of \$30.00 per month per vehicle from July 1, 2016 through June 30, 2021.

Alderman Jamie Giantonio

- 5.) ITEM # DEEP GRANT. PURPOSE: WASTEZERO TO PERFORM PUBLIC OUTREACH AND EDUCATION RELATED TO IMPLEMENTING A "SMART" PAYT PROGRAM. 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, in 2015 the City of New Britain participated in a "DEEP Dive" study conducted by the Department of Energy and Environmental Protection (DEEP) in partnership with WasteZero that studied implementing a "Save Money and Reduce Trash" (i.e. "SMART") PAYT program in New Britain; and

WHEREAS, the results of the "DEEP Dive" study showed that New Britain could reduce its municipal solid waste (residential trash) by over 40%, and save over \$2 million per year in reduced tipping fees and increased revenue related to implementing a bag based PAYT program; and

WHEREAS, "SMART" PAYT programs are environmentally sensitive and fiscally responsible as they allocate the cost of municipal waste disposal to residents based on their usage thus creating an incentive to reduce waste disposal in landfills and burn facilities while also encouraging recycling; and

WHEREAS, the City of New Britain has recently been awarded a grant for \$30k from the Department of Energy and Environmental Protection (DEEP) to do community based public outreach and education related to implementing a "SMART" PAYT program in New Britain; and

May 25, 2016

WHEREAS, undergoing the DEEP grant sponsored public outreach and education program does not obligate the City to implementing a "SMART" PAYT program; and

WHEREAS; over the last two decades, the company WasteZero has become the nation's leading municipal partner for implementing and administering "SMART" PAYT programs; and has unparalleled experience designing, communicating, implementing and managing these programs, and

WHEREAS; WasteZero is developing a scope and fee proposal with the City a value of \$30,000 that the Public Works Department finds acceptable; and

WHEREAS; The Town of West Hartford was also awarded the same \$30k Grant from CT DEEP, and is also working on public outreach and education related to implementing a "SMART" PAYT program in their community, and they are also working with WasteZero; and

Now Therefore Be It RESOLVED, Mayor Erin Stewart is hereby authorized to enter into an agreement with WasteZero to perform public outreach and education related to implementing a "SMART" PAYT program.

Alderman Don Naples  
Alderman Jim Sanders, Jr.

- 6.) ITEM # LED STREET LIGHT CONVERSION FOR THE PUBLIC WORKS DEPARTMENT.  
D. NAPLES, J. SANDERS, JR.
- 7.) ITEM # AMEND CODE OF ORDINANCES. PURPOSE: AMEND CODE OF ORDINANCES ANTI-BLIGHT PROGRAM. J. GIANTONIO, D. SALERNO

## **UNFINISHED BUSINESS**