

February 8, 2012

REGULAR MEETING OF THE COMMON COUNCIL

FEBRUARY 8, 2012

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday, the 8th day of February 2012 at 8:23 p.m. in the Common Council Chambers, City Hall.

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

One member was absent: Ald. Pabon

City Clerk, Peter J. Denuzze, gave the invocation: O God, our Heavenly Father, help us to rise above our human weaknesses and, relying on your strength, may we perform our duties in such a manner that the people of New Britain and You, O God, may be proud of us and our achievements. We ask this in Thy name. Amen.

Ald. Trueworthy was granted a point of personal privilege and asked that a moment of silence be observed in memory of Ben Cheney, 21, who was tragically killed in an automobile accident on Feb. 7th. His passenger, Kevin Stewart, also 21, the son of former Mayor Timothy T. Stewart, is being treated at St. Francis Hospital. Ald. Trueworthy and Mayor O'Brien asked that we keep the Cheney family and the Stewart family in our thoughts and prayers.

Ald. Carozzi was granted a point of personal privilege and asked that a moment of silence be observed in memory of Maria Lisa Centeno who passed away on January 26th. Mrs. Centeno was the mother of Ald. Roy Centeno.

Ald. Bielinski was granted a point of personal privilege and announced that an Arts Day will be held on Sat. Feb. 11th at the Visitor's Center in the Downtown Gallery at 66 West Main St. from 10 a.m. to 3 p.m. and asked that we all support it.

Ald. Centeno was granted a point of personal privilege and thanked everyone for their support and heartfelt condolences on the death of his mother, Maria Luisa Centeno.

Ald. Bielinski moved to accept the minutes of the Regular Meeting of January 11, 2012, seconded by Ald. Trueworthy. So voted.

Ald. Bielinski moved to amend the Agenda by adding 31713-2(P), by substituting 31710-2 (1), and 31756(6), by acting on 31756 following 31710-2 and by correcting a typographical error on the agenda – the word "foundations" on item G should be "fountains". Motion seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

PETITION

31758 ALD. GIANTONIO FOR INCREASING POLICE PATROLS AT THE CORNER OF LINWOOD AND SHUTTLE MEADOW AVE TO ENFORCE MOTOR VEHICLE VIOLATIONS FOR SPEEDING AND ILLEGAL PARKING ON SIDEWALKS. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

February 8, 2012

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved February 17, 2012 by Timothy E. O'Brien, Mayor.

CONSENT AGENDA

CITY CLERK

31741 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

- Arbour, Edward & Genevieve
- Nunez, Jose by his Atty. Richard L. Zayas

Peter J. Denuzze
City Clerk

CITY PLAN

31713-1 RE: CERTIFICATION OF LOCATION – MOTOR VEHICLE GENERAL REPAIRER'S/DEALER'S LICENSE AT 812 STANLEY ST.

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

APPLICANT: Andrzej Maslinski for RAM Auto Works, LLC
ADDRESS: 812 Stanley Street
ZONE: I-2 (General Industry)

BACKGROUND: The applicant is requesting a certificate of location approval in order to obtain state Department of Motor Vehicles licensing for used auto sales and general repairer's operations. The subject property is situated on the western side of Stanley Street, a short distance south of East Main Street. The area is zoned I-2, general industry, which permits auto sales and automotive repair operations by right. This current application is requested for a change in ownership.

FINDINGS: The site plan accompanying this application shows the subject property is approximately 10,000 square feet in area and is occupied by a small, 4-bay repair building, which has a floor space that is approximately 2,160 square feet in area. The site plan shows a total of 12 parking spaces, consisting of two (2) employee spaces, two (2) sales display spaces and a total of eight (8) customer spaces, including the required handicapped space.

This site was previously approved for DMV licensing for auto repair and used motor vehicle sales under Common Council Petition #29300 in September 2006, despite a negative recommendation from the City Plan Commission, which felt that the site was too small and overcrowded for the business operations being proposed. The applicant recently obtained a variance approval for zoning restrictions that were adopted in 2008, subsequent to this property's original licensing. The variances related specifically to the new requirements for screening and landscaping and for number of required off-street parking spaces. Under current standards, a total of 17 spaces would be needed for a business that has four (4) repair bays (three (3) parking spaces per bay required) plus sales operations (one (1) space required for each sales vehicle), plus a minimum of five (5) spaces for any business having auto sales on-site).

February 8, 2012

The site is bordered by Route 9 to the west, on both the south and north sides by two other auto repair and/or sales businesses at 804 and 924 Stanley Street. The I-2 general industry-zoning district permits auto sales and repair by right, subject to the supplemental regulations of subsection 230-170-10 through 230-170-70, which were adopted in 2008.

CONCLUSION: The site is properly zoned for auto repair and sales and has been licensed and used for motor vehicle sales and repairs for more than five years, and it is situated between two similar auto related businesses. The site is smaller and more intensively utilized than would normally be permitted under current regulations. However, auto repair and sales business has operated successfully at this location and the parking layout is to city standard and the spaces are arranged so as to not require backing over the sidewalk or into the street.

RECOMMENDATION: Given the history of use on this site and the character of its surroundings, the City Plan Commission staff has no objections to the granting of a certificate of location approval to the new operator for used auto sales and general repairer's operations for this property, subject to them limiting sales vehicle display to no more than the two spaces depicted on the submitted plan.

Kenneth A. Malinowski, Director
Department of Municipal Development

OFFICE OF THE CORPORATION COUNSEL

31742 RE: NATIONWIDE MUTUAL INSURANCE COMPANY-DABKOWSKI- V. CITY OF NEW BRITAIN

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 FOUR THOUSAND EIGHT HUNDRED TWENTY ONE DOLLARS AND TWENTY-FIVE CENTS (\$4,821.25) be paid to NATIONWIDE MUTUAL INSURANCE COMPANY and LAW OFFICES OF DONNA-MARIA LONERGAN, its attorney, in full settlement of its 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 damages paid to its insureds, Krzysztof and Antoni Dabkowski as a result of property damage they sustained at 49 Sachem Street caused by a blockage in the city main sewer line. Nationwide had paid the policy limit of \$8,865.00 on the claim and the property owner paid the \$500.00 deductible.

This recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after settlement discussions between Judge Shaunessy, City Attorney Irena J. Urbaniak and Law Offices of Donna-Maria Longergan, 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

31743 RE: NATIONWIDE MUTUAL INSURANCE COMPANY – PRIEST – V. CITY OF NEW BRITAIN

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 FOUR THOUSAND SIX HUNDRED TWENTY SEVEN DOLLARS AND FIFTY CENTS (\$4,627.50) be paid to NATIONWIDE MUTUAL INSURANCE COMPANY and LAW OFFICES OF DONNA-

February 8, 2012

MARIA LONERGAN, its attorney, and the sum of THREE THOUSAND SIX HUNDRED SEVEN DOLLARS AND SEVENTY-SEVEN CENTS (\$3,607.77) to be paid to TAMMY PRIEST as full settlement of their 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, as a result of property damage sustained at 2049 Corbin Avenue caused by a blockage in the city main sewer line. Nationwide had paid the policy limit of \$9,255.00 and the property owners had paid in documented bills \$7,215.55.

This recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after settlement discussions between Judge Shaunessy, City Attorney Irena J. Urbaniak and Law Offices of Donna-Maria Longergan, 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

DEPARTMENT OF LICENSES, PERMITS AND INSPECTIONS

31738-1 RE: INFESTATION OF VERMIN AT 20 LEO STREET

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

This matter has been referred to the Health Department as it is under their jurisdiction.

Norman F. Wnuk
Acting Director, LPI, CZEO

PURCHASING DEPARTMENT

31744 RE: BEAVER STREET RECONSTRUCTION PROJECT FOR THE PUBLIC WORKS 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. 3582 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Beaver Street Reconstruction Project for the Public Works Department. Funding is available for this purchase within the Public Work Department's Account Numbers, 255315005-5454, Beaver Street, DOT Grant, Construction Contracts and 0083058101-5454, Beaver Street, Construction Contracts.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald and the Hartford Courant Newspapers, City and State of Connecticut's Department of Administration Services websites and mailed to thirty-four (34) Construction Companies. The Purchasing Agent did not receive any letters from the Construction Companies on the mailing list who indicated they could not provide a response to the bid request. The Responses received are on file in the Town Clerks Office.

The bids were reviewed for conformance to specifications by the Engineering Department and the Purchasing Agent. The Federal Government and the State of Connecticut will be reimbursing the City for ninety (90) percent of the total cost of this project. Therefore the Director of Public Works is recommending that the bid be awarded to Spazzarini Construction of Enfield,

CT who submitted the lowest responsible bid and met all of the bid specifications for the Beaver Street Reconstruction Project.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$1,925,697.35 and enter into a contract with Spazzarini Construction of Enfield, CT for the Beaver Street Reconstruction Project for the Public Works Department per the terms and specifications of Public Bid No. 3582.

Jack Pieper
Purchasing Agent

31745 RE: TWO (2) NEW AERATING FOUNTAINS FOR THE PARKS AND 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. 3635 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of two (2) new Aerating Fountains to be installed in ponds located within City Parks. Funding for this purchase of these two (2) new Aerating Fountains was approved by the Common Council at their October 13, 2010 meeting, Resolution # 31127-2, Appropriation and Bond Authorization for the purchase of various Capital Equipment and is available in the Parks and Recreation Department's account number, JL#0041900111-56122, Pond Aerators.

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 ten (10) Aerating Fountain Companies. The Purchasing Agent did not receive any letters from the Aerating Fountain 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 Clerks Office.

The bids were reviewed for conformance to specifications by the Parks and Recreation Department and the Purchasing Agent. The two (2) new Aerating Fountains will be installed in the ponds so they can circulate the water to control the growth of algae. The existing Aerating Fountains are old and were purchased in 1985. Parts to make needed repairs on these existing Aerating Fountains are becoming hard to obtain. Therefore the Director of the Parks and Recreation Department is recommending the bid be awarded to John Deere Landscapes of Cleveland, OH who was the lowest bidder and met all of the bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$11,936.00 to John Deere Landscapes of Cleveland, OH for the Purchase and installation of two (2) new Aerating Fountains for the Parks and Recreation Department per the terms and specifications of Public Bid No. 3635.

Jack Pieper
Purchasing Agent

31746 RE: HEAVY DUTY TRENCH SHORING UNIT FOR THE PUBLIC WORKS 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. 3651 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of a Heavy Duty Trench Shoring Unit with accessories for the Public Works Department. Funding is available for this purchase from the

February 8, 2012

Public Works Department's account number, 208315101-5660, Sewer Division, Vehicle and Equipment. .

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 ten (10) Construction Equipment Companies. The Purchasing Agent did not receive any letters from the Construction Equipment 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 Clerks Office.

The bid was reviewed for conformance to specifications by the Public Works Department Administration and the Purchasing Agent. Therefore the Director of the Public Works Department is recommending that the bid be awarded to 3D Leasing, Inc of Kaufman, TX who submitted the lowest responsible bid and met all of the bid specifications.

RESOLVED: That the Purchasing Agent is authorized to issue a purchase order for \$4,835.00 3D Leasing, Inc of Kaufman, TX for the purchase of a Heavy Duty Trench Shoring Unit with accessories for the New Britain Public Works Department per the terms and specifications of Public Bid No 3651.

Jack Pieper
Purchasing Agent

31747 RE: COOPERATIVE PURCHASING – RIFLE AND PISTOL AMMUNITION FOR THE POLICE 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 2-538 (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	\$37,300.00

The New Britain Police Department requested a purchase order for Rifle and Pistol Ammunition utilizing the State of Connecticut's Contract Award #07PSX0219. 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 \$37,300.00 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 #07PSX0219.

Jack Pieper
Purchasing Agent

31748 RE: MARKETING CARTRIDGES FOR THE POLICE DEPARTMENT

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

February 8, 2012

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 Marking Cartridges.

<u>Supplier</u>	<u>Need Supplies</u>	<u>Total Price</u>
Dedham Sportsman Center/AAA Police Supply Dedham, MA.	Marking Cartridges of Various Colors for Pistols and Rifles	\$12,040.00

The New Britain Police Department requested the purchase of Marking Cartridges of various colors. These marking cartridges are shot out of pistols and rifles and are utilized in training of Police Officers. Simulation Operations, Inc is the manufacturer of these Marking Cartridges. Dedham Sportsman Center/AAA Police Supply is the only authorized distributor for Simulation Operations, Inc approved to sell in Connecticut. The Purchasing Agent has verified this and has documentation from Simulation Operations, Inc indicating this. Therefore bid solicitation for the purchase of the Marking Cartridges 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 \$12,040.00 to Dedham Sportsman Center/AA Police Supply of Dedham, MA for the purchase of Marking Cartridges needed for the training of Police Officers for the New Britain Police Department.

Jack Pieper
Purchasing Agent

31749 RE: TASER CARTRIDGES AND BATTERIES FOR THE POLICE 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 2-538 (a), a purchase order was requested by the New Britain Police Department for the purchase of Taser Cartridges and Batteries.

<u>Supplier</u>	<u>Need Supplies</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Taser International	Taser Cartridges	250	\$23.95	\$5,987.50
Scottsdale, AZ.	Taser Batteries	30	\$37.95	\$1,138.50
Total Cost:				\$7,126.00

The New Britain Police Department has requested the purchase of Taser Cartridges and Batteries. Taser International is the manufacturer of the Taser Cartridges and Batteries. They no longer have a dealer in the State of Connecticut where their products can be purchased. All purchases for the Taser Cartridges and Battery must be made directly from them. The Purchasing Agent verified this and has been in contact with Taser International. Therefore bid solicitation for the purchase of the Taser, Cartridges and Batteries 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 \$7,126.00 to Taser International of Scottsdale, AZ for the purchase of Taser, Cartridges and Batteries for the New Britain Police Department.

Jack Pieper
Purchasing Agent

31750 RE: SMOKE GRENADES, DOOR LOCK BREACHERS AND RIOT CONTROL SPRAY FOR THE POLICE 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 2-538 (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.	Smoke Grenades, Door Lock Breachers and Riot Control Spray	\$5,686.00

The New Britain Police Department requested the purchase of Smoke Grenades, Door Lock Breachers and Riot Control Spray. Combined Tactical Systems is the manufacturer of these items. Witmer Public Safety Group, Inc is the only authorized 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 Smoke Grenades, Door Lock Breachers 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 \$5,686.00 to Witmer Public Safety Group, Inc of Coatesville, PA. for the purchase of Smoke Grenades, Door Lock Breachers and Riot Control Spray for the New Britain Police Department.

Jack Pieper
Purchasing Agent

COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

31710-1 RE: PROPOSED AMENDMENT TO SEC. 2-584(C) OF THE ORDINANCES CONCERNING COMMISSION ON THE ARTS

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 at a regular meeting and public hearing held on Wednesday evening, February 1, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31710 – Amending Section 2-584(c) of the Code of Ordinances regarding the New Britain Commission on the Arts voted to accept as amended and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Carlo Carozzi, Jr.
Chair

CLAIMS COMMITTEE

31751 RE: SETTLEMENT OF CLAIMS: FRANK CHASE, ANTHONY TARACANI, ROBERT J. FERONE, JR.

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

February 8, 2012

evening, February 1, 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 Frank Chase of 24 Roxbury Road, New Britain, Conn. be given leave to withdraw his claim for property damage sustained in an accident on August 28, 2011; and BE IT FURTHER
- B. RESOLVED; that Anthony Taracani and Alan J. Rome, Esq., his attorney, be given leave to withdraw their claim for personal injuries and property damage sustained in an accident on October 4, 2010; and BE IT FURTHER
- C. RESOLVED; that the sum of \$9,140.68 be paid to Robert J. Ferone, Jr. of 39 Emily Drive, New Britain, Conn. in full settlement of his claim for property damage sustained in an accident on September 8, 2011.

Alderman Carlo Carozzi, Jr.
Chair

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

COMMITTEE ON PLANNING, ZONING AND HOUSING

31713-2 RE: GRANTING A CERTIFICATE OF LOCATION TO ALLOW A MOTOR VEHICLE GENERAL REPAIRER'S AND AUTO DEALER'S LICENSE FOR PROPERTY AT 812 STANLEY ST. – RAM AUTO WORKS, LLC

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, February 7, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of item #31713 – Andrzej Maslinski for RAM Auto Works, LLC seeks granting of a certificate of location approval to allow a motor vehicle general repairer's and auto dealer's license for property at 812 Stanley Street voted to accept and recommend that the following petition be referred back to the Common Council with a favorable recommendation.

Alderman Roy Centeno
Chair

Petition #31713

To His Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to petition you Honorable body:

In accordance with Connecticut General Statutes Section 14-54, Andrzej Maslinski for RAM Auto Works, LLC seeks granting of a certificate of location approval from the Common Council, acting in its capacity as Zoning Commission of the City of New Britain, in order to allow a motor vehicle general repairer's and auto dealer's license for property at 812 Stanley Street, New Britain, Conn.

Said property is zoned I-2, which allows auto repair and auto dealers by right.

Ald. Brown recused himself- he did not attend the meeting nor did he listen to the tape. Ald. Trueworthy moved to accept and adopt, seconded by Ald. Collins. So voted. Approved by Mayor Timothy O'Brien Jr. the 10th day of February 2012.

Ald. Brown returned to the Chambers.

RESOLUTIONS RETURNED FROM COMMITTEE

31710-2 RE: **AMENDMENT TO SEC. 2-584(C) OF THE ORDINANCES INCREASING THE NUMBER OF MEMBERS ON THE ARTS COMMISSION FROM SEVEN TO FIFTEEN**

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 increase the number of members on the New Britain Commission on the Arts from seven (7) to fifteen (15).

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 2-584(c) 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. 2-584.

(c) The New Britain Commission on the Arts is hereby established. The commission shall consist of ~~four (4)~~ twelve (12) members to be appointed by the mayor with the advice and consent of the council and three (3) members named by the Greater New Britain Arts Alliance (provided that of the members named by the Greater new Britain Arts Alliance, no more than two (2) shall be members of the same political party). The term of each member shall be two (2) years. The commission shall, in addition to its duties and responsibilities under subsection (d) of this section:

- (1) Make recommendations to the mayor and common council regarding any work of art which is in the custody or control of the city, including the public site for the display of such art;
- (2) When requested and subject to the availability of funds, to make funding recommendations to the mayor and common council on funding for local arts organizations and programs;
- (3) Advise the mayor and common council, with regard to a proposed removal, relocation or alteration of any public arts project or work of art in the possession of the city, to ensure proper preservation and display;
- (4) Work to ensure that works of art are properly integrated into the city building environments, especially in places open to the public; ~~and~~
- (5) Compile and update an inventory of valuable works of art in the possession of the city. On an annual basis, conduct and catalog an inventory of valuable works of art, including all of the city's War Memorials. Working with the public works, park and recreation and the veteran's commission, provide a recommendation to the mayor and the city council on a maintenance schedule.

Alderman Carlo Carlozzi, Jr.
By Request

February 8, 2012

Ald. Carozzi moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 16th day of February 2012.

NEW BUSINESS

RESOLUTIONS

**31756 RE: PROPOSED AMENDMENT TO SEC. 17-2 OF THE ORDINANCES
PROHIBITING THE SALE OF PARK LAND**

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 prohibit the sale of park land.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 17-2 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. 17-2. Public hearing required before
~~selling or~~ leasing of any park land;
sale of park land prohibited.

(a) ~~The common council may not vote on any resolution that provides for the donation, sale or~~ lease of any city-owned park property without first holding a public hearing. Such public hearing must not be more than thirty (30) days nor less than three (3) days prior to the consideration of such resolution.

(b) If a public hearing is scheduled, the city shall, in addition to any other applicable notice requirements, place a sign on each street frontage of the property that is the subject of the hearing. The sign(s) must be two (2) ~~feet~~ feet high and three (3) feet long (twenty-four (24) inches high by thirty-six (36) inches long), with black lettering on a white background. The sign must be made of one-eighth (1/8) inches thick pressed board or other durable material. Each sign shall be clearly visible from the street closest to the subject property and not be set back more than ten (10) feet from the property line and between two (2) and six (6) feet above grade at the property line.

(c) Since it is found and declared that city-owned park property enhances the quality of life, community character and provides healthy and affordable recreational opportunities for the benefit of the public, the sale, discontinuance or change in use of any park property is prohibited.

Alderman David DeFronzo
Alderman Michael Trueworthy
President of the Common Council

Ald. DeFronzo moved to accept and refer to the Consolidated Committee, seconded by Ald. Trueworthy. So voted. Approved by Mayor Timothy O'Brien Jr. the 16th day of February 2012.

**31752 RE: LOCAL BRIDGE PROGRAM SUPPLEMENTAL APPLICATION FOR GRANT –
BROOKSIDE ROAD OVER WILLOW BROOK**

February 8, 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:

WHEREAS, the existing bridge on Brookside Road was structurally deficient and in need of replacement; and

WHEREAS, the Public Works Department, using its own forces, completed the bridge replacement in July, 2011 at a substantial savings over hiring a private contractor; and

WHEREAS, the Public Works Department has applied for a grant through the State of Connecticut Local Bridge Program and is eligible for 32.95% reimbursement on the total project cost, and based on an estimated total project cost of \$270,000 the grant amount would equate to approximately \$89,000; and

WHEREAS, one of the last components of the grant is to complete the Local Bridge Program Supplemental Application which requires an authorized signature from the municipality; NOW, THEREFORE, BE IT

RESOLVED, that, Timothy E. O'Brien, Jr., Mayor of the City of New Britain is hereby authorized to sign the LOCAL BRIDGE PROGRAM SUPPLEMENTAL APPLICATION on behalf of the City of New Britain for Brookside Road over Willow Brook, Bridge No. 088012.

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

Ald. Collins moved to accept and adopt, seconded by Ald. Magnuszewski. So voted. Approved by Mayor Timothy O'Brien Jr. the 16th day of February 2012.

31753 RE: BUDGET AMENDMENT – RECONSTRUCTION OF BEAVER STREET - \$2,301,750

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:

Where As, the City of New Britain has been selected to receive Federal Funds under the Urban Component of the Surface Transportation Program (STP) up to a maximum amount of reimbursement, for contract items and contingencies, to the City of \$2,301,750 for the Reconstruction of Beaver Street Project;

Where As, the project is located on municipally owned roads, the design has been completed in-house by the City of New Britain Engineering Department, construction inspection will be performed in-house and the construction phase will utilize the allotted federal funding, supplemented with City funds;

Therefore, Be It Resolved, that the budget amendment within the Special Revenue Fund be made as follows:

Increase Expenditures:		
255315005-5454	Construction Contracts	\$2,301,750
Increase Revenues:		
255315005-4222	State of Connecticut	\$2,301,750

Alderman Carlo Carlozzi, Jr.
Alderman Tonilynn Collins

February 8, 2012

Alderman Michael Trueworthy
Alderman Wilfredo Pabon
Alderman Emmanuel Sanchez

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Collins. So voted. Approved by Mayor Timothy O'Brien Jr. the 16th day of February 2012.

31754 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING A NEW SEC. 2-53 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.

(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 Grant Program.

Alderman Michael Trueworthy
President of 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 16th day of February 2012.

31755 RE: BUDGET AMENDMENT – POLICE DEPT. \$30,000

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

February 8, 2012

the U. S. Department of Justice on behalf of the City of New Britain for the Project Safe Neighborhoods, in the sum of \$30,000, THEREFORE BE IT

RESOLVED, that a sum of \$30,000 be appropriated within the special revenue account structure as follows:

Revenue:		
217211136-4223	Revenue – Federal	\$30,000
Expenditures:		
217211136-5122	Police Overtime	\$15,000
217211136-5740	Equipment	\$10,000
217211136-5335	Investigation Expenses	<u>\$5,000</u>
		\$30,000

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. Sanchez. So voted. Approved by Mayor Timothy O'Brien Jr. the 16th day of February 2012.

Ald. Trueworthy was granted a point of personal privilege and, although he is a Patriots fan, congratulated the Giants and their fans on the Giant's winning of Super Bowl XLVI.

Their being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 8:54 p.m.

ATTEST: Peter J. Denuzze, City Clerk

February 8, 2012