

April 25, 2012

REGULAR MEETING OF THE COMMON COUNCIL

APRIL 25, 2012

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday, the 25th day of April 2012 at 7:40 p.m. in the Common Council Chambers, City Hall.

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

One member was absent: Ald. Carlozzi.

City Clerk, Peter J. Denuzze, gave the invocation: O God, our Heavenly Father, as we gather here tonight for this Common Council meeting, we invoke Thy blessings. May all proceedings be in the spirit of brotherhood and in the best interests of our city. We ask this in Thy name. Amen.

The pledge to the flag was led by the City Clerk.

Ald. Centeno was granted a point of personal privilege and thanked everyone for keeping him and his family in their thoughts and prayers since his recent involvement in a fatal automobile accident.

Ald. Bielinski moved to accept the minutes of the Regular Meeting of March 14, 2012, seconded by Ald. Trueworthy. So voted.

Ald. Bielinski moved to amend the agenda by substituting 31830(D), 31832(F), 31840(5), and 31840-1(M), by adding 31841(6), by deleting H and 1, and by moving 31840(5), and 31840-1(M) to the end of the agenda, motion seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

PETITIONS

31825 Ald. Black for the installation of a "Handicap Parking" sign in front of 101 Tremont Street. Referred to the Board of Police Commissioners.

31826 Jason G. Racette, PLS, Agent, for a change of Zone for properties in the vicinity of 181 Dwight Street and 566 East Street – from Zone T (Two Family) to Zone B3 (Secondary Business). Referred to the City Plan Commission, and the Zoning Committee.

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Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved April 29, 2012 by Timothy E. O'Brien, Mayor.

CONSENT AGENDA

CITY CLERK

31827 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:

CLAIMANTS NAME

- Palmisano, Joseph, by his Attorney Andrew Bottinick
- Rivera, Petra, by her Attorney Annette Smith
- Rosario, Jacqueline, by her Attorney Elton R. Williams

Peter J. Denuzze
City Clerk

OFFICE OF THE CORPORATION COUNSEL

31828 RE: SETTLEMENT OF CLAIM JAHAIIRA CARABALLO, ADMINISTRATOR EST. OF CARMEN ARROYO

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

RESOLVED, By the Common Council of the City of New Britain that the sum of FORTY THOUSAND DOLLARS (\$40,000.00) be paid to JAHAIIRA CARABALLO, ADMINISTRATOR and DAVID B. HARTSHORN, ESQ., her attorney, in full settlement of her suit against the City of New Britain, for an amount within the jurisdiction of the Court now pending in Superior Court, Judicial District of New Britain, at New Britain, for bodily injuries the deceased Carmen Arroyo sustained on Camp Street, on March 15, 2010, as a result of a fall on the sidewalk. She suffered a four-part proximal right humeral fracture of the right shoulder requiring surgery. Her medicals were allegedly \$47,364.84 as well as lost wages in the amount of \$30,926.23.

This recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after settlement discussions between City Attorney Irena J. Urbaniak, David B. Hartshorn, Esq., and Judge Joseph Shortall with the approval and consent of John C. King, 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

FINANCE DEPARTMENT

31829 RE: LINE ITEM TRANSFERS – 04/04/12 THRU 04/18/2012

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 18, 2012

15. Department: Parks & Recreation
From: 283420111-5440 (Rentals/Supplies Equip.)
To: 283420111-5331 (Professional Services)
Amount: \$8,000.00
Brief Description: Additional funds required for architect and engineer recommended services including roof inspection and asbestos testing at the Walnut Hill Darius Miller Band Shell
16. Department: Town Clerk – Historical Records Preservation
From: 249108101-5122 (Overtime)
To: 249108101-5810 (Dues, Fees & Memberships)
Amount: \$256.00
Brief Description: Funds needed to attend the Connecticut Town Clerks' Conference
17. Department: Senior Center
From: 001523002-5436 (Equip. Maintenance & Repairs)
To: 001523002-5435 (Building Gr. Maintenance & Repairs)
Amount: \$439.00
Brief Description: Funds needed for carpet cleaning

Jonathan Perugini
Budget & Capital Projects Office

PURCHASING DEPARTMENT

31830 RE: ON-CALL ENGINEERING SERVICES CIVIL TESTING SERVICES – BEAVER ST. – PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3620, approved at its Regular Meeting of October 26, 2011.

Project Name: Civil Testing Services – Beaver Street
Vendor: Independent Materials Testing Lab Inc.
Amount: \$7,500.00
Line Items: 0083058101-5454 Capital Projects, Beaver Street
Requested By: Public Works Department, Engineering Division

Scope: Independent Materials Testing Lab Inc. will conduct Civil Testing at the Beaver Street Reconstruction Project, City Bid 3524 and State Project 88-174. They will test the Concrete, Bituminous Concrete, Process and Aggregate Base Materials and the compaction of them that was installed by the contract for this project. The testing will assure that the materials utilized and installed by the contractor for

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this project meet City and State specifications. Independent Materials Testing Lab Inc will submit to the Public Works Department all test results for their review. Independent Materials Testing Lab Inc. will conduct any required meetings with the Public Works Department or the State of Connecticut DOT to discuss the results of their tests.

Jack Pieper
Purchasing Agent

31831 RE: ON-CALL ENGINEERING SERVICES – RENEWABLE ENERGY PROJECT – PUBLIC WORKS DEPT. ENGINEERING DIVISION

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3620, approved at its Regular Meeting of October 26, 2011.

Project Name: Renewable Energy
Vendor: Fuss & O'Neill
Amount: \$2,500.00
Line Items: 0082749101-5331 Environmental Remediation Bond,
Professional Services
Requested By: Public Works Department, Engineering Division

Scope: Fuss & O'Neill will attend meetings with City Staff to discuss the opportunity for the City to develop a renewable energy project on a City owned property. They will then visit potential development site to assess suitability. Fuss & O'Neill will then prepare conceptual drawings for potential development sites and a Request for Proposal (RFP) for issuance to third-party developers. They will also coordinate with utility providers for information related to the proposed sites. Fuss & O'Neill will attend and conduct meetings with third-party developers or the Public Works Department, Engineering Division to discuss this project.

Jack Pieper
Purchasing Agent

31832 RE: ON-CALL ENGINEERING SERVICES – CIVIL TESTING SERVICES – SEWER TUNNEL – REHABILITATION PROJECT – PUBLIC WORKS DEPARTMENT, ENGINEERING DIVISION

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3620, approved at its Regular Meeting of October 26, 2011.

Project Name: Civil Testing Services – Sewer Tunnel Rehabilitation Project
Vendor: Independent Materials Testing Lab Inc.
Amount: \$3,500.00
Line Items: 0082618917-5453 Capital Projects, Sewer Tunnel
Rehabilitation
Requested By: Public Works Department, Engineering Division

Scope: Independent Materials Testing Lab Inc will conduct Civil Testing of the Concrete utilized by the Contractor for the Sewer Rehabilitation Contract #6, City Bid 3524. The testing will assure that the concrete utilized and installed by the contractor for this project meet City specifications. Independent Materials Testing Lab Inc. will submit to the Public Works Department all test results for their review. Independent Materials

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Testing Lab Inc. will conduct any required meetings with the Public Works Department to discuss the results of their tests.

Jack Pieper
Purchasing Agent

31833 RE: JULY 4, 2012 FIREWORKS – PARKS & RECREATION 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. 3654 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the July 4, 2012 Fireworks for the Parks & Recreation Department. Funding will be available for the July 4, 2012 Fireworks within the July 4th Fireworks Fund 25417002-5807.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald, the City and State of Connecticut's Department of Administration Services websites and mailed to eleven (11) Fireworks Display Companies. The Purchasing Agent did not receive any letters from the Fireworks Display Companies on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Parks & Recreation Department's Administration and the Purchasing Agent. The bids were reviewed to determine the shell size, shell type, number of shells, music provided during the display, the length of the fireworks display and a complete description of the finale included in the bid prices submitted. Pyrotecnico of New Castle, PA had more fire work shell than the other bidders. Therefore the Director of Parks and Recreation is recommending that the bid be awarded to Pyrotecnico of New Castle, PA per the specifications of Bid 3654.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a purchase order to Pyrotecnico of New Castle, PA in the amount of \$25,000.00 for the July 4, 2012 Fireworks Display per the pricing, terms and specifications of Public Bid No. 3654.

Jack Pieper
Purchasing Agent

31834 RE: EMERGENCY PURCHASE ORDER – HAZARDOUS MATERIAL CLEAN UP SERVICES

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 City Code of Ordinances, Chapter 2, Article VIII, Division V, Section 2-606a, an emergency purchase order was authorized by the Mayor and issued to the vendor listed below on April 18, 2012

<u>Supplier</u>	<u>Item</u>	<u>Unit Price</u>
Clean Harbor Environmental Services Bristol, CT.	Hazardous Material Clean Up Services	\$8,497.89

The Purchasing Agent reports that no formal bid solicitation and advertisement as outlined in the Purchasing Ordinances were made for this item. In accordance with Section 2-606b of the City Code of Ordinances, the Purchasing Agent reports:

An emergency purchase order was requested by the New Britain Fire Department for cleanup of Hazardous Material. The Fire Department was utilizing Ladder #2 to conduct an aerial training operations session at Veterans Stadium. During the training session a catastrophic failure occurred and the hydraulic lines under the turntable of the ladder truck were severed and there was a loss of all its hydraulic fluid. The hydraulic oil leaked all over the fire truck as well as on the pavement of the parking lot. Sand was brought to the site to cover the spill but was so large it could only be contained. The hydraulic oil is considered hazardous material. The State of Connecticut DEEP Department came to the site to review what happened.

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The cleanup needed to be conducted immediately by an environmental service company. Clean Harbors Environmental Services who has a State of Connecticut contract for this service was called to conduct the cleanup. Funding for this Hazardous Material Clean up Service was in the Fire Department's account number 001212002-5336, Fire Operations, Other Purchasing Services.

Jack Pieper
Purchasing Agent

31835 RE: ANNUAL SOFTWARE LICENSE RENEWAL AND TECHNICAL SUPPORT FOR INFORMATION TECHNOLOGY DEPARTMENT

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 City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-531 a purchase order was requested by the Information Technology Department for the annual renewal of the Stars Worker's Compensation Software.

<u>Supplier</u>	<u>Service</u>	<u>Amount</u>
CS Stars, LLC. Dallas, TX.	Annual License Renewal and Technical Support	\$8,462.00

The Information Technology Department has requested a one (1) year renewal and technical support for the Stars Worker's Compensation Software. The software is utilized by Corporation Council. They are able to enter all personal injury, workers compensation claims and lawsuits into the software system as well as reserves for each claim and any payments made. The software helps Corporation Council manage the City's Workers Compensation claims. CS Stars, LLC is the creator of this software and has no dealers. They are the only one that can provide this annual software license renewal and technical support. Therefore it would be impossible to find another local software company to provide a competitive bid for the annual license renewal and technical support. Bid solicitation for the annual software license renewal and technical support would not be beneficial to the City. Funding for this Annual License Renewal and Technical Support is available in the Information Technology Department's account number 001107006-5434, Information Technology, Maintenance Contracts.

RESOLVED: The Purchasing Agent is hereby authorized to issue a purchase order for \$8,462.00 to CS Stars, LLC of Dallas, TX for the Annual Stars Worker's Compensation Software License Renewal and Technical Support for the Information Technology Department.

Jack Pieper
Purchasing Agent

TAX COLLECTOR

31836 RE: TAX ABATEMENTS, CORRECTIONS AND REFUNDS

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

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

Cheryl S. Blogoslowski
Tax Collector

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS, AND DEPARTMENTS

STORM ALFRED REVIEW COMMITTEE

31654-4 RE: FINDINGS AND RECOMMENDATIONS

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

A report of the Storm Alfred Review Committee will be presented to the Common Council at the April 25, 2012 Common Council meeting.

(REPORT ON FILE IN TOWN CLERK'S OFFICE)

Alderman David DeFronzo

Ald. DeFronzo moved to accept and adopt, seconded by Ald. Sanchez. So voted. Approved by Mayor Timothy O'Brien Jr. the 30th day of April 2012.

NEW BUSINESS

RESOLUTIONS

31837 RE: FUNDING FROM U.S. DEPT. OF JUSTICE TO N.B. POLICE DEPT. – PROJECT SAFE NEIGHBORHOODS - \$50,000

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:

WHEREAS, the U. S. Department of Justice (USDOJ), has funding available under their Project Safe Neighborhoods, and

WHEREAS, these funds are to be used to assist in the investigation of crimes involving firearms and any gang activity, and

WHEREAS, these funds can be used for officer overtime, equipment or investigative expenses as set forth in the budget listed below, and require no cash match from the City, and

WHEREAS, that Mayor Timothy O'Brien be authorized to execute all grant documents with the U. S. Department of Justice on behalf of the City of New Britain for the Project Safe Neighborhoods, in the sum of \$50,000, THEREFORE BE IT

RESOLVED, that a sum of \$50,000 be appropriated within the special revenue account structure as follows:

<u>Revenue:</u>		
217211138-4223	Revenue – Federal	\$50,000
<u>Expenditures:</u>		
217211138-5122	Police Overtime	\$26,000
217211138-5740	Equipment	\$14,000
217211138-5335	Investigation Expenses	\$10,000
		\$50,000

Ald. Suzanne Bielinski - Police Liaison
Ald. Carlo Carlozzi, Jr. - Police Liaison

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Ald. Roy Centeno - Police Liaison
Ald. Lawrence Hermanowski- Police Liaison
Ald. Wilfredo Pabon - Police Liaison
Ald. Emmanuel Sanchez - Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved by Mayor Timothy O'Brien Jr. the 30th day of April 2012.

31838 RE: AUTHORIZING THE MAYOR TO APPLY FOR A JUSTICE ASSISTANCE GRANT IN THE SUM OF \$37,357 FOR THE N.B. POLICE DEPARTMENT

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 Bureau of Justice Assistance (BJA), has funding available under the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program, and,

WHEREAS, these funds are to be used to investigate gang, gun and drug related crimes, direct additional officers to active crime locations in the community and support police public service outreach programs, and,

WHEREAS, there is no requirement for a cash match, and,

WHEREAS, these funds, in the amount of \$37,357, will be used as set forth in the budget listed below, THEREFORE, BE IT

RESOLVED, that Mayor Timothy O'Brien be granted permission to apply for a Justice Assistance Grant in the sum of \$37,357, as follows:

<u>Revenue:</u>		
269211139-4223	Federal Revenue	\$ 37,357
 <u>Expenditures:</u>		
269211139-5122	OT - Patrol "Hot Spots"	\$ 13,500
269211139-5122	OT - Investigations	\$ 15,000
269211139-5814	Police Explorers	\$ 3,857
269211139-5813	Police Athletic League	<u>\$ 5,000</u>
	Total Expenditures	\$ 37,357

Ald. Suzanne Bielinski - Police Liaison
Ald. Carlo Carlozzi, Jr. - Police Liaison
Ald. Roy Centeno - Police Liaison
Ald. Lawrence Hermanowski- Police Liaison
Ald. Wilfredo Pabon - Police Liaison
Ald. Emmanuel Sanchez - Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved by Mayor Timothy O'Brien Jr. the 30th day of April 2012.

31839 RE: 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:

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RESOLVED; that the HUD Grants Committee shall consist of all current members of the Common Council except 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.

Alderman Michael Trueworthy
President of the Common Council

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 30th day of April 2012.

31841 RE: PROPOSED AMENDMENT TO SEC. 2-397 OF THE ORDINANCES LIMITING THE TERM OF ANY AUDITING FIRM SELECTED BY THE COMMON COUNCIL TO NO MORE THAN FIVE (5) CONSECUTIVE YEARS

(PROPOSED AMENDMENT ON FILE IN THE TOWN CLERK'S OFFICE)

Ald. Trueworthy moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Freeman. So voted. Approved by Mayor Timothy O'Brien Jr. the 30th day of April 2012.

31840 RE: LICENSE – LITTLE POLAND FESTIVAL SUNDAY, APRIL 29, 2012

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the The Polonia Business Association, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for Sunday, April 29, 2012, 12:30 p.m. – ~~6:00~~ 9:30 p.m. for the purpose of conducting the Little Poland Festival on Broad Street and Grove Street (from Orange and Grove St. North to Broad Street and West on Broad to Horace Street)~~(between Grove and Horace Street)~~ on the Polmart & Haller Post, and Pulaski Club Parking Lots, New Britain, Conn.

Alderman Lawrence Hermanowski

Ald. Hermanowski moved to accept, seconded by Ald. Black. Ald. Hermanowski moved to amend the last line by deleting "&" and by adding "," following the word "Polmart", and by adding, following the word "Post" and "Pulaski Club", motion seconded by Ald. Black. Amendment carried. Ald. Hermanowski moved to refer to the License Committee, seconded by Ald. Black. So voted.

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Black. So voted. Approved by Mayor Timothy O'Brien Jr. the 30th day of April 2012.

The Council recessed for a short period in order for the License Committee to meet.

Ald. Trueworthy moved the Council return to regular order, seconded by Ald. Black. So voted.

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REPORT OF THE LICENSE COMMITTEE

31840-1 RE: LICENSE FOR LITTLE POLAND FESTIVAL SUNDAY, APRIL 29, 2012

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 Licenses recommended on April 25, 2012 the adoption of the following:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to The Polonia Business Association, said license as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for Sunday, April 29, 2012, 12:30 pm. – ~~6:00~~ 9:30 p.m. for the purpose of conducting the Little Poland Festival on Broad Street and Grove Street (from Orange and Grove St. North to Broad Street and West on Broad to Horace Street (~~between Grove and Horace Street~~) on the Polmart & Haller Post Parking Lots, New Britain, Connecticut.

Alderman Lawrence J. Hermanowski
Chair

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Black. So voted. Approved by Mayor Timothy O'Brien Jr. the 26th 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 8:19 p.m.

ATTEST: Peter J. Denuzze, City Clerk

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