

July 11, 2012

REGULAR MEETING OF THE COMMON COUNCIL

JULY 11, 2012

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday, the 11th day of July 2012 at 8:05 p.m. in the Common Council Chambers, City Hall.

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

City Clerk, Peter J. Denuzze, gave the invocation: O God, the creator of us all we thank you for this community which we all love and which we all serve in many ways. In this place, at this time, we are especially conscious of those who serve publicly as elected officials. Give them the wisdom, vision and devotion to the highest standards of brotherhood and good will. We ask this in Thy name. Amen.

The City Clerk led the pledge to the flag.

Ald. Bielinski moved to amend the agenda by adding 31922-1(A1), 31890-1(A2), 31945(B1), 31955(B2) 31826-2(H), 31890-2(I), 31922-2(J), 31939-1(K), 31953(3), 31954(4), 31939-2(5), and by moving 31945 and 31952 to the end of the agenda. Motion seconded by Ald. Trueworthy. Roll call vote – all members voted in favor.

PETITIONS

- 31956 ALD. HERMANOWSKI FOR INSTALLATION OF A “NO OUTLET” SIGN AT THE CORNER OF WALSH STREET AND RACKLIFFE DRIVE. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**
- 31957 ALD. BLACK FOR INSTALLATION OF “NO PARKING ANYTIME” SIGNS ON RICHARD STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**
- 31958 ALD. SANCHEZ AND ALD. BROWN FOR INSTALLATION OF A “STOP” SIGN AT THE INTERSECTION OF NORTH STREET AND SPRING STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS AND DEPT. OF PUBLIC WORKS.**
- 31959 ALD. HERMANOWSKI FOR GRANTING OF A CERTIFICATE OF LOCATION APPROVAL TO ALLOW A USED/NEW MOTOR VEHICLE DEALER’S LICENSE FOR PROPERTY LOCATED AT 66B ST. CLAIR AVE. REFERRED TO CITY PLAN COMMISSION AND THE PLANNING, ZONING & HOUSING COMMITTEE.**

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members voted in favor. Approved July 12, 2012 by Mayor Timothy E. O'Brien.

CONSENT AGENDA

CITY CLERK

31944 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

- Banos, Raul
- Martinez, Kathiayarie N. by Atty. Robert P. Murphy

Peter J. Denuzze
City Clerk

CITY PLAN COMMISSION

31922-1 RE: CERTIFICATE OF LOCATION PRESTIGE AUTO CARS, LLC, 111-A CHRISTIAN LANE

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

BACKGROUND: The applicant is requesting the granting of a certificate of location approval to allow issuance of a used motor vehicle dealer's license and general repairer's license, in accordance with Section 14-54 of the Connecticut General Statutes. The subject property is situated on the western side of Christian Lane and is zoned I-2, general industry, which permits auto sales and automotive repair operations by right. The property is a single parcel (111-117 Christian Lane), and the applicant is leasing a separate portion of the site and existing building, designated as 111-A Christian Lane.

FINDINGS: The overall property totals slightly over two (2) acres in area and was formerly used by a bookbindery and later a commercial trash recycling operation and truck storage/maintenance facility. There is a large masonry and steel building on the site with an approximate floor area of 15,000 square feet. The site is entirely fenced, and there is sufficient room for parking of more than 100 vehicles in total.

The site was initially granted an auto repairer's and dealer's license in March 1988 (ZBA Application #3159), under ESP Autobody, involving the southeastern quadrant of the property and building area. There have been at least three subsequent license approvals granted on the site and, inclusive of this current applicant's space, all four of the tenant spaces are either presently or, have in the past, been licensed auto dealers' and repairers' locations. This current request is for a used auto sales and repair operation in a portion of the property that has been previously licensed.

The applicant's subject space is located at the front of the property on the northern half of the lot. The tenant area is approximately one-half acre in area that encompasses approximately 2,800 square feet of building space, with a large shop area accessed by an overhead garage door, a small waiting area and office space area. The site shows parking identified for six (6) sales display vehicles at the front of the building, facing the street; the required five (5) customer and/or repair spaces near the northern side of the building, along with five (5) employee spaces. Additionally, there is a large, fenced vehicle storage area located to the south side of the building.

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CONCLUSION: The I-2 zone allows auto sales and repair by right, and this property and several others in the immediate vicinity have long been utilized for a variety of auto sales, repairs, and related activities. The proposed re-licensing at this address would have essentially no effect on the overall character of the site and general area.

RECOMMENDATION: The City Plan Commission finds that this site is suited to the use and has been licensed for auto sales and repairs in the past. The Commission, therefore, has no objections to the granting of the certificate of location approval for this dealer/repairer license on this property.

Stephen A. Sidorak, Chairman
City Plan Commission

**31890-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES REVISING
SUBSECTIONS 185-40-30 AND 185-40-40 RELATING TO MAXIMUM
PERMITTED FLOOR AREA RATIO ET AL**

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

[To amend the Zoning Ordinances to revise Subsections 185-40-30 and 185-40-40 relating to maximum permitted floor area ratios and maximum lot coverage in the TPC, (Technology Park/Commercial) zoning district, in order to permit optimal development on TPC zoned parcels.]

The City Plan Commission, at its regular meeting held on July 9, 2012, voted 6 to 0 to approve the following report:

BACKGROUND: The purpose of this zoning amendment is to increase the maximum permitted lot coverage and floor area ratio for properties in the TPC, Technology Park Commercial zoning district. This would serve to allow more optimal development of properties in the Pinnacle Heights Business Park. The TPC zone is intended to allow a variety of office and high technology businesses, as well as planned commercial development. Aside from the CREC magnet school site, business interests, thus far, have been primarily high tech manufacturing.

FINDINGS: In the City of New Britain zoning ordinances, the term lot coverage means the percentage of the lot area covered by the area of the building and the term floor area ratio means the total combined area floor area of all floors in a building divided by the area of the lot. The maximum permitted lot coverage in the TPC zoning district, per section 185-40-40, is 30%. In accordance with section 185-40-30, the maximum permitted floor area ratio is .60. This proposed change would increase the maximum permissible lot coverage to 50 percent and the maximum floor ratio to 1.50.

In the TPC zone, the minimum lot size is 80,000 square feet, which is just under two acres. The proposed amendment would mean the difference between 24,000 square foot building footprint being built under current zoning on a minimum sized 80,000 square foot lot, versus a building with a 40,000 square foot print under the proposed increased lot coverage standard. Taking into consideration the maximum permissible floor space in a multi-story office building, the proposed change in floor area ratio would allow an increase in total floor area from 48,000 square feet to 120,000 square feet.

PLANNING CONSIDERATIONS: The proposed changes would allow prospective developers greater flexibility to build larger buildings on TPC zoned parcels. This serves to make the parcels more attractive to potential buyers. Increasing the development potential of these lots and also results, theoretically, in an increase in potential tax base and in a potentially greater increase in the number of jobs created or brought to the City. The current TPC yard requirements would remain the same with 50 foot front yards, 20 foot side yards and 25 foot rear yards, so in the practical sense the changes would not significantly alter the proximity to any adjoining property. There would be no change to off-street parking requirements.

RECOMMENDATION: The City Plan Commission is of the opinion that, in locations where opportunities exist for new high quality business development, all reasonable efforts should be made to afford maximum flexibility and optimal utilization of the limited land resources. The proposed increases the lot coverage and floor area ratio standards would increase the flexibility and improve the development potential of properties in the Pinnacle Heights Business Park. The City Plan Commission recommends adoption of these amendments.

Stephen A. Sidorak, Chairman
City Plan Commission

PURCHASING DEPARTMENT

31946 RE: ANNUAL SOFTWARE LICENSE RENEWAL FOR NEW BRITAIN 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 2-541 a "Sole source, goods and services" purchase order was requested by the New Britain Information Technology Department for the annual renewal of their Environmental Systems Research Institute, Inc. (ESRI) Software Enterprise Level Agreement.

| <u>Supplier</u> | <u>Service</u> | <u>Amount</u> |
|--|------------------------------------|---------------|
| Environmental Systems Research Institute, Inc. Redlands, CA | Annual Software License Renewal | \$50,000.00 |

The New Britain Information Technology Department has requested an annual license renewal of their ESRI geographic information system software. "GIS" is a system of hardware and software used for storage, retrieval, mapping and analysis of geographic data. ESRI Software is the mechanism to capture and store all geographical information utilized by the City Public Services and Safety Departments. It is the tool used to aid in analysis, assessment, routing, planning, and documenting all of geographic information as it pertains to the City of New Britain and its surrounding properties. ESRI is the premier defacto software company with no dealers or resellers. The initial data capture investment using the ESRI software was high in man hours and change to the software would negate years of work building the database to its current useable status. Therefore it would be impossible to find another source or supplier to provide a competitive bid for the annual license renewal. In addition, this Municipal Enterprise Level Agreement for populations 50,000 – 100,000 and other size municipalities is on State Contract B-03-103. Funding for this Annual ESRI Software License Renewal is available in the Information Technology Department's account number 001107006-5434, Maintenance Contracts.

RESOLVED: The Purchasing Agent is hereby authorized to issue a purchase order for \$50,000.00 to Environmental Systems Research Institute, Inc. of Redlands CA for the Annual ESRI Software License Renewal for the New Britain Information Technology Department.

Jack Pieper
Purchasing Agent

31947 RE: PROFESSIONAL SERVICES – STUDENT PHYSICALS AND VACCINES FOR THE HEALTH DEPARTMENT

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

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In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-531 a purchase order was requested by the Health Department for Student Physicals and Vaccines.

| <u>Supplier</u> | <u>Services</u> | <u>Price</u> |
|---|--|--------------|
| Community Health Center New Britain, CT. | Physicals and Vaccines for Students | \$28,785.00 |

The State of Connecticut Department of Health requires students to obtain vaccines and physicals before entry into school to decrease the spread of communicable diseases. If the student does not have health insurance coverage then the State requires the municipality that the student lives in to have a Well-Child Clinic and to provide this service. Well Child Clinics provide physicals and immunizations to ensure that students without health insurance coverage have access to these services and can quickly be admitted to school. The Health Department has been meeting the State requirements by having VNA HealthCare provide these Well-Child Clinics for the City in the past. VNA Healthcare informed the Health Department that they will no longer continue to provide these services for them. Community Health Center of New Britain has indicated that they can provide these services at the same cost that VNA HealthCare did. They are a federally qualified health center that has been serving the residents of the City for many years. This Well-Child Clinic is very unique and there is no other health center in the City that can provide this service. Therefore it would be very difficult to find other local health centers or providers to provide a competitive bid for this service. Bid solicitation would not be beneficial to the City. Funding is available for this purchase within the Health Department's account number 001522004-5811, Health Agencies, Grants and Contributions.

Resolved: that the Purchasing Agent is hereby authorized to issue a Purchase Order for \$28,785.00 to Community Health Center of New Britain for vaccines and physicals to City students who do not have health insurance coverage for the Health Department.

Jack Pieper
Purchasing Agent

**31948 RE: COOPERATIVE PURCHASING – ROAD SALT FOR THE PUBLIC WORKS
DEPT. – 2012-2013 WINTER SEASON**

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 for Road Salt by the Public Works Department for the 2012-2013 Winter Season under the Capital Region Council of Governments (CRCOG) cooperative pricing.

| <u>Supplier</u> | <u>Needed Supplies</u> | <u>Quantity</u> | <u>Price</u> |
|---|--|-----------------|--------------|
| Cargill Deicing Technologies Bridgeport, CT. | Road Salt for 2012-2013 Winter Season | 3,000 Tons | \$78.88 |

Total Costs \$236,640.00

The City is a member of CRCOG and was included again this year in their bid for Road Salt needed during the 2012-2013 Winter Season. CRCOG is a Purchasing Cooperative serving seventy-two (72) Municipalities, Boards of Education and Government Agencies within the State of Connecticut. This enabled CRCOG to get a very competitive price from Cargill Deicing Technologies for the Road Salt again this year for the City. Cargill Deicing Technologies has been supplying Road Salt to the City through CROG's cooperative pricing since 2008. The Public Works Department has been happy with the road salt provided by Cargill Deicing Technologies. Funding is available for this purchase within the Public Works Department's Ice and Snow Control, account number, 001315007-5659, Streets/Snow Removal, Operating Materials and Supplies.

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RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing purchase order for \$236,640.00 to Cargill Deicing Technologies of Bridgeport, CT for the purchase of 3,000 tons of Road Salt for the 2012-2013 Winter utilizing CRCOG's Cooperative Purchasing Pricing.

Jack Pieper
Purchasing Agent

31949 RE: LIQUID OXYGEN 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. 3679 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Liquid Oxygen for the Water Department. Funds are available for this purchase within the Water Department's account number 9303500103-5616, Water Treatment Expenses, Chemicals.

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 eight (8) Chemical and Gas Companies. The Purchasing Agent did not receive any letters from the Chemical and Gas Companies on the mailing list indicating they could not provide a response 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 Water Department's Superintendent of Water Quality and the Purchasing Agent. Therefore the Director of the Water Department is recommending the bid be awarded to Airgas East of Cheshire, CT. who submitted the lowest bid price for the Liquid Oxygen and met all of the bid specifications. They have provided Liquid Oxygen to the Water Department in the past and was awarded the bid last year. The bid results have also been presented to the Water Commission at their July 10, 2012 meeting. At this meeting they approved the Director of the Water Department's recommendation to purchase the Liquid Oxygen from Airgas East of Cheshire, CT.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a standing purchase order to Airgas East of Cheshire, CT. for the purchase of Liquid Oxygen at \$.41 per gallon per the terms and specifications of Public Bid No. 3679

Jack Pieper
Purchasing Agent

DEPARTMENT OF PROPERTY MANAGEMENT

31894-1 RE: SPEEDING ISSUES IN THE BADOLATO GARAGE

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

In response to Petition #31894, please see report from Desman Associates. Report on file in the Town Clerk's Office.

Also, it is my understanding that the majority of the speeding issues in the Badolato Garage are related to city vehicles, operated by City employees. This also includes City employees and BOE employees driving their own personal vehicles.

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It may be in the best interest for our Personnel Department to release a notice clarifying the rules and policies that pertain to garage usage with a warning that any violation of these policies could lead to discipline, up to and including loss of parking privileges.

Denis J. Pelegrino
Director of Property Management

TAX COLLECTOR

31950 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. Blogoslawski
Tax Collector

COMMITTEE ON PLANNING, ZONING AND HOUSING

31922-2 RE: APPROVAL OF CERTIFICATE OF LOCATION 111A CHRISTIAN LANE – PRESTIGE AUTO CARS 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 special meeting held on Tuesday evening, July 10, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31922 – Prestige Auto Cars LLC seeks granting of certificate of location approval to allow a used/new motor vehicle dealer's license for property at 111A Christian Lane, New Britain, Conn. voted to accept and recommend that the following petition be referred back to the Common Council with a favorable recommendation.

Petition
#31922

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

In accordance with CGS Section 14-54, Prestige Auto Cars 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 used/new motor vehicle dealer's license for property at 111A Christian Lane, New Britain, Conn.

Said property is Zoning District I-2.

Alderman Roy Centeno
Chair

31939-1 RE: PROPOSED COOPERATION AGREEMENT WITH HOUSING AUTHORITY OF THE CITY OF NEW BRITAIN – PROVIDE AFFORDABLE HOUSING TO LOW INCOME RESIDENTS

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 special meeting held on Wednesday evening, July 10, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of

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Item #31939 – Cooperation Agreement with Housing Authority of the City of New Britain – provide affordable housing to low income residents voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Roy Centeno
Chair

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

REPORT OF THE MAYOR'S OFFICE

31955 RE: FENCING AT FAIRVIEW CEMETERY

To the Common Council of the City of New Britain: the undersigned beg leave to report the following:

The City of New Britain, through its Purchasing Agent, is seeking competitive bids for the following commodity. Purpose: bids for the installation of approximately 5,175 linear feet of perimeter fencing for the Fairview Cemetery.

CITY OF NEW BRITAIN
NEW BRITAIN, CONNECTICUT
REPORT OF :
Mayor's Office and Purchasing Department
RE: Fencing at Fairview Cemetery

CITY OF NEW BRITAIN
PUBLIC BID NO. 3678

All Bidders must complete the W9, Non Collusive Affidavit of Bidders, Affidavit for Compliance with Section 2-626 of the City Code of Ordinances and the Notice To Prospective Bidders Certification Required forms, with are attached, and submit them with their bid documents in order for their bids to be considered. Bidders shall certify that neither they nor any business or corporation fully or partially owned by the bidders are not delinquent on the payment of City property taxes or fees. The Non Collusive Affidavit and Affidavit for Compliance with Section 2-626 of the City Code of Ordinances must be also be signed and notarized by an official State Notary and the Notary's seal placed on it. If the required forms are not completed the City reserves the right to reject the submitted bid.

SPECIFICATIONS:

The City of New Britain is requesting bids for the installation of approximately 5,175 linear feet of perimeter fencing for the Fairview Cemetery. Additional sections of fence and fence posts may be asked to be ordered for future use. Approximately 2,600 linear feet of existing fencing and footings will be removed and shall be included in the linear foot cost of the new fencing. Reusable sections of existing fencing will remain in the possession of the City and a designated storage area will be determined upon the start of construction.

The proposed fence is made by Ameristar Fence Products and the product line is the Montage Commercial – Welded Ornamental Steel Fence Majestic Design or an approved equal fence. The standard height for all fencing and swing gates will be five feet. There will be five (5) double swing gate arrangements. The approximate widths of the gates are:

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- Sixteen (16) feet at the Gladden Street Driveway at the end of the street
- Eighteen (18) feet at the Gladden Street Driveway approximately 370' before the dead end of Gladden Street
- Twenty (20) feet at the East Street Driveway located between Greenfield Drive and Thorniley Street
- Twenty four (24) feet at the Smalley Street Driveway located between Olive Street and Dewey Street
- Thirty two (32) feet at the Smalley Street Driveway near Cottage Place

All fencing and gates must adhere to the Montage Commercial Specification set forth by Ameristar Fence Products. Installation of all fencing and gates must adhere to the same specification or an approved equal specification. This specification is found in the next page of this Bid Specification.

Please note the four additional Alternate Bids that are within this bid package. The following are descriptions of the four Alternate Bids:

Alternate #1 – Removal and disposal of existing chain-link fence from High Street to Washington Street on Columbus Boulevard and the installation of approximately Three Hundred Sixty (360) feet of 6' high AMERISTAR FENCE Montage Commercial Steel Ornamental Fence Majestic Design System or an approved equal fence as specified in the attached Specifications

Alternate #2 –Removal and disposal of existing masonry wall and fence from Washington Street to Main Street on Columbus Boulevard and the installation of approximately Four Hundred Twenty (420) feet of 6' high AMERISTAR FENCE Montage Commercial Steel Ornamental Fence Majestic Design System or an approved equal fence as specified in the attached Specifications

Alternate #3 –Removal and disposal of existing masonry wall and fence from Robert J. Loughery Way to the Route 9 off-ramp on Columbus Boulevard and the installation of approximately Eight Hundred Thirty (830) feet of 6' high AMERISTAR FENCE Montage Commercial Steel Ornamental Fence Majestic Design System or an approved equal fence as specified in the attached Specifications

Alternate #4 –Removal and disposal of existing masonry wall and fence from Main Street to Robert J. Loughery Way on Columbus Boulevard and the installation of approximately Nine Hundred Seventy (970) feet of 6' high AMERISTAR FENCE Montage Commercial Steel Ornamental Fence Majestic Design System or an approved equal fence as specified in the attached Specifications

A pre-Bid meeting shall be held on the 20th day of July, 2012 at 10:00am at the Fairview Cemetery at 120 Smalley Street in New Britain, Connecticut attendance is strongly recommended.

Ald. Defronzo moved to accept and adopt, seconded by Ald. Hermanowski. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th. day of July 2012.

COMMITTEE ON PLANNING, ZONING AND HOUSING

Ald. Bielinski recused herself in regard to the following two reports – she did not attend the Planning, Zoning and Housing Meeting, nor did she listen to the tapes.

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31826-2 RE: CHANGE OF ZONE ON WEST SIDE OF EAST ST. IN VICINITY OF 181 DWIGHT STREET AND 566 EAST ST. FROM ZONE T (TWO FAMILY) TO ZONE B3 (SECONDARY BUSINESS)

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

The Common Council as the Zoning Authority of the City of New Britain gave due and legal notice of a time and place for a public hearing in reference to Item #31826 – Change the zone of properties on west side of East Street in vicinity of 181 Dwight Street and 566 East Street from Zone T (Two Family) to Zone B3 (Secondary Business). Said hearing was held on Tuesday evening, July 10, 2012 at 7:00 p.m. in the Council Chambers of City Hall, 27 West Main Street, New Britain, Connecticut.

The City Plan Commission, at its regular meeting held on May 7, 2012 voted 5 to 0 to recommend that this proposed zone change be approved.

The Common Council as the Zoning Authority of the City of New Britain voted to accept the following zone change and refer back to the Common Council with a favorable recommendation.

Change the zone of properties on west side of East Street in vicinity of 181 Dwight Street and 566 East Street from Zone T (Two Family) to Zone B3 (Secondary Business).

Petition
#31926

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

To change the zone of properties on the west side of East Street in the vicinity of 181 Dwight Street and 566 East Street from zone T (two family) to zone B-3 (secondary business), as depicted on the attached map titled, "Compilation Plan for a Proposed Change to the Zoning District Boundary from Zone T to Zone B3", prepared by Jason G. Racette, LLS, dated April 25, 2012.

Alderman Roy Centeno
Chair

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Collins. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th. day of July 2012.

31890-2 RE: AMENDMENT TO THE ZONING ORDINANCES REVISING SUBSECTIONS 185-40-30 AND 185-40-40 RELATING TO MAXIMUM PERMITTED FLOOR AREA RATIO AND MAXIMUM LOT COVERAGE IN TPC (TECHNOLOGY PARK/COMMERCIAL) ZONING DISTRICT

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

The Common Council as the Zoning Authority of the City of New Britain and Planning, Zoning and Housing Committee of the Common Council, gave due and legal notice of a time and place for a public hearing in reference to Item #31890 – To amend the Zoning Ordinances to revise Subsections 185-40-30 and 185-40-40 relating to maximum permitted floor area ratios and maximum lot coverage in TPC (Technology Park/Commercial) zoning district. Said hearing was held on July 10, 2012 at 7:00 p.m. in the Council Chambers of City Hall, 27 West Main Street, New Britain, Conn.

The City Plan Commission, at its regular meeting held on Monday evening, July 9, 2012 voted 6 to 0 to approve the amendments to the Zoning Ordinances.

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The Common Council as the Zoning Authority of the City of New Britain and the Planning, Zoning and Housing Committee of the Common Council voted to accept the following amendment to the Zoning Ordinances and refer back to the Common Council with a favorable recommendation.

Alderman Roy Centeno
Chair

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Collins. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th day of July 2012.

Ald. Bielinski returned to the Chambers.

NEW BUSINESS

RESOLUTIONS

31951 RE: CONNECTICUT STATE GRANT FOR THE PRESERVATION OF HISTORICAL DOCUMENTS & NON-DISCRIMINATION CERTIFICATION

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 passed into law, Public Act 00-146, an "Act Concerning Real Estate Filings and Preservation of Historical Documents" which took effect July 1, 2000; and,

WHEREAS, this legislation established a "Historic Document Preservation Account" for the "Preservation and Management of Historic Documents" ; and,

WHEREAS, Public Act 00-146 authorizes a grant starting July 2001; and,

WHEREAS, the City of New Britain has applied for and received approval for a \$6,500 grant for the period of July 1, 2012 to June 30, 2013; now therefore be it,

RESOLVED: That Mayor Timothy O'Brien is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Documents Preservation Grant; and

RESOLVED: that the City of New Britain, hereby adopts as its policy to support the nondiscrimination agreements and warranties required under the Connecticut General Statutes § 4a-60(a)(1) and §4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142; and be it further

RESOLVED; that a budget amendment in the amount of \$6,500 be appropriated within the city's Special Revenue Fund entitled "Historical Records Retention" established for this purpose and amend the existing budget in the amount of \$10,075 to meet the needs of the department as follows:

| | | |
|-----------------|--|-----------------|
| | INCREASE ESTIMATED REVENUE | |
| #249108101-4222 | State of Connecticut Historic Preservation Grant | \$ 6,500 |
| #249108101-4561 | Document Preservation (Town) | <u>\$10,075</u> |
| | Total | \$16,575 |
| | INCREASE EXPENDITURE BUDGET | |
| #249108101-5331 | Professional Services | \$16,575 |

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Alderman Carlo Carlozzi Jr.

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th day of July 2012.

31953 RE: PROCUREMENT OF MASS NOTIFICATION SYSTEM FOR NON-EMERGENCY USE

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 City of New Britain has access to the mass notification system provided by the State of Connecticut for emergency uses; and

WHEREAS, mass notification systems are a convenient and simple way of keeping citizens informed of issues and conditions impacting their neighborhood; and

WHEREAS, the Public Safety Telecommunications Center has obtained funds from the State of Connecticut Office of Statewide Emergency Telecommunications to support improved communications services to the public; and

WHEREAS, Everbridge, Inc. of Glendale, California was awarded a contract by the State of Connecticut under GSA number (GS-35F-0692P) for mass notification systems services including an option for local use of these systems for non-emergency use; and

WHEREAS, that option contains all of the following desired features including:

- Unlimited use – all contact or call types
- Unlimited administrators
- Unlimited ongoing training
- All system updates
- Both Aware for employees and SmartGIS for Citizens
- Initial resident and business database provided by Everbridge as well as an annual refresh upon renewal
- Fully customized, designed and hosted citizen opt-in portal; and

WHEREAS, the cost for first year of service including set-up is \$26,929.78 with recurring charges of \$18,020.00 annually, if appropriated and authorized. NOW, THEREFORE BE IT

RESOLVED, that the Mayor is hereby authorized to enter into an agreement for a term of one year commencing not later than October, 2012 for the purposes of implementing a non-emergency mass notification system; and be it further

RESOLVED, that the Mayor will provide the Council with a copy of the Executive Order guiding the use and operation of the system and the CT:ALERT system in the city; and be it further

RESOLVED, the Public Safety Telecommunications Director shall be responsible for the installation and oversight of the system and shall prepare an annual report to the Council on its usage and value after consulting with other department heads and the Mayor.

Alderwoman Suzanne Bielinski

Ald. Bielinski moved to accept and adopt, seconded by Ald. DeFronzo. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th day of July 2012.

July 11, 2012

31954 RE: ST. MARY ROMAN CATHOLIC CHURCH FESTIVAL – AUGUST 11, 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 hereby authorized to issue to the Saint Mary Roman Catholic Church said license as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for Saturday, August 11, 2012 from 12:00 p.m. until 8:00 p.m. for the purpose of conducting their annual festival on Beaver Street (Lafayette Street to Broad Street).

Alderman Lawrence J. Hermanowski

Ald. Hermanowski moved to accept and refer to the License Committee, seconded by Ald. Black. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th day of July 2012.

31939-2 RE: AMENDED AND RESTATED COOPERATION AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF NEW BRITAIN

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, it is the policy of the City of New Britain to eliminate substandard housing and provide a suitable living environment for all of its citizens; and

WHEREAS, the City of New Britain and Housing Authority of the City of New Britain have been parties to a Cooperation Agreement dating back to July 25, 1939 which Agreement has been amended from time to time; and

WHEREAS, since 1939 the Housing Authority has developed 804 Low Income Housing Units; and

WHEREAS, in order to continue to provide affordable housing to low income residents, it is necessary that the Housing Authority select development partner for the construction, administration, management and support of existing and future Low Income Housing Projects;

WHEREAS, it is now necessary to amend and restate the Existing Cooperation Agreement which shall apply to existing projects and projects developed hereafter; now, therefore, be it

RESOLVED, that the Mayor Timothy E. O'Brien, Jr. is authorized on behalf of the City of New Britain to negotiate and execute the Amended and Restated Cooperation Agreement with the Housing Authority of the City of New Britain.

Alderman Michael Trueworthy
Alderman Tonilynn Collins
Alderman Rah-Sheen D. Brown

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Collins. Resolution accepted and adopted with Ald. Carlozzi opposed. Approved by Mayor Timothy O'Brien Jr. the 12th day of July 2012.

Ald. Trueworthy moved the Council enter into Executive Session to discuss pending litigation regarding 31945 and Contract negotiations regarding 31952, and that they be accompanied by the Mayor and the Corporation Counsel, and in regard to 31952 they also be accompanied by Jim Donnelly, Telecommunications Director, Mark Fortin, Chairman of the Police Station Building Committee, Mark Moriarty, Director of Public Works, and The acting Police Chief, James Wardwell, and the acting Fire Chief, Thomas Ronaler. Motion seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Executive Session began at 9:00 p.m.

July 11, 2012

The Council voted to return to regular order at 10:16 p.m. on motion of Trueworthy, seconded by Ald. Bielinski.

Ald. Collins, not feeling well, left the Chambers for the evening.

Ald. Trueworthy moved to accept and adopt 31945, seconded by Ald. Bielinski. Ald. Trueworthy moved to amend by presenting a strike-all amendment, seconded by Ald. Bielinski. So voted.

OFFICE OF THE CORPORATION COUNSEL

31945 RE: SETTLEMENT OF CLAIM GAYNELL MARTIN

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 TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) be paid to GAYNELL MARTIN AND ROBERT L. SCHWAB, her attorney, in full settlement of her suit against the City of New Britain, now pending in Superior Court, Judicial District of New Haven, at New Haven, for bodily injuries she sustained when she allegedly was caused to fall down due to an uneven pavement surface on the walkway inside of Szczesny Parking Garage on May 17, 2008. She claims to have landed on both knees and hands. She suffered an internal derangement knee meniscus and tear of the right medial meniscus requiring two arthroscopic surgeries, a partial knee replacement and a total knee replacement. She has also had arthroscopic surgery to her left knee and claims now will need a total knee replacement on the left side. Dr. Christopher B. Lynch. has rated the plaintiff as having a 37% permanent disability rating for the right lower extremity. Her medicals total \$146,206.75 (\$82,710.03 for hospitals and \$63,496.72 for doctors and therapy). She has additional lost wages of \$24,902.00. There is a partial medical lien for reimbursement and also \$3700 out of pocket costs.

This recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after settlement negotiations between Honorable M. Fiechette, City Attorney Irena J. Urbaniak and Robert L. Schwab, Esq., with the approval and consent of John 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

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th day of July 2012.

July 11, 2012

RESOLUTION

31952 RE: AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR REPLACEMENT OF MUNICIPAL RADIO SYSTEM

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 City of New Britain radio is twenty two years old and is in dire need of replacement; and

WHEREAS, the radio system not only impacts public safety first responders but also the persons they protect and serve; and

WHEREAS, the Police Station Building Committee was tasked by the City Council with overseeing the development of a new radio communications system; and

WHEREAS, on Monday July 2,2012 the Police Station Building Committee accepted the report (attached) of the Director of the Public Safety Telecommunications Center and the recommendation of the entire selection committee regarding the selection of vendor; and

WHEREAS, the Police Station Building Committee developed and approved a resolution (attached) that recommends Motorola Solutions, Inc. of Schaumburg, Illinois as the lowest responsible bidder; and

WHEREAS, the Police Station Building Committee reviewed and approved the proposed project budget and developed control processes to assure effective project management. NOW, THEREFORE BE IT

RESOLVED, that the Council accepts the report of the selection committee and endorses its findings, conclusions and resolution; and be it further

RESOLVED, that the contract for system development be awarded to Motorola Solutions, Inc. of Schaumburg, Illinois, and be it further

RESOLVED, that the Mayor is hereby authorized to enter in to an agreement with Motorola Solutions Inc. with a project budget not to exceed \$5,000,000.00 dollars, and be it further

RESOLVED, the Public Safety Telecommunications Director shall report to the Council on project progress each month until the system is successfully implemented, and be it further

RESOLVED, that the Council thanks the Police Station Building Committee and the system selection committee for its diligence on this critical procurement.

Alderman Suzanne Bielinski
Alderman Wilfredo Pabon

Ald. Bielinski moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved by Mayor Timothy O'Brien Jr. the 12th day of July 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 10:24 p.m.

ATTEST: Peter J. Denuzze, City Clerk