

October 10, 2012

REGULAR MEETING OF THE COMMON COUNCIL

OCTOBER 10, 2012

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday, the 10th day of October 2012 at 7:35 p.m. in the Common Council Chambers, City Hall.

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

One member was absent: Ald. Magnuszewski

Mayor O'Brien then departed from the normal operations and asked that congratulations be given to Ald. Rah-Sheen Brown, former pastor and now elevated to Bishop Brown.

Bishop Rah-Sheen D. Brown gave the invocation.

Acting Chief of Police James Wardwell and Captain Thomas Steck led the pledge to the flag.

The Mayor then administered the oath of office to acting Chief Wardwell and Lieutenant Thomas Steck who were recently officially appointed Captains in the New Britain Police Department. The Mayor was accompanied by Manuel Reyes, Chairman of the Board of Police Commissioners.

Bill DeMaio, Director of the Parks and Recreation Dept. and Angelo D'Alfonso, Chairman of the Parks and Recreation Dept. presented awards to young people who have excelled in the Hershey Track and Field Games: Asia Johnson, Gabriella Roy, Mykal Porter and Manuel Sanchez

Mayor O'Brien returned to the Chair.

Ald. Bielinski moved to amend the agenda by adding 32061(D1), 32062(4), and 32063(5). Motion seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

PETITONS

32064 HOUSING AUTHORITY OF THE CITY OF NEW BRITAIN BY MARY E. ROYCE, EXECUTIVE DIRECTOR FOR A CHANGE OF ZONE TO A PARCEL OF LAND ON FERN STREET FROM ITS CURRENT ZONE "T" DESIGNATION TO A ZONE "A-1". REFERRED TO THE PLANNING, ZONING AND HOUSING COMMITTEE AND CITY PLAN COMMISSION.

32065 ALD. GIANTONIO FOR INSTALLATION OF A "4 WAY STOP" SIGN AT THE CORNER OF BINGHAM STREET AND ROCKY HILL AVENUE. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

CONSENT AGENDA

CITY CLERK

32054 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

- Cenot, Willard and Ann Cheryl
- Deprey Jr., Louis P. by his Atty. Jeffrey R. Steeg
- Estate of Jackson Dejesus by Atty. Roger J. Anstey
- Kolodziej-Marianska, Dorota
- Main, Laura

Peter J. Denuzze
City Clerk

PURCHASING DEPARTMENT

32055 RE: PURCHASE OF SAND FOR SNOW AND ICE CONTROL – PUBLIC WORKS DEPT.

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. 3683 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Purchase of Sand used for Snow and Ice Control for the Public Works Department. Funding is available for this purchase from the Public Works Department's account, 001315007-5659, Street Snow Removal, Operating Material and Supplies

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 twenty-five (25) Sand Companies. The Purchasing Agent did not receive any letters from the Sand 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 and samples of sand submitted by the bidders were 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 Neuco Corporation of Wallingford, CT who was the lowest bidder and met all bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing purchase order for \$13.25 per Cubic Yard of Sand delivered to the City Yard for Snow and Ice Control for the 2012-2013 winter season to Neuco Corporation of Wallingford, CT. per the terms and specifications of Public Bid No. 3683.

Jack Pieper
Purchasing Agent

32056 RE: VETERANS STADIUM CONSTRUCTION AND ADA RENOVATIONS – PARKS AND RECREATION

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. 3699 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Veterans Stadium Construction and ADA Renovations for the Parks and Recreation Division. The renovations are to the Press Box, Installation of a Camera System and to make the Restrooms Handicap Accessible. Some of the funding for the Renovations is available in grants received by the City. Funding is available for the these renovations in various Parks and Recreation Department account numbers, 213190011-52057, LOCIP Press Box, ADA, 21331900109-52046, LOCIP, ADA, 203419101-5454, Parks Construction Contracts, and 0063020401-5740, City ADA Bond.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to thirty-one (31) Building Contractors. The Purchasing Agent did not receive any letters from the Building Contractors 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's Administration, the City's On-call Engineering Company associated with this project and the Purchasing Agent. Therefore the Director of the Parks and Recreation Department is recommending the bid be awarded to Aresco Construction of Middletown, CT who submitted the lowest responsible bid and met all of the bid specifications for the base bid and Alternate #1, Rest Room Renovations and Alternate #2, Press Box Siding.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$246,100.00 and enter into a contract with Aresco Construction of Middletown, CT for the Renovations at Veterans Stadium for the Parks and Recreation Department per the terms and specifications of Public Bid No. 3699.

Jack Pieper
Purchasing Agent

32057 RE: ON-CALL ENGINEERING SERVICES – ELAM STREET WATER TANK INTERIM REPAIR PLAN

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:	Elam Street Water Tank Interim Repair Plan
Vendor:	GeoInsight
Amount:	\$50,000.00
Line Items:	9303501100-5331, Water Capital Improvements, Professional Services
Requested By:	Public Works Department, Water Division

Scope: GeoInsight will evaluate the Elam Street Water Tank to determine what repairs are needed to be made to the roof and other areas of the water tank to keep it operational until a new one is built. GeoInsight will also provide engineering consulting services pertaining to managing interim corrective measures for the water tank, develop an operational contingency plan should the water tank need to be removed from service and help the Public Works, Water Division,

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prepare a Connecticut Department of Public Health Drinking State Revolving Loan and Grant Fund eligibility application. They will also provide cost estimates for any temporary repairs needed as well as replacing the water tank. Geolnsight will meet with the Public Works Department, Water Division, to discuss their site inspection results. They will also develop specifications and engineering prints for any repairs needed and for the water tank replacement so it can be put out to bid. They will attend any meeting that may be held and ~~any~~ answer questions during the bidding process. Once the bids are received, Geolnsight will review the bids submitted to ensure compliance with the bid specifications. Once the project has been awarded, Geolnsight will conduct meetings with the contractor awarded the bid in addition to on-site visits, to assure that the project meets specifications.

Jack Pieper
Purchasing Agent

FINANCE DEPARTMENT

32061 RE: PROJECTED SURPLUS, GENERAL FUND FISCAL YEAR 2011-2012

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

The projected results from operations for the General Fund, Fiscal Year 2012 are attached in accordance with Article X, Section 10-5(a)(2) of the City of New Britain Charter. Projections are based on revenue and expenditure activity through June 30, 2012.

Attachments on file in the Town Clerk's Office.

Rebecca Salerni
Finance Department

COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

32047-1 RE: PROPOSED AMENDMENT TO SEC. 22-13 OF THE ORDINANCES REGARDING METHOD OF PAYMENT OF DELINQUENT MOTOR VEHICLE PROPERTY TAXES

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, October 3, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #32047 – Amend Section 22-13 of the Code of Ordinances regarding Method of payment of delinquent motor vehicle property taxes voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Carlo Carlozzi, Jr.
Chair

32058 RE: SETTLEMENT OF CLAIMS KURT CLARK

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

The Committee on Administration, Finance and Law and the standing claims sub-committee of the Committee on Administration, Finance and Law at a regular meeting held on Wednesday evening, October 3, 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:

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A. RESOLVED; that the sum of \$7,495.00 be paid to Kurt Clark and Attorney Timothy Sullivan, Wisniowski & Sullivan, LLC in full settlement of his claim for personal injuries sustained in an accident on January 7, 2011.

Alderman Carlo Carozzi, Jr.
Chair

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

DEPARTMENT OF PUBLIC WORKS

32002-1 RE: NAMING THE ROADWAY WITHIN PINNACLE PARK "ALTON BROOKS WAY"

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

On September 24, 2012, the Board of Public Works unanimously voted to accept Mayor Timothy O'Brien's recommendation that the name of the roadway within Pinnacle Park be called "Alton Brooks Way".

Mark E. Moriarty, P.E.
Director, Public Works

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

RESOLUTIONS RETURNED FROM COMMITTEE

32047-2 RE: AMENDMENT TO SEC. 22-13 OF THE ORDINANCES REGARDING METHOD OF PAYMENT OF DELINQUENT MOTOR VEHICLE PROPERTY TAXES

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

Resolution Summary: PURPOSE: To amend Section 22-13 of the Code of Ordinances to require cash, money order or certified bank checks only for payment of delinquent motor vehicle taxes for the purpose of obtaining a motor vehicle tax clearance.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Section 22-13 of 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. 22-13. Method of payment of delinquent motor vehicle property taxes.

~~Any delinquent property taxes applicable with respect to a motor vehicle shall be paid only in cash or by certified check or money order.~~ Individuals paying a delinquent motor vehicle tax for the purpose of obtaining a motor vehicle tax clearance MUST pay in the form of cash, money order or certified bank check.

Alderman Michael Trueworthy
Alderman J. Tobias Freeman

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Freeman. So voted. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

NEW BUSINESS

RESOLUTIONS

**32059 RE: RECOGNIZING ASIA JOHNSON, GABREILLA ROY, MYKAL PORTER AND
MANUEL SANCHEZ FOR THEIR OUTSTANDING ACHIEVEMENT –
HERSHEY TRACK AND FIELD YOUTH PROGRAM**

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

Resolution Purpose: On Saturday, August 4, 2012, Asia Johnson, Gabriella Roy, Mykal Porter and Manuel Sanchez placed eighth, fourth, third and third respectfully in the Hershey's Track and Field Games North American Final Meet. The New Britain Parks and Recreation Department respectfully requests that the Mayor and the Common Council Members recognize these outstanding youth, and

WHEREAS, the local Hershey's Track and Field Games were held for fourteen public elementary and middle schools in the City of New Britain, and

WHEREAS, Approximately 500 students participated over two days, on May 15 and 16, 2012 at Willow Brook Park in New Britain, Connecticut, and

WHEREAS, Asia Johnson, Gabriella Roy, Mykal Porter and Manuel Sanchez placed first in their respective events on May 15 and May 16, 2012, and

WHEREAS, the four participants advanced to the State Hershey's Track and Field Games, co-sponsored by the New Britain Parks and Recreation Department on June 23, 2012, and

WHEREAS, the participants were selected to participate on the Northeast Regional team to represent the New England states of Connecticut, Rhode Island, Maine, New Hampshire, Vermont, Massachusetts, and the Atlantic Provinces of Canada (includes New Brunswick, Newfoundland, Nova Scotia, and Prince Edward Island), and

WHEREAS, the participants traveled, all-expenses paid, to Hershey, Pennsylvania to participate in the Hershey's Track and Field Games North American Final Meet, sponsored by the Hershey Foods Corporation, and

WHEREAS, they visited the Hershey Foods Plant, Hershey's Chocolate World Museum, and Hershey Theme Park, and

WHEREAS, Asia Johnson competed in the 11 and 12 year-old girls standing long jump and placed eighth in North America, and Gabriella Roy competed in the 13 and 14 year-old girls softball throw and placed fourth in North America, and Mykal Porter competed in the 9 and 10 year-old boys 50-meter dash and placed third in North America, and Manuel Sanchez competed in the 13 and 14 year-old boys softball throw and placed third in North America on Saturday, August 4, 2012 at the Hershey Track and Field Youth Program North American Final Meet in at the Milton Hershey School in Hershey, Pennsylvania, NOW THEREFORE BE IT

RESOLVED, that Mayor Timothy O'Brien and the Common Council members of the City of New Britain recognize Asia Johnson, Gabriella Roy, Mykal Porter and Manuel Sanchez for their outstanding achievement and performance, and for representing the City of New Britain in fine fashion in the Hershey Track and Field Youth Program this day, the tenth day of October, 2012.

Alderwoman Shirley Black
Alderman Rha-Sheen Brown
Alderman David DeFronzo
Alderman Jamie Giantonio
Alderwoman Eva Magnuszewski
Alderman Emmanuel Sanchez

Ald. Black moved to accept and adopt, seconded by Ald. Sanchez. So voted. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

32060 RE: PARKS AND RECREATION DEPARTMENT'S SECURITY ACCOUNT SET UP

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 set up the expenditure and revenue accounts for the Parks and Recreation Department's Park Security Account. This account uses revenues from the cell tower at Chesley Park to pay for park security and policing expenses including security cameras and related computer hardware and software, monthly monitoring fees, police overtime assignments, lighting, and other security related items.

Whereas, The Parks and Recreation Department's Park Security Account was setup using revenues generated from the cell tower at Chesley Park via Resolution number 28087-2, and

Whereas, this account is used for such security related items as cameras, alarms, lighting, police assignments, monthly monitoring fees, and more, and

Whereas, The Department has been successful, in cooperation with the New Britain Police Department, in identifying and deterring illegal activities throughout the Park System, AND

Whereas, there are still several park locations that require security systems in order to further prevent vandalism, theft, illegal dumping, and other illegal activities, NOW THEREFORE BE IT

RESOLVED, that the Parks and Recreation Department's Park Security Account be set up as follows:

<u>Revenue</u>		Budget
203419101-4408	Cell Tower Revenue	\$125,000.00
 <u>Expenditures</u>		
203419101-5440	Contractual/leasing	\$ 10,000.00
203419101-5454	Construction Contracts	\$110,000.00
203419101-5659	Operating Material & Supplies	\$ 2,500.00
203419101-5740	Misc. Equipment	<u>\$ 2,500.00</u>
	Total	\$125,000.00

Aldermen Shirley Black
Alderman Rha-Sheen Brown
Alderman David DeFronzo
Alderman Jaime Giantonio
Alderman Eva Magnuszewski
Alderman Emmanuel Sanchez

Ald. Brown moved to accept and adopt, seconded by Ald. Black. So voted. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

32062 RE: FISCAL YEAR 2011-2012 BUDGET AMENDMENT AND TRANSFER – GENERAL FUND

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, revenue, expenditure, encumbrance and accrued liabilities for fiscal year 2011-2012 have been determined and reflected in departmental accounts and funds; and

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Whereas, the fiscal year 2011-2012 General Fund results from operations (unaudited) concluded with a surplus summarized as follows:

	Budget	Actual	Variance
Revenue	\$ 224,611,724	\$ 226,956,627	\$ 2,344,903
Expenditures	\$ 224,611,724	\$ 226,851,252	<u>2,239,528</u>
Surplus from Operations (FY12)			\$ 105,375

Whereas, the following schedule shows the General Fund Surplus for the past seven (7) years:

<u>2012</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>
\$105,375	\$2,326,617	\$510,907	\$249,688	\$0	\$211,757	\$520,325

Whereas, to more accurately reflect fiscal year 2011-2012 operating results, a budget amendment is proposed to increase revenue budgets to reflect actual funds received / accrued and to increase expenditure budget by a like amount; and

Whereas, revenues realized for: Public Safety/Building, Public Works, Property Taxes, Education/Non Education Grants and BAN/Bond Premium were greater than anticipated; and

Whereas, a budget amendment to increase expenditure budgets is requested for the following proposals:

CAPITAL NON-RECURRING (FUND 004)

- Reserve monies for cost allocation study. The last one completed in FY2007 and it is essential that we keep this current especially with the consolidation of city departments \$25,000
- Reserve monies for a parking study, \$25,000
- Reserve monies for Central CT Regional Planning Agency CCRPA, \$26,921

INSURANCE RESERVE FUND

- Allocate additional monies to the BC/BS Medical Self Insurance Fund (Fund 702), \$6,600,000

Whereas, the fiscal year ending June 30, 2012 is currently in audit process; and

Whereas, the expenditures, encumbrances and accrued liabilities for the fiscal year ended June 30, 2012 have been determined; and

Whereas, budgetary line items requiring additional monies have been identified from the accrual and encumbrance process; therefore, be it

Resolved, as of June 30, 2012 appropriation line items within the General Fund, as outlined, for the fiscal year ending June 30, 2012 be transferred, as attached and on file in the Town Clerk's Office; and be it further

Resolved, that the budget amendment, as proposed above, be made as follows (see attachment):

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

32063 RE: PROPOSED AMENDMENT TO SEC. 15-76 OF THE ORDINANCES REGARDING TOWING OF MOTOR VEHICLES AGAINST WHICH THERE ARE OUTSTANDING PARKING CITATIONS

Proposed amendment on file in Town Clerk's Office

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Ald. Bielinski moved to accept and refer to the Consolidated Committee, seconded by Ald. Trueworthy. So voted. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

UNFINISHED BUSINESS

Ald. Trueworthy moved to take from the table item 31876, seconded by Ald. Bielinski. So voted.

REPORT OF THE PURCHASING DEPARTMENT

31876 RE: INSTALLATION OF AN EXHAUST SYSTEM 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. 3675 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Installation of an Exhaust System in the 451 Blake Road Maintenance Garage for the Parks and Recreation Department. The Exhaust System will eliminate harmful exhaust fumes from the building when equipment and vehicles are being repaired. Funding for the purchase and installation of the Exhaust System 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#0041900111-56111, EVAC System for the SQ Maintenance Building.

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 sixteen (16) Ventilating Companies. The Purchasing Agent did not receive any letters from the Ventilating Companies on the mailing list who indicated that they could not respond to the bid request. Responses received are on file in the Town Clerks Office.

The bids were reviewed for conformance to specifications by the Parks and Recreation Department's Administration, the City's On-call Engineering Company associated with this project and the Purchasing Agent. Therefore the Director of the Parks and Recreation Department is recommending the bid be awarded to New England Services and Controls, LLC of Moosup, CT who submitted the lowest responsible bid and met all of the bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$33,488.00 and enter into a contract with New England Services and Controls, LLC of Moosup, CT for the installation of an Exhaust System in the 451 Blake Road Maintenance Garage for the Parks and Recreation Department per the terms and specifications of Public Bid No. 3675.

Jack Pieper
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 11, 2012 by Mayor Timothy E. O'Brien.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 8:18 p.m.

ATTEST: Peter J. Denuzze, City Clerk