

April 11, 2012

REGULAR MEETING OF THE COMMON COUNCIL

APRIL 11, 2012

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday the 11th day of April 2012 at 8:01 p.m. in the Common Council Chambers City Hall.

Fourteen members were present at roll call: Ald. Trueworthy, Magnuszewski, DeFronzo, Sanchez, Collins, Black, Carozzi, Hermanowski, Platosz, Brown, Freeman, Pabon, Giantonio, and Bielinski.

One member was absent: Ald. Centeno

Ald. DeFronzo was granted a point of personal privilege and asked that a moment of silence be observed in memory of former alderman, teacher and coach, Sal Verdi who passed away on April 5th.

Ald. Brown was granted a point of personal privilege and said that Ald. Centeno would like a moment of silence to be observed in memory of Juana Diaz Melendez who suffered fatal injuries in a motor vehicle accident on Saturday, April 7th.

Ald. Bielinski moved to amend the agenda by substituting 31812(E), and 31813(3), and by adding 31815(5), 31816(6), 31817(7), and 31818(8), seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

PETITION

31822 ALD. COLLINS FOR INSTALLATION OF "HANDICAP PARKING" SIGN IN THE VICINITY OF APT. 123 OF THE CANDLEWOOD APARTMENTS ON CLINIC DRIVE. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved April 13, 2012 by Timothy E. O'Brien, Mayor.

CONSENT AGENDA

CITY CLERK

31809 RE: CLAIMS FOR INJURIES AND/OR PROPERTY DAMAGE

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

CLAIMANT'S NAME

- Uhler, Judith A.

Peter J. Denuzze
City Clerk

FINANCE DEPARTMENT

31810 RE: LINE ITEM TRANSFERS – 03/21/12 THRU 04/03/12

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

In accordance with the city of New Britain ordinance of Article VII – Finance, Section 2-494(c), the following departments have transferred monies from one line item to another within their departmental budget (total department budget has not changed). Each transfer will be continuously numbered from month to month throughout the fiscal year. This report represents the transfers executed by the mayor in accordance with the aforementioned ordinance for the period ending April 3, 2012

14. Department:	Parks & Recreation	
From:	001419004-5121	(Full Time Salaries)
To:	001419004-5124	(Part Time Salaries)
Amount:	\$20,000.00	
Brief Description:	Funds needed for Park Maintenance seasonal employees	

Robert Curry
Finance Director

PURCHASING DEPARTMENT

31811 RE: TWO NEW ONE TON CARGO VANS FOR THE WATER DEPARTMENT

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

Public Bid No. 3656 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of two (2) new one (1) Ton cargo Vans for the Water Department. These new Cargo Vans will replace an existing Water Department 2000 Pickup Truck and 2003 Cargo Van that have high mileage and are in need of repairs. The funding for this purchase is within the Water Department's Capital Account, number, 9303501000-5436, Equipment Maintenance and Repairs.

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 Fourteen (14) New Vehicle Dealerships. The Purchasing Agent did not receive any letters from the New Vehicle Dealers on the mailing list who indicated that they could not respond to the bid request. Responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Water Department Administration and the Purchasing Agent. The lowest bidder, Morande Ford of Berlin CT., submitted a bid that did not meet all of the bid specifications. They submitted a bid for a 5.4 liter engine and not a 6.0 liter engine or greater per the bid specifications. The vans will be carrying a payload of 2,500 lbs. and an engine of 6.0 liter or greater is needed for City driving. Therefore the Director of the Water Department is recommending the bid be awarded to Interstate Ford of Hartford, CT who submitted the lowest bid and met all of the bid specifications. The Director of the Water Department is also recommending that the existing pickup truck and cargo van be traded-in to reduce the overall cost for the new Cargo Vans. The bid results were presented to the Water Commission at their April 10, 2012 meeting. At this meeting they approved the Director of the Water Department's recommendation for the purchase of the two (2) new Cargo Vans with the trade-in of the existing pickup truck and cargo van from Interstate Ford of Hartford, CT.

April 11, 2012

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order to Interstate Ford of Hartford, CT for the purchase of two (2) new Cargo Vans for \$37,648.00 which includes the trade-in price offered for the 2000 Pickup Truck and 2003 Cargo Van for the New Britain Water Department per the terms and specifications of Public Bid No. 3665.

Jack Pieper
Purchasing Agent

HEALTH DEPARTMENT

31738-2 RE: VERMIN INFESTATION – 20 LEO ST.

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

At the request of Alderwoman Shirley Black, an inspection was conducted at 20 Leo Street.

The property was inspected on February 7, 2012. The building was secure at the time of the inspection. There was evidence of vermin activity, including evidence that would constitute either a potential and/or an actual harborage for vermin. The Health Department issued a Notice of Violation letter, via certified mail, on February 14, 2012. The property owner(s) did not meet the compliance deadline. The property was then referred to the Department of Municipal Development for further action. At the request of the Director of Health the property was cleaned and liened. At this time, no further action will be required from this department.

Eugene M. Ciccone, MD
Director of Health

CLAIMS COMMITTEE

31812 RE: SETTLEMENT OF CLAIMS: COCCOMO BROTHERS & ASSOCIATES LLC, JOSE L. COTTO & JULIUS LOPEZ

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

The Committee on Administration, Finance and Law and the standing claims sub-committee of the Committee on Administration, Finance and Law at a regular meeting held on Wednesday evening, April 4, 2012 at 6:30 p.m. in Room 201, City Hall having held public hearings and made investigations of said claims, respectfully begs leave to recommend the following:

- A. RESOLVED; that Coccoma Brothers & Associates LLC of 1897 Berlin Turnpike, Berlin, Connecticut be given leave to withdraw their claim for property damage sustained in an accident on April 21, 2010; and be it further
- B. RESOLVED; that the sum of \$5,000.00 be paid to Jose L. Cotto 53 Emily Drive, New Britain, Connecticut in full settlement of his claim for property damage sustained in an accident on September 8, 2011.
- C. RESOLVED; that the sum of \$5,000.00 be paid to Julius Lopez, a minor by and through his mother and next friend, Jacqueline Rosario and Attorney Donald E. Freeman, their attorney, in full settlement of their claim for personal injuries sustained in an accident on October 9, 2010.

Alderman Carlo Carozzi, Jr.
Chair

COMMITTEE ON PLANNING, ZONING AND HOUSING

31754-1 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING SEC. 2-53 REGARDING HUD GRANTS COMMITTEE

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

The Committee on Planning, Zoning and Housing at a regular meeting and public hearing held on Tuesday evening, April 3, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31754 – Code of Ordinances be amended by adding new Section 2-53 regarding HUD Grants Committee voted to accept as amended and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Roy Centeno
Chair

31766-1 RE: PROPOSED AMENDMENT TO SEC. 7-43 AND SEC. 13-260 REGARDING LIEN FOR COSTS AND EXPENSES INCURRED BY THE CITY AND VIOLATION OF CHAPTER

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

The Committee on Planning, Zoning and Housing at a regular meeting and public hearing held on Tuesday evening, April 3, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31766 – Sections 7-43 and 13-260 of the Code of Ordinances be amended and be replaced regarding Lien for Costs and Expenses incurred by the City of New Britain voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Roy Centeno
Chair

RESOLUTIONS RETURNED FROM COMMITTEE

31754-2 RE: AMENDMENT TO THE ORDINANCES ADDING SEC. 2-53 REGARDING HUD GRANTS COMMITTEE

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

Resolution Summary: Purpose. To establish a council committee to approve HUD grants.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Code of Ordinances, City of New Britain, be amended by adding a new Section 2-53 as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

[new] Sec. 2-53. HUD Grants Committee

(a) Establishment and composition. There is hereby established a HUD Grants Committee of the Common Council. Said HUD Grants Committee shall consist of all current members of the Common Council except for those members who have a conflict of interest as defined under the Conflict of Interest Regulations for HUD programs. The Chair shall be elected by the members of the Committee.

April 11, 2012

(b) Duties. The HUD Grants Committee shall be responsible for the consideration and approval of all grants issued by HUD including but not limited to under the Community Development Block Grant Program, HOME Program and Emergency ~~Shelter~~ Solutions Grant Program.

Alderman Michael W. Trueworthy
President of the Common Council

Alderwoman Suzanne Bielinski
Majority Leader

Alderwoman Suzanne Bielinski
Majority Leader

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

31766-2 RE: AMENDMENT TO SEC. 7-43 AND SEC. 13-260 REGARDING LIEN FOR COSTS AND EXPENSES INCURRED BY THE CITY AND VIOLATION OF CHAPTER

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

Resolution Summary: PURPOSE. To amend Sec. 7-43 to provide for a municipal lien for costs and expenses incurred to make a property safe and sanitary under any provision of the Connecticut General Statutes and the City of New Britain's building, health, housing or safety code.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 7-43 of the Code of Ordinances, City of New Britain, be amended and be replaced with the following (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

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

Whenever the owner fails to comply with an order or citation to repair, board, maintain, or demolish a building, sign, or structure and/or remove the blighting condition or in order to make the property safe and sanitary under any provision of the Connecticut General Statutes or the City of New Britain building, health, housing or safety codes or regulations and the City of New Britain has made repairs, boarded, or demolished the building, sign, or structure and/or removed the blighted condition or to make the property safe and sanitary after the owner's failure to do so, reasonable costs and expenses incurred by the City of New Britain shall be a lien against the real property in accordance with Connecticut General Statutes Section 49-73b.

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

Sec. 13-260. Violation of chapter.

Any person who shall violate any provision of this chapter, may, ~~upon conviction~~, be punished by a fine of not more than ninety dollars (\$90.00) and/or, upon conviction, by imprisonment for not more than thirty (30) days and each day's failure to comply with any such provision shall constitute a separate violation.

Alderman Michael W. Trueworthy

April 11, 2012

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

NEW BUSINESS

RESOLUTIONS

31813 RE: PLACING SOLAR PANELS ON CITY-OWNED PROPERTY TO REDUCE SPENDING ON ENERGY COSTS – AGREEMENTS WITH GREENSKIES RENEWABLE ENERGY, LLC OR ANOTHER SELECTED SOLAR DEVELOPER

To His 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 approved Public Act 11-80 which created a billion dollar opportunity for Developers of small renewable energy systems and there will be \$8M allocated in the first year of the program; AND

WHEREAS, The Connecticut Light and Power Company (CL&P) has created a Zero Emission Renewable Energy Certificate (ZREC) Program to utilize these funds and will be issuing an RFP to purchase ZREC's from the most competitive renewable projects; AND

Whereas, The City of New Britain has been actively undergoing site selection for renewable projects that would qualify and be competitive under the ZREC program; AND

WHEREAS, The Common Council previously approved Resolution 31675 in December, 2011 which authorized the Mayor to "discuss, negotiate a Power Purchase Agreement Proposal for a solar array on the City of New Britain Landfill" and it has been subsequently determined that the Landfill is not a competitive site under the conditions of the ZREC program; AND

WHEREAS, The City of New Britain has been working with a Connecticut-based Solar Developer, and to date has determined the most competitive City owned sites for the ZREC program are the Szczensy Garage Roof at 31 Bank Street, the Badolato Garage Roof at 35 Washington Street and Water Department land at 1000 Shuttle Meadow Avenue; AND

WHEREAS, The estimated amount of energy savings to the City for these sites, over a 15 year term, would be about \$1.5M with no cost to the City; AND

WHEREAS, If other competitive sites are identified, additional projects may also be submitted; AND

WHEREAS, It is anticipated that projects will need to be submitted to CL&P by May 2012 for the selection of qualified projects with the lowest ZREC bid price; AND

THEREFORE BE IT RESOLVED, that the Mayor of the City of New Britain is hereby authorized to negotiate and enter into Power Purchase Agreements with Greenskies Renewable Energy, LLC or another selected Solar Developer.

Alderwoman Tonilynn Collins
Alderwoman Eva Magnuszewski
Alderman Carlo Carozzi, Jr.
Alderman Wilfredo Pabon
Alderman Emmanuel Sanchez

April 11, 2012

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Collins. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

31814 RE: BUDGET AMENDMENT – PARK AND HR&O PART TIME SALARIES - \$45,000

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

Overview: Every year the Parks and Recreation Department budgets for the hiring of 10 seasonal employees that work in the City Parks doing grounds maintenance work such as litter pick-up, grass cutting, ball diamond maintenance and preparation, string trimming, and more. In the FY 12, due to the current economic situation of the City, this line item, while originally funded, was cut to zero in a budget saving effort. Recently there was an intra-department transfer of funds that allows for the hiring of 4 seasonal employees. This resolution will allow for the hiring of 6 seasonal employees and the reallocation of funds to staff these part time workers from April 1 through June 30. In addition, the Human Rights & Opportunities has filled the vacant part-time position which original funds were unintentionally eliminated in the budget savings effort. The increase to the expenditure side of the FY 12 budget will be offset by an overage in the revenue line item Recreation Programs- Rent- Rock Cats account # 001420001-4416.

Whereas, the Parks Department has traditionally hired 10 part time employees every year to help in maintaining the City parks including ball diamond maintenance and preparation, litter pickup, grass cutting, etc. Since funding has already been put in place for 4 part time employees, the Parks Dept is looking to hire the additional 6 part time employees, AND

Whereas, the funding for these workers was reduced to zero in a budget saving effort, AND

Whereas, there are funds available for this purpose since the Parks & Recreation Revenue line item Recreation Programs- Rent-Rock Cats has currently exceeded its FY 12 budgeted amount by more than \$45,000, AND

Whereas, it is essential that the Human Rights & Opportunities Department part-time position funds be restored accordingly to assist in the undertakings of its daily operations and ensuring that there is office coverage at all times when the Human Rights Affirmative Action Officer is not present. THEREFORE BE IT

Resolved, that the FY 2011-2012 General Fund Budget be amended for this purpose as follows:

Increase Revenue:			
001420001-4416	Recreation Programs – Rent – Rock Cats	\$	45,000
Increase Expenditures:			
001521001-5124	Human Rights & Opportunities – Part Time Salaries	\$	10,000
001419004-5124	Park Maintenance – Part Time Salaries	\$	35,000

Alderman Michael W. Trueworthy
Mayor Pro-Tempore

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Collins. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

April 11, 2012

31815 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING DIV. 17, SEC. 2-329 ECONOMIC DEVELOPMENT COMMISSION

(PROPOSED ORDINANCE ON FILE IN TOWN CLERK'S OFFICE)

Alderman Michael W. Trueworthy
President to the Common Council
Alderman Suzanne Bielinski
Majority Leader

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

31816 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING DIV. 18, SEC. 2-330 INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS COMMISSION

(PROPOSED ORDINANCE ON FILE IN TOWN CLERK'S OFFICE)

Alderman Michael W. Trueworthy
President to the Common Council

Alderman Suzanne Bielinski
Majority Leader

Ald. Trueworthy moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

31817 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING SUBSECTIONS TO SEC. 2-267 – COMMUNITY DEVELOPMENT COMMISSION AND DUTIES

(PROPOSED ORDINANCE ON FILE IN TOWN CLERK'S OFFICE)

Alderman Michael W. Trueworthy
President to the Common Council

Alderman Suzanne Bielinski
Majority Leader

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

April 11, 2012

**31818 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING ARTICLE VXII
REORGANIZATION OF CITY DEPARTMENTS AND OFFICES, SEC. 2-911
REORGANIZATION PLAN**

(PROPOSED ORDINANCE ON FILE IN TOWN CLERK'S OFFICE)

Alderman Michael W. Trueworthy
President to the Common Council

Alderman Suzanne Bielinski
Majority Leader

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning and Housing, the Committee on Administration, Finance & Law and the Consolidated Committee, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 13th day of April 2012.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 8:25 p.m.

ATTEST: Peter J. Denuzze, City Clerk