

September 12, 2012

REGULAR MEETING OF THE COMMON COUNCIL

SEPTEMBER 12, 2012

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday, the 12th day of September 2012 at 8:16 p.m. in the Common Council Chambers, City Hall.

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

Two members were absent: Ald. Collins and Ald. Hermanowski. Ald. Hermanowski is out of town and Ald. Collins is ill.

The City Clerk gave the invocation: O God, our Heavenly Father, bless our Mayor, this Common Council and all of our citizens. Give them guidance in their work this evening. Grant them the help needed in making important decisions. We ask this in Thy name. Amen

A moment of silence was observed in commemoration of all those who lost their lives on September 11, 2001.

A moment of silence was also observed in memory of the four Americans who lost their lives at the American Embassy in Libya on September 11, 2012.

Ald. Trueworthy was granted a point of personal privilege in order to acknowledge the death of Ald. Giantonio's sister and to express condolences to Ald. Giantonio and his family. A moment of silence was observed.

Ald. Bielinski was granted a point of personal privilege in order to congratulate Acting Police Chief Wardwell on his 50th birthday.

The Council stood at ease while Chief Wardwell introduced seven police officers recently promoted to Detective: Christopher Brody, Michael Cumiskey, Michael Farrell, Raymond Grzegorzek, David Mocarisky, Karl Mordasiewicz, and Michael Steele. Mayor O'Brien then administered the oath to the Detectives and congratulated them on their promotion.

Ald. Bielinski moved to adopt the minutes of the Special Meeting of June 5, 2012, the Regular Meetings of June 13, 2012, June 27, 2012, and July 11, 2012, and the Special Meeting of August 8, 2012. Motion seconded by Ald. Trueworthy. So voted.

Ald. Trueworthy moved to amend the Agenda by adding A1(31990-1), A2(31991-1), Z7(31941-1) Z8(31988-1) Z9(31990-2), Z10(31991-2), 3.1(31941-2), 3.2(31988-2), 8(32023), by moving B(32000) and 7(32020) to the end, and by deleting 4, motion seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

PETITIONS

32024 ALD. TRUEWORTHY FOR INSTALLATION OF "NO PARKING" SIGNS IN FRONT OF 65 BEAVER STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

32025 ALD. TRUEWORTHY FOR INSTALLATION OF A HANDICAP PARKING SPACE DIRECTLY OUTSIDE THE ADDRESS OF 25 DOBEK ROAD. REFERRED TO BOARD OF POLICE COMMISSIONERS.

- 32026 ALD. HERMANOWSKI FOR INSTALLATION OF “NO PARKING” SIGNS ON EACH SIDE OF FOXON PLACE. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**
- 32027 ALD. COLLINS FOR SPEED BUMPS ON COTTAGE PLACE DUE TO EXCESSIVE SPEEDING. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**
- 32028 ALD. FREEMAN FOR INSTALLATION OF “STOP” SIGNS AT THE INTERSECTION OF TULIP STREET AND HILLCREST AVENUE AND INSTALLATION OF “SLOW DOWN, CHILDREN AT PLAY” ON HILLCREST AVENUE. REFERRED TO BOARD OF POLICE COMMISSIONERS.**

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

CONSENT AGENDA

CITY CLERK

31999 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

- Gergis, Remon A. Aziz
- Michalowska, Anna
- Noel, Varnel
- Richardson, Cynthia by Patricia A. O'Neil, Esq.

Peter J. Denuzze
City Clerk

CITY PLAN COMMISSION

31990-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES PERMITTING CHURCHES AND SIMILAR PLACES OF RELIGIOUS WORSHIP, BY SPECIAL EXCEPTION, IN THE I-1, INDUSTRIAL PARK AND I-2, GENERAL INDUSTRY ZONING DISTRICTS

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

The City Plan Commission, at its regular meeting held on September 10, 2012, voted 3 to 1 to recommend against adoption of this zoning amendment:

BACKGROUND: This zoning petition would serve to make churches and similar places of worship uses that are permitted by special exception in the I-1 and I-2 zoning districts. This is being put forth as a means of making it easier for religious organizations to find and lease suitable accommodations for their places of worship. In recent years, the City has seen a number of small churches looking to locate, by way of zoning variance, in facilities that are zoned for industrial use. This is a substitute zoning petition for #31920 which would have made places of worship permitted by right in all zoning districts. Petition #31920 was withdrawn in August 2012.

FINDINGS: Presently, places of religious worship are permitted by right in the following commercial business zones: B-1, B-2, B-3, CBD, and OP. They are permitted by special exception in all residential zones: S-1, S-2, S-3, T, A-1, A-2, and A-3. Special exception approval requires a public hearing held by the Zoning Board of Appeals with a determination that the property is suited to the proposed place of worship and that the use is generally compatible and would not negatively affect the surrounding neighborhood in terms of traffic, noise, on-street parking, etc.

Places of worship are not permissible, either by right or by special exception, in any of the manufacturing and technology zoning districts: I-1, I-2, UI, TP, and TPC. This proposed amendment would allow places of worship, by special exception, to occupy a portion of an existing manufacturing building in an I-1 or I-2 zoning district. The restrictions would be that the floor area of the church or other place of worship not exceed one-third of the total floor space of the building up to a maximum of 5,000 square feet and that the applicant show that there is adequate parking available for the place of worship during their hours of worship or other activities. There would also be the requirement that the space meet all applicable building and fire safety codes prior to occupancy.

PLANNING CONSIDERATIONS: The City Plan Commission has long recognized that there is a limited amount of properly zoned land and manufacturing space available in the City, and that, for reasons of job creation and tax base, it is important that this space not be lost to non-economic use. The Commission has noted over the past few decades the increasing tendency for small religious congregations to want to locate in I-2 industrially-zoned facilities, by way of zoning variance. The Commission has been opposed to this trend, finding it to be in conflict with the long-standing planning policy of encouraging the highest and best use of industrially-zoned business space.

From the manufacturing and real estate perspective, with current economic conditions being difficult, some property owners see a church tenant as being a benefit in being able to fill a vacant portion of a building, helping to maintain a modest revenue stream that can aid in keeping the remainder of the business space viable.

The amendment proposed will require special exception approval and the specific size restrictions should help to ensure that this does not result in any significant reduction in business space and that no industrially-zoned property will be wholly lost to a religious use. This would give the small, 25-to-50 member congregation the opportunity to become established in a suitable and affordable lease space, but with the expectation that if they grew larger they would need to relocate to larger, appropriately zoned accommodations.

RECOMMENDATION: The City Plan Commission is of the opinion that churches and religious institutions of all faiths are important to the community and all reasonable efforts should be made to accommodate their needs. However, the Commission believes that there are an ample number of zoning districts and locations that are properly zoned for their use already and that industrially-zoned space needs to be reserved and protected for uses that contribute to tax base and employment opportunities. The Commission also believes that in the proper locations, these small churches and religious institutions can better serve the community by sharing space with existing churches and social organizations and helping stabilize their finances. Further, there is some concern that some of the manufacturing spaces available may not be suited to safe use by a religious organization. For these reasons, the Commission is opposed to the adoption of this zoning amendment.

Michael Gorzoch, Chairman Pro Temp
City Plan Commission

31991-2 RE: PROPOSED CHANGE OF ZONE AT 80 GOLD ST. FROM A-2 (MULTI-FAMILY) TO B-3 (NEIGHBORHOOD 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 City Plan Commission, at its regular meeting held on September 10, 2012 voted 4 to 0 to recommend that this proposed zone change be approved.

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BACKGROUND: The proposed zone change encompasses a single property, a vacant lot located on the western side of Gold Street near the corner of Broad Street. This parcel was formerly owned by the City of New Britain and was recently acquired by the owner of an adjoining B-3 business property at 167 Broad Street, site of Passions Bakery, which was formerly LaRose's bakery for many years. It is the intent of the business owner to construct accessory parking for the business, and this zone change would serve to allow the business parking to be constructed legally.

ZONING CONSIDERATIONS: Parking that is an accessory to a business use is not permitted in a residential zoning district. Any parking that is accessory to a business use is permissible only on the same property and within the same zoning district as the primary use that it serves. Changing the zone to B-3 allows this lot to be merged into the adjoining B-3 property on which the bakery is located and to construct the desired accessory parking on it. An additional contiguous vacant B-3 lot at 179 Broad Street, also under the same ownership, would also be incorporated into the parking layout. (Alternatively, if the lots are not merged, a stand-alone off-street parking lot may be permitted in the B-3 zone, by special exception.) Under the B-3 zoning, approximately 12 to 15 parking spaces could be constructed in a standard layout, with some landscaping or green-space along on the borders. A variance may be needed for any paving within 25 feet of the adjoining A-2 residential zone. (An additional 10 to 15 spaces may be constructed on the adjacent 179 Broad Street property, depending on the layout.)

This is a logical extension of the existing B-3 zoning district and brings the boundary line for the B-3 zone on the side of Gold Street into alignment with the B-3 zone line on the opposite side of and along most of Broad Street.

RECOMMENDATION: The City Plan Commission is of the opinion that this zone change facilitates the construction of accessory business parking that is needed and will benefit the Broad Street business area and nearby residential neighborhood. The Commission, therefore, recommends adoption of this zone change.

Michael Gorzoch, Chairman Pro Temp
City Plan Commission

OFFICE OF THE MAYOR

32001 RE: APPOINTMENTS: DEPARTMENT HEADS CHRISTOPHER MONTES – DIRECTOR OF COMMUNITY SERVICES, JOHN KING – LEGAL SERVICES DEPARTMENT, TIMOTHY O'BRIEN – ECONOMIC AND POLICY DEPARTMENT

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

In an effort to implement the consolidation plan to make local government leaner and more efficient by reducing the city departments from twenty one to six, I hereby make the following appointments:

I hereby appoint Christopher Montes as the Director of Community Services of the City of New Britain.

I hereby appoint John King, Corporation Council, as the department head of the Legal Services Department.

I hereby appoint Timothy O'Brien, Mayor, as the department head of the Economic and Policy Department.

Timothy O'Brien
Mayor

PURCHASING DEPARTMENT

32003 RE: EMERGENCY PURCHASE ORDER – REPLACEMENT OF THE ENTIRE REAR TANDEM SUSPENSION ON LADDER #1

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division V, Section 2-606a, an emergency purchase order was authorized by the Mayor and issued to the vendor listed below on August 08, 2012

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<u>Supplier</u>	<u>Item</u>	<u>Unit Price</u>
Super Spring & Brake Co, Inc. Hartford, CT.	Replacement of the Entire Rear Tandem Suspension on Ladder #1	\$5,581.33

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

An emergency purchase order was requested by the New Britain Fire Department for the replacement of the entire rear tandem suspension of ladder #1. The ladder truck is over eight-teen (18) years old and the rear suspension system has failed. The rear suspension system is under a lot of pressure when the ladder is being raised and utilized at a fire. Without this Ladder Truck the Fire Department would not be able to arrive at a fire in a timely manner because another ladder truck would need to be dispatched from another fire station. Super Spring & Brake Company, Inc is a local suspension repair facility and had the parts in stock to make the necessary repairs immediately. Funding for these repairs came from the Fire Department's account number 001212002-5436, Fire Operations, Equipment Maintenance and Repairs.

Jack Pieper
Purchasing Agent

32004 RE: COOPERATIVE PURCHASING – VEHICLE EMERGENCY LIGHTING AND EQUIPMENT FOR NEW BRITAIN 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 following under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Item</u>	<u>Qty</u>	<u>Unit Price</u>
MHQ West Hartford, CT.	Emergency Lighting, Equipment and Installation on the new 2011 Ford Crown Victoria Police Interceptors	9	\$5,509.74
		Total Price	<u>\$49,587.66</u>

The New Britain Police Department requested the purchase and installation of Emergency Lighting and Equipment for their new 2011 Ford Crown Victoria Police Interceptors utilizing the State of Connecticut's Contract Award #06PSX0024. The vehicle purchase, was approved by the Common Council at their May 23, 2012 meeting, Resolution # 31867. The purchase was only for the vehicles and not the emergency lighting and equipment. The Police Department is re-using the existing interior cages and driver/passenger plexiglass separator systems from existing Crown Victoria Police Interceptors that are being replaced by these new Crown Victoria Police Interceptors and it is saving the City approximately \$2,300.00 per car. Funding for this purchase 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 Police Department's account number JL#0041100211-56129, Marked Patrol Cars, Fiscal Year 2012-2013.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$49,587.66 to MHQ of West Hartford, CT for the purchase and installation of Emergency Lighting and Equipment on the nine (9) new 2011 Ford Crown Victoria Police Interceptors utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #06PSX0024.

Jack Pieper
Purchasing Agent

32005 RE: COOPERATIVE PURCHASING, MAILING MACHINE LEASE FOR CENTRAL ADMINISTRATION

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 Central Administration for a lease of a new Mailing Machine under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Description</u>	<u>Pricing</u>
Neopost New England Farmington, CT.	Lease of a IM480DWP 30 Mailing Machine	\$356.10/month

Central Administration requested a purchase order for a four (4) year lease for a new mailing machine for the Mail Room in City Hall. The present mailing machine lease, which is with Neopost New England, will be expiring in December of 2012. Neopost New England has offered to replace the old mailing machine with a new one at a 7% decrease in cost per month to the City. The pricing includes all maintenance, repairs, and rental costs of the postage meter. The price submitted by Neopost New England for this mailing machine is the same as the State of Connecticut's Contract, 11PSX0037 that they have with them. Funding is available for this mailing machine lease in Central Administration's account number 001110001-5440, Rentals/Supplies Equipment.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order and to enter into a four (4) year lease agreement with Neopost New England of Farmington, CT for the lease of a Mailing Machine at \$356.10 per month utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #11PSX0037.

Jack Pieper
Purchasing Agent

32006 RE: COOPERATIVE PURCHASING – LAND RECORD VAULT SHELVING FOR THE TOWN CLERK'S OFFICE

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 Town Clerk for the installation of Shelving for the Land Record Vault under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Description</u>	<u>Pricing</u>
DuPont Storage Systems, Inc. Berlin, CT.	Shelving	\$16,575.00

The Town Clerk requested a purchase order for shelving to be installed in the Land Records vault. The new shelving will store future land records that the Town Clerk's Office needs for storage space in their vault. The price includes the shelving, freight and onsite installation. The price submitted by DuPont Storage Systems is the same as the State of Connecticut's Contract #12PSX0030 that they have with them. Funding is available for this purchase in account number 249108101-5331 Historical Documentation Preservation Grant, Professional Services.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order to DuPont Storage Systems, Inc of Berlin CT for the purchase of shelving for \$16,575.00 utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #12PSX0030.

Jack Pieper
Purchasing Agent

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32007 RE: SECURITY APPLIANCE FIREWALL SYSTEM FOR THE PUBLIC SAFETY TELECOMMUNICATIONS 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. 3692 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for a Security Appliance Firewall System for the Public Safety Telecommunications Department. Funding for this purchase 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 Public Safety Telecommunications Department's account number JL#0041300111-56137, ASA Security Appliance.

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 thirteen (13) security appliance firewall system providers. The Purchasing Agent did not receive any letters from the security appliance firewall system providers 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 Director of Public Safety Telecommunications and the Purchasing Agent. Therefore the Director of Public Safety Telecommunications is recommending the bid be awarded to Carousel Industries of Windsor, CT who submitted the lowest bid price for the Security Appliance Firewall System and met all of the bid specifications.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a purchase order for \$9,422.00 to Carousel Industries of Windsor, CT for the purchase and installation of a Security Appliance Firewall System for the Public Safety Telecommunications Department per the terms and specifications of Public Bid No. 3692

Jack Pieper
Purchasing Agent

32008 RE: EMERGENCY PROCUREMENT REPORT-UPGRADE OF AVAYA S8700 PBX SYSTEM FOR THE PUBLIC SAFETY TELECOMMUNICATIONS DEPT. AND CITY HALL DEPARTMENTS

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. 3694 was solicited and received in accordance with the purchasing ordinances of the City of New Britain for the installation of an upgrade and expansion to the AVAYA S8700 PBX System for the new Police Headquarters and a replacement telephone system for City Hall. Funds are available for this purchase for the new Police Headquarters portion of the system in the bond issued for the new Police Headquarters in account number 0083089203-5740. Funds for the City Hall portion of the system are in capitol equipment account numbers 0040700611-56128 and 0041300111-56139. A portion (\$20,000) of the technical support for the installation of the system in the new police facility will be paid from a grant (federal earmark account #257213101-5740) from the United States Department of Justice. The new system includes telephone services for New Britain Emergency Medical Services, Inc. at both their headquarters and academy locations. The City Hall portion of the system also provides telephone services to the satellite offices at the Water, Public Works, and Health Departments. The new system will offer users seamless access to city departments through a common dialing plan.

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 four (4) PBX system providers. The Purchasing Agent did not receive any letters from the PBX System providers 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.

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<u>Account</u>	<u>Name</u>	<u>Amount</u>	<u>Item</u>
Expenditure			
	Police Building	15,000.00	Prisoner Phones
	Police Building	191,572.52	PBX Upgrade ++
	City Hall PBX	<u>175,437.00</u>	New City Hall Gateway/phones
		382,009.52	
Revenue			
257213101-5740	Federal Earmark	20,000.00	Technical Support
0083089203-5740	Facility Bond	171,572.52	Downes Contract
0083089203-5741	Facility Bond	15,000.00	Contingency
0040700611-56128	Capital equipment	115,437.00	IT VOIP PBX
0041300111-56139	Capital equipment	<u>60,000.00</u>	Avaya Gateway City Hall
		382,009.52	

The bids were reviewed for conformance to specifications by the Director of Public Safety Telecommunications and the Purchasing Agent. The Director of Public Safety Telecommunications is recommending the bid be awarded to Carousel Industries of Windsor, CT who submitted the lowest bid price and met all of the bid specifications. The bid results have also been presented to the leadership of the Police Station Building Committee. They have endorsed the recommendation to award the bid for the upgraded PBX system for the new Police Headquarters and City Hall to Carousel Industries of Windsor, CT. Because the Police Headquarters Building Board approved of the award and of the purchase of the AVAYAS8700 PBX System for the Police Department, the Mayor, under his executive authority, approved a purchase order. This purchase order was required so that the upgraded PBX system could be delivered, tested and installed concurrent with the opening of the new Police Headquarters.

The City Hall component will be installed in January of 2013.

Jack Pieper
Purchasing Agent

32009 RE: MULTI-MONITOR VIDEO ADAPTERS AND RELATED EQUIPMENT FOR THE PUBLIC SAFETY TELECOMMUNICATIONS 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. 3693 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Multi-Monitor Video Adapters and Related Equipment at the new Police Headquarters for the Public Safety Telecommunications Department. Funds are available for this purchase within the Public Safety Telecommunications Department's account number, 257213101-5740, Federal Earmark, United States Department of Justice. The devices will be used to support multiple video monitors at each dispatch position.

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 nine (9) computer equipment providers. The Purchasing Agent did not receive any letters from the computer equipment providers 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 Director of Public Safety Telecommunications and the Purchasing Agent. Therefore the Director of Public Safety Telecommunications is recommending the bid be awarded to American Computer Company of San Antonio, TX who submitted the lowest bid price and met all of the bid specifications for the Multi-Monitor Video Adapters and Related Equipment.

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RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a purchase order for \$5,103.00 to American Computer Company of San Antonio, TX for the purchase of Multi-Monitor Video Adapters and Related Equipment for the New Police Headquarters per the terms and specifications of Public Bid No. 3693.

Jack Pieper
Purchasing Agent

32010 RE: CRACK SEALING OF BITUMINOUS PAVEMENT OF VARIOUS CITY STREETS – 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. 3688 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Crack Sealing of Bituminous Pavement of Various City Streets for the Public Works Department. Funding is available for this purchase within the Public Works Department's account number 0082950302-5454, Capital Projects, Street Infrastructure Rehab.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to fourteen (14) Paving Companies. The Purchasing Agent did not receive any letters from the Paving 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 Public Works Administration and the Purchasing Agent. Costello Industries, Inc of Newington, CT was within 5% of the lowest bidder's price for Crack Sealing of section #1 who was outside of the State Of Connecticut. Because of this, Costello Industries, Inc. had the right to lower their price per City Ordinance Section 2-578, Item 10. The Purchasing Agent talked to Costello Industries, Inc. They indicated that they would not lower their price to match that of the lowest bid submitted by an out of state bidder. Therefore the Public Works Director is recommending that the bid be awarded to, AnnSeal, Inc of Johnson City, NY for Section #1 and Section #3 and to Axtell's Inc of Jermyn, PA for Section #2 who submitted the lowest responsible bids and meet all of the bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a purchase order for \$110,877.20 for section #1 and section #3 with AnnSeal, Inc of Johnson City, NY and \$61,312.50 for section #2 with Axtell's, Inc of Jermyn, PA for Crack Sealing of Bituminous Pavement of Various City Streets for the Public Works Department per the terms and specifications of Public Bid No. 3688

Jack Pieper
Purchasing Agent

32011 RE: UNLEADED GASOLINE – PUBLIC WORKS

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. 3680 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Unleaded Gasoline for the Public Works Department. Funding is available for this purchase within the Public Works Department's Account Number 001315006-5624, General Fund, Gasoline/Oil/Grease.

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 eighteen (18) Unleaded Gas Supplier Companies. The Purchasing Agent did not receive any letters from an Unleaded Gas

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Supplier 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 Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Director and the Purchasing Agent. Therefore the Director of Public Works is recommending that the Bid for 87 Octane Unleaded Gasoline at a fixed cost be awarded to East River Energy of Guilford, CT who has submitted the lowest price per gallon. East River Energy is the City's current supplier of unleaded gasoline. Because of the volatility of the energy market, per Resolution 31880, the Purchasing Agent was able to lock in the price and awarded the bid to East River Energy of Guilford, CT at a fixed price of \$2.9422 per gallon plus taxes for the 87 Octane Unleaded Gasoline from September 1, 2012 to August 31, 2013.

Jack Pieper
Purchasing Agent

32013 RE: MAINTENANCE AND REPAIR OF ELEVATORS LOCATED IN VARIOUS CITY LOCATIONS FOR THE PROPERTY MANAGEMENT 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. 3672 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Maintenance and Repairs of Elevators located in various City locations and the Modernization of Elevators at the Badolato and Szczesney Parking Garages for the Department of Property Management. Funding is available for the Maintenance and Repairs in the Department of Property Management's Building Grounds, Maintenance and Repairs Account Numbers, 001316002-5435, City Hall, 001316003-5435, Police Headquarters 001316008-5435, Liberty Square Parking Garage 001316009-5435 Bank Street Parking Garage and 001316010-5435, Washington Street Parking Garage. Funding for the Modernization at the Badolato and Szczesney Parking is the Department of Property Management's account number 0082955902-5454, Capital Projects, Garage Rehabilitation.

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 twelve (12) Elevator Companies. The Purchasing Agent did not receive any letters from the Elevator 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 Superintendent of Property Management, the On-Call Engineering firm responsible for the Modernization of Elevators at the Badolato and Szczesney Parking Garages and the Purchasing Agent. New England Elevator who submitted the lowest bid for the Maintenance, Repairs and Modernization Project has been in business a short period of time and has very limited resources, which includes personnel and references. In a meeting with them they indicated that they have no elevator technicians and only hire them on an as need bases. They would not be able to provide the needed services or repairs to the elevators if they failed in a timely manner as indicated in the bid specifications. They also could not provide any references of other municipalities that they provided this service to. Therefore the Superintendent of Property Management is recommending that the bid be awarded to Otis Elevator Company of East Hartford, who provided the most responsible bid and meet all of the bid specifications. Otis Elevator Company has been in business a long time and has offices throughout the United States.

RESOLVED: That the Purchasing Agent be and is hereby authorized to enter into a contract and issue a purchase order to Otis Elevator Company of East Hartford, CT for the Maintenance and Repairs of Elevators located at various City locations for a period from September 1, 2012 to August 31, 2015 at monthly rate of \$2,800.00 per month for City Buildings, a quarterly rate of \$225.00 for various Park locations, and \$185,000.00 for the Modernization of the Elevators at the Badolato and Szczesney Parking Garages per the terms and conditions and specifications of Public Bid No. 3672.

Jack Pieper
Purchasing Agent

32014 RE: RENTAL OF CONSTRUCTION EQUIPMENT 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. 3676 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Rental of Construction Equipment for a (2) two year period on an as-needed basis by the Public Works Department. Funding is available for this purchase within the Public Works Department's Street, Sanitation and Sewer Divisions account numbers 001315005-5440, 00135004-5440, 208315101-5440 General Fund and Sewer Fund, Equipment Rental.

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 forty-two (42) Construction or Equipment Rental Companies. The Purchasing Agent did not receive any letters from the Construction or Equipment 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 Public Works Administration and the Purchasing Agent. Therefore the Public Works Director is recommending that the bid be awarded to, Hertz of North Haven, CT, East PBE, Inc, of Newington, CT, Garrity Asphalt of Bloomfield, CT, Able Tool & Equipment of South Windsor, CT, and Trash Away, Inc of New Britain, CT who were the lowest bidders for the rental of various construction equipment.

RESOLVED: That the Purchasing Agent is hereby authorized to issue purchase orders when the rental of Construction Equipment is needed to the following companies, Hertz of North Haven, CT, East PBE, Inc, of Newington, CT, Garrity Asphalt of Bloomfield, CT, Able Tool & Equipment of South Windsor, CT, and Trash Away, Inc of New Britain, CT per the prices that are high-lighted on the attachment to provide for the Public Works Department's annual rental of construction equipment on an as-needed basis from September 15, 2012 to September 14, 2014 per the terms and specifications of Public Bid No. 3676

Jack Pieper
Purchasing Agent

32015 RE: NEW 4 X 4 PICKUP TRUCK FOR THE NEW BRITAIN EMS

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. 3689 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of a new 4x4 Pickup Truck for the New Britain EMS. The funding for this purchase 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 New Britain EMS's account number, JL#0048100311-56140, Non-transporting EMS Response Unit.

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 fifteen (15) Truck Dealers. The Purchasing Agent did not receive any letters from the Truck Dealers on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by Alex Morisano, the Captain of Operations for the New Britain EMS and the Purchasing Agent. Therefore Alex Morisano is recommending the bid be awarded to Interstate Ford of Hartford, CT who submitted the lowest responsible bid and met all of the bid specifications for the new 4x4 Pickup Truck. The bid results were presented to the New Britain EMS's board at their September 05, 2012 meeting. At this meeting they approved the Captain of Operation's recommendation to purchase the new 4x4 Pickup Truck from Interstate Ford of Hartford, CT.

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RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order to Interstate Ford of Hartford, CT for the Purchase of a new 4x4 Pickup Truck for \$30,933.00 for the New Britain EMS per the terms and specifications of Public Bid No. 3689.

Jack Pieper
Purchasing Agent

32016 RE: EMERGENCY LIGHTING AND MISCELLANEOUS EQUIPMENT FOR THE 4X4 PICKUP TRUCK FOR NEW BRITAIN EMS

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. 3690 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of Emergency Lighting and Miscellaneous Equipment for a new Pickup Truck for the New Britain EMS. The funding for this purchase 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 New Britain EMS's account number, JL#0048100311-56140, Non-transporting EMS Response Unit.

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 five (5) Emergency Vehicle Equipment Companies. The Purchasing Agent did not receive any letters from the Emergency Vehicle 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 Clerk's Office.

The bids were reviewed for conformance to specifications by the New Britain EMS Administration and the Purchasing Agent. Therefore the Captain of Operations, Alex Morisano, is recommending the bid be awarded to MHQ of West Hartford, CT. who met all of the bid specifications and submitted the lowest responsible bid for the Emergency Lighting and Miscellaneous Equipment for the new Pickup Truck. The bid results were presented to the New Britain EMS's board at their September 05, 2012 meeting. At this meeting they approved the Captain of Operations' recommendation to purchase the Emergency Lighting and Miscellaneous Equipment for the new Pickup Truck from MHQ of West Hartford, CT.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order to MHQ of West Hartford, CT. for the Purchase of an Emergency Lighting and Miscellaneous Equipment for the new Pickup Truck for \$9,728.89 for the New Britain EMS per the terms and specifications of Public Bid No. 3690.

Jack Pieper
Purchasing Agent

32017 RE: REPAIRS AND PREVENTIVE MAINTENANCE TO THE SZCZESNY PARKING GARAGE

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. 3629 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Repairs and Preventative Maintenance to the Szczesny Parking Garage. Funding is available for this purchase within the Department of Property Management's account number 0082955902-5454, Capital Projects, Garage Rehabilitation, Szczesny Parking Garage.

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-eight (38) Building Contractors. The Purchasing Agent did not receive any letters from the Building Contractors on the

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mailing list who indicated they could not respond to the bid request. The response received is on file in the Town Clerk's Office.

The bid was reviewed for conformance to specifications by the Superintendent of Property Management, the City's On-call Engineering Company associated with this project and the Purchasing Agent. The parking garage will be utilized to park police and other vehicles once the new Police Headquarters is completed in November and is in need of repairs. The only bid received was over budget for this project. The Superintendent of Property Management and the On-call Engineering Company reviewed and determined that some repairs in the bid specifications were not needed at this time. By eliminating these line items the bid price submitted by the only bidder was lowered to be within budget for this project. Frank Cappasso and Sons of Northford, CT who submitted the only bid was in agreement that some of the repairs were not needed and the line items could be eliminated to lower the cost of the project. Frank Cappasso and Sons was awarded the bid to conduct the Façade Repairs, Bid 3627, to the garage which they are conducting now. They will be able to conduct both repair projects together. Therefore the Superintendent of Property Management has recommended that the bid be awarded to Frank Cappasso and Sons of Northford, CT who submitted the only responsible bid and met all of the bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract with and issue a Purchase Order for \$3,500,000.00 to Frank Cappasso and Sons of Northford CT for the Repairs and Preventative Maintenance to the Szczesny Parking Garage per the terms, conditions and specifications of Public Bid No 3629.

Jack Pieper
Purchasing Agent

**32018 RE: EMERGENCY PURCHASE ORDER – VIDEO WALL FOR THE PUBLIC SAFETY
 TELECOMMUNICATIONS DEPARTMENT**

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

The Public Safety Telecommunications Department was in need of a Video Wall to be installed in one of the conference rooms in the new Police Headquarters. The Video Wall will help with training of police officers as well as being utilized for criminal investigation and meetings. Downes Construction Company, who is responsible for the building of the new Police Headquarters, put out a bid for the Video Wall. The responses were received as indicated below. Only three (3) bids were received.

<u>Company /Location</u>	<u>Bid Price</u>
Vision Point LLC/Newington, CT.	\$351,983.52
Cinemassive/Atlanta GA.	\$330,852.20
North America Theatrix LTD/Waterbury, CT.	\$456,628.17

The bids were reviewed for conformance to bid specifications and references were called by the Director of Public Safety Telecommunications and Police Department. The Connecticut National Guard who has a Video Wall from Cinemassive, the low bidder, indicated that their processor was very difficult to work, it was not very strong and that they were not practically responsive in programming or other technical support. The next low bidder, VisionPoint, is a local vendor and the Video Wall products that they submitted a bid for was based on respected national companies. Since VisionPoint is local, they will also be able to provide on-site service if needed in a matter of hours not days. So it was recommended that the bid be awarded to VisionPoint of Newington, CT. The bid results were also presented to the Police Headquarters Building Board. At their meeting they approved the Director of Public Safety Telecommunications recommendations for the purchase of the Video Wall from Vision Point of Newington, CT. Because the Police Headquarters Building Board approved of the award and of the purchase of the Video Wall from Vision Point, the Mayor, under his executive authority, approved a purchase order. A purchase order needed to be issued so that the Video Wall could be ordered by Vision Point and be delivered and installed before the completion of the new Police Headquarters. Funds are available for this purchase in the bond issued for the new Police Headquarters but under the Public Safety Telecommunications Department's portion of the bond in account number 0083089203-5740, New Police

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Headquarters PSTC, Other Miscellaneous Equipment. This purchase is outside of the scope of the Downes Construction professional services with building the new Police Headquarters Building.

Jack Pieper
Purchasing Agent

BOARD OF POLICE COMMISSIONERS

31790-1 RE: "NO THRU TRUCKS" SIGNS ON ENTRANCES TO RUSSWIN ROAD

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

The Traffic Safety Bureau supervisor reports that a "No Trucks" prohibition would make it illegal for any truck to use the street, regardless of purpose. For example a residential oil delivery truck on this street would become an illegal use of the road. A "No Thru Trucks" sign is more appropriate, but is generally unenforceable. By definition, a through truck is one that passes through a town without an origin or destination in that town. Some voluntary compliance may be gained by posting signs.

The Board voted to have "No Thru Trucks" signs posted at the lower and upper entrances to Russwin Road.

Jack W. Ferguson II
Clerk of the Board

31791-1 RE: REQUEST FOR "STOP" SIGN AT THE INTERSECTION OF LINCOLN STREET AND GARDEN STREET.

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

Traffic Safety Bureau personnel reviewed this intersection and found that Garden Street has a "STOP" sign, but Lincoln Street does not. Lincoln Street is the major roadway, clear sightlines exist and there have been no reported accidents in this intersection in the last three years. No "STOP" sign is warranted. As for the speeding and drag racing complaint, increased speed enforcement will be conducted as resources allow.

The Board voted to deny this request for a "STOP" sign to be placed at the intersection of Lincoln Street and Garden Street.

Jack W. Ferguson II
Clerk of the Board

31822-1 RE: "HANDICAP PARKING" SIGN ON CLINIC DRIVE NEAR CANDLEWOOD APARTMENT

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

The Traffic Safety Bureau consulted with the City Engineer for her opinion on this request. She cautioned that erecting such a sign by the City carries with it the requirement to make the area compliant with ADA Handicapped regulations. No wheelchair ramp or other accessibility measures are in place at this address to assist physically challenged persons to safely enter and exit vehicles or the roadway. The Traffic Safety Bureau recommends this request be denied.

The Board voted to deny this request to install a "Handicap Parking" sign on Clinic Drive in front of or near Apt. #123 of the Candlewood Apartments.

Jack W. Ferguson II
Clerk of the Board

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31892-1 RE: EXCESSIVE SPEEDING ON GLEN STREET BETWEEN MONROE AND BUELL STREET

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

Traffic Safety Bureau personnel will increase speed enforcement as resources allow. No formal action by the Board is required.

Jack W. Ferguson II
Clerk of the Board

31891-1 RE: "NO PARKING" SIGNS ON THE SOUTH SIDE OF RUSSWIN ROAD OPPOSITE OVERHILL AVENUE

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

The Acting City Engineer and Traffic Safety Bureau personnel reviewed this request to install "No Parking" signs on the south side of Russwin Road opposite Overhill Avenue. Parking is currently allowed on the south side of the street. Access to private driveways is not blocked by parked vehicles, roadway width is sufficient to allow parking, vehicle traffic on this street is minimal and there is no accident history for the area. A center stripe on Russwin Road would give traffic a reference point as vehicles round the curve. The Acting City Engineer and Traffic Supervisor recommended this request be denied.

The Board voted to deny this petition to install "No Parking" signs on the south side of Russwin Road opposite Overhill Avenue. A new center stripe will be added as soon as possible

Jack W. Ferguson II
Clerk of the Board

31916-2 RE: INSTALLATION OF GUARD RAIL IN FRONT OF 793 EAST 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 petition has been referred to the Public Works Department for review and action. Installation of guardrails falls under their authority and supervision. The Police Board takes no action on this petition.

Jack W. Ferguson II
Clerk of the Board

31917-2 RE: SPEED BUMPS ON PORTION OF COMMONWEALTH AVE

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

Traffic Safety Bureau personnel will conduct a speed survey of this area. Once accurate data has been obtained, it can be determined if a speeding problem exists. If so, the Acting City Engineer will be consulted as to the appropriate traffic calming measures to employ.

The Board voted to await the results of the speed survey and recommendations of the Acting City Engineer and the Traffic Safety supervisor.

Jack W. Ferguson II
Clerk of the Board

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31918-1 RE: SPEEDING ON ALEXANDER ROAD

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

The Traffic Safety supervisor will have officer conduct speed enforcement at various times of day/day of the week as police resources allow in an attempt to increase compliance with the speed limits.

No formal Police Board action is required.

Jack W. Ferguson II
Clerk of the Board

31919-1 RE: "NO TRUCKS" SIGN ON WYNOLA AVENUE

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

The Traffic Safety Bureau supervisor reports that a "No Trucks" prohibition would make it illegal for any truck to use the street, regardless of purpose. For example a residential oil delivery truck on this street would become an illegal use of the road. A "No Thru Trucks" sign is more appropriate, but is generally unenforceable. By definition, a through truck is one that passes through a town without an origin or destination in that town. Some voluntary compliance may be gained by posting signs. Wynola Avenue is a low volume residential street with no commercial businesses and not a cut-through street from either direction. Truck traffic is very minimal on Wynola Avenue.

The Board voted to deny this request for signs banning all trucks from this street.

Jack W. Ferguson II
Clerk of the Board

31956-1 RE: "NO OUTLET" SIGN AT THE CORNER OF WALSH STREET AND RACKLIFFE DRIVE

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

The Traffic Safety Bureau supervisor reviewed the intersection and its current signage. There is no outlet from Rackliffe Drive once traffic passes the intersection of Walsh Street. Rackliffe Drive is a low volume residential street. Rackliffe Drive meets the Manual on Uniform Traffic Control Devices definition of a no outlet street. A warning sign is permissible.

The Board voted to approve this request to install a "No Outlet" sign at the corner of Walsh Street and Rackliffe Drive.

Jack W. Ferguson II
Clerk of the Board

31958-1 RE: "STOP" SIGNS ON NORTH ST. AT THE INTERSECTION OF NORTH STREET AND SPRING STREET

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

The Traffic Safety Bureau supervisor reviewed the intersection and found that traffic on Spring Street is governed by a stop sign for northbound traffic and North Street is not controlled. A speed survey was conducted on North Street near this intersection in both directions. The survey found speed not to be a problem. However, officers noted a high volume of bicycle and pedestrian traffic in the area.

A painted crosswalk exists at the intersection of North Street and Spring Street. Pedestrian safety would be improved by installation of a "Stop" sign at this intersection. Additional pedestrian warning signs have been

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installed in this area. Based on the Manual on Uniform Traffic Control Devices, "Stop" signs are warranted on North Street at Spring Street, due to the bicycle and pedestrian traffic.

The Board voted to approve this request to install "Stop" signs on North Street, at the intersection of North Street and Spring Street.

Jack W. Ferguson II
Clerk of the Board

TAX COLLECTOR

32019 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 ADMINISTRATION, FINANCE AND LAW

31915-1 RE: PROPOSED AMENDMENT TO SEC.16-80 OF THE ORDINANCES REGARDING CARRYING CONCEALED WEAPONS

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, September 5, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31915 – Article IV – Section 16-80 of the Code of Ordinances be amended regarding Carrying Concealed Weapons voted to remove from the table as amended and accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Carlo Carozzi, Jr.
Chair

31985-1 RE: PROPOSED AMENDMENT TO SEC. 2-872(a) OF THE ORDINANCES REGARDING QUALIFICATIONS: SALARY; CHIEF OF POLICE

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, September 5, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31985 – Section 2-872(a) of the Code of Ordinances be amended regarding Qualifications; Salary; Chief of Police 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

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31986-1 RE: PROPOSED AMENDMENT TO SEC. 22-12 OF THE ORDINANCES REGARDING CITY DESIGNATED AS REHABILITATION AREA FOR PURPOSE OF DEFERRAL OF INCREASE IN ASSESSMENT

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, September 5, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31986 – Section 22-12 of Article 1 of Chapter 22 of the Code of Ordinances be amended regarding City designated as rehabilitation area for purpose of deferral of increase in assessment 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

COMMITTEE ON PLANNING, ZONING AND HOUSING

31941-1 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING NEW DIVISION 17, FAIR RENT COMMISSION TO CHAPTER 2

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 held a special meeting and public hearing on Tuesday evening, September 11, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31941 – Code of Ordinances be amended by adding new Division 17, FAIR RENT COMMISSION to Chapter 2 voted to remove from the table and accept and recommend that the following resolution be referred back to the Common Council with a neutral recommendation.

Alderman Roy Centeno
Chair

31988-1 RE: PROPOSED SALE OF 179 WASHINGTON STREET TO POLISH FALCONS OF AMERICA

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 and public hearing held on Tuesday evening, September 11, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31988 – Purchase and Sale Agreement for Polish Falcons of America for 179 Washington Street voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Roy Centeno
Chair

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REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

OFFICE OF THE MAYOR

32002 RE: RECOMMENDING THE ROADWAY WITHIN PINNACLE PARK BE CALLED "ALTON BROOKS WAY"

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

I hereby recommend that the name of the roadway within Pinnacle Park be called "Alton Brooks Way."

Timothy O'Brien
Mayor

Ald. Trueworthy moved to accept and refer to the Board of Public Works, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

PURCHASING DEPARTMENT

32012 RE: ENTERPRISE SWITCHES – 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. ~~3685~~ 3691 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Enterprise Switches at the new Police Headquarters for the Public Safety Telecommunications Department. Funds are available for this purchase within the Public Safety Telecommunications Department's account number, 0083089203-5740, New Police Headquarters PSTC, Other Miscellaneous 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 fourteen (14) Enterprise Switch providers. The Purchasing Agent did not receive any letters from the Enterprise Switch providers 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 Director of Public Safety Telecommunications and the Purchasing Agent. Therefore the Director of Public Safety Telecommunications is recommending the bid be awarded to XDF Net, LLC of Cromwell, CT who submitted the lowest bid price for the ~~Wireless Network System~~ Enterprise Switches and met all of the bid specifications. The bid results have also been presented to the Police Building Committee at their August 27, 2012 meeting. At this meeting they approved the Director of the Public Safety Telecommunications Director's recommendation to award the bid for the ~~Wireless Network System~~ Enterprise Switches for the new Police Headquarters to XDF Net, LLC of Cromwell, CT.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a purchase order for \$58,048.05 to XDF Net, LLC of Cromwell, CT for the purchase and installation of Enterprise Switches ~~to a Wireless Network System~~ for the New Police Headquarters per the terms and specifications of Public Bid No. 3691.

Jack Pieper
Purchasing Agent

Ald. Bielinski moved to accept and adopt, seconded by Ald. Trueworthy. Ald. Bielinski moved to amend by changing the bid number to "3691", and by the words "Wireless Network System" to "Enterprise Switches" in the third and fourth paragraphs. Amendment seconded by Ald. Trueworthy. Amendment carried. Report as amended carried. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

COMMITTEE ON ZONING

31990-2 RE: AMENDMENT TO THE ZONING ORDINANCES ADDING SUBSECTION 190-20-10 TO ALLOW CHURCH OR SIMILAR PLACE OF WORSHIP IN THE I-1 (INDUSTRIAL PARK) AND I-2 (GENERAL INDUSTRY) ZONING DISTRICTS

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 Committee on Planning, Zoning and Housing gave due and legal notice of a time and place for a public hearing in reference to Item #31990 – Amend Zoning Ordinances to add subsection 190-20-10 to allow church or similar place of worship in the I-1 (industrial park) and I-2 (general industry) zoning districts. Said hearing was held on Tuesday evening, September 11, 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 a regular meeting held on September 10, 2012, voted 3 to 1 to recommend against adoption of this zoning amendment.

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

Amend Zoning Ordinances to add subsection 190-20-10 to allow church or similar place of worship in the I-1 (industrial park) and I-2 (general industry) zoning districts.

Alderman Roy Centeno

Ald. Brown recused himself due to a possible conflict of interest. Ald. Trueworthy moved to accept and adopt – to take effect 10 calendar days after the signature of the Mayor. Motion seconded by Ald. Centeno. Roll call vote – 11 in favor, 1 opposed. IN FAVOR: Ald. Trueworthy, Magnuszewski, Centeno, DeFronzo, Sanchez, Black, Platosz, Freeman, Pabon, Giantonio and Bielinski. OPPOSED: Ald. Carlozzi. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

Ald. Brown returned to the Chambers

31991-2 RE: CHANGE OF ZONE AT 80 GOLD STREET FROM A-2 (MULTI-FAMILY HOUSES) TO B-3 (NEIGHBORHOOD 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 #31991 – Amend official zoning map to change property at 80 Gold Street from A-2 (Multi-Family Houses) to B-3 (Neighborhood Business), to facilitate creation of off-street parking accessory to adjoining business use. Said hearing was held on Tuesday evening, September 11, 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 a regular meeting held on September 10, 2012 voted 4 to 0 to recommend the following proposed zone change to the Zoning Map be approved.

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

Amend official zoning map to change property at 80 Gold Street from A-2 (Multi-Family Houses) to B-3 (Neighborhood Business), to facilitate creation of off-street parking accessory to adjoining business use.

Alderman Roy Centeno
Chair

Ald. Trueworthy moved to accept and adopt – to take effect 10 calendar days after the signature of the Mayor, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

RESOLUTIONS RETURNED FROM COMMITTEE

31915-2 RE: AMENDMENT TO SEC. 16-80 OF THE ORDINANCES REGARDING CARRYING CONCEALED WEAPONS

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: INTENT AND PURPOSE. To prohibit ~~permit~~ the carrying of any deadly or dangerous weapon and to allow the carrying of a pistol or revolver when authorized by an active permit from the State of Connecticut.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Article IV. Weapons Section 16-80 of the Code of Ordinances, City of New Britain, be amended as follows (inserted text appears in underline; deleted text appears in strikethrough; new sections begin with the word [new]):

Sec. 16-80. Carrying ~~concealed~~ deadly or dangerous weapons ~~prohibited; carrying of a pistol or revolver allowed with an active permit.~~

(a) No person shall be allowed to carry, wear under his clothes, or conceal upon or about his person any deadly or dangerous weapon including, but not limited to any ~~pistol~~, dagger, metal knuckles, razor, sling-shot, blackjack, sword or canegun. The provisions of this paragraph shall not apply to any person who is found with any such weapon or implement concealed upon his person while lawfully removing his household goods or effects from one place to another, or from one residence to another, nor to any person while actually and peaceably engaged in carrying any such weapon or implement from his place of abode or business to a place or person where or by whom such weapon or implement is to be repaired, or while actually and peaceably returning to his place of abode or business with such weapon or implement after the same has been repaired.

(b) Notwithstanding subsection (a), a person shall be permitted to carry or conceal upon their person a pistol or revolver if that person is authorized to do so by an active permit from the State of Connecticut.

~~(b)~~ (c) This section shall not apply to any law enforcement officer in the discharge of his duty. (Code 1970, §15-12)

Alderman Wilfredo Pabon
Alderman J. Tobias Freeman

Ald. Pabon moved to accept and adopt, seconded by Ald. Freeman. So voted. Approved by Mayor Timothy O'Brien Jr. the 21st day of September 2012.

31985-2 RE: AMENDMENT TO SEC. 2-872(a) OF THE ORDINANCES REGARDING QUALIFICATIONS; SALARY; CHIEF OF POLICE

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 Chapter 3, Article XV. Personnel Department Division 7. Qualifications; Department Heads Section 2-872(a). Qualifications; salary; chief of police to enlarge the pool of applicants for the position of Chief of Police.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 2-872(a) of the Code of Ordinances, City of New Britain, be amended to read as follows (inserted text appears in underline; deleted text appears in ~~striketrough~~; new sections begin with the word [new]):

Sec. 2-872(a). Qualifications; salary; chief of police.

(a) The qualifications for the position of chief of police shall be the following: a bachelor's degree from an accredited institution in criminal justice, police science, public administration or a related academic field and ten (10) ~~of~~ or more years of progressive, responsible law enforcement administration experience, preferably in a urban community; ~~including at least five (5) as a captain police lieutenant or above.~~ A master's degree in a related field will substitute for one (1) year of experience.

Alderman Carlo Carlozzi, Jr.

Ald. Bielinski moved to accept and adopt, seconded by Ald. DeFronzo. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

31986-2 RE: AMENDMENT TO SEC. 22-12 OF THE ORDINANCES REGARDING CITY DESIGNATED AS REHABILITATION AREA FOR PURPOSE OF DEFERRAL OF INCREASE IN ASSESSMENT

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. Extend the applicability of a tax-relief program which provides certain exemptions for property owners who rehabilitate residential property from the current expiration date of October 1, 2012 through the October 1, 2017 grand list.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Sec. 22-12 of Article 1 of Chapter 22 of the Code of Ordinances, City of New Britain, be amended as follows (inserted text appears in underline; deleted text appears in ~~striketrough~~; new sections begin with the word [new]):

Sec. 22-12. City designated as rehabilitation area for purpose of deferral of increase in assessment.

(a) The city is hereby designated as a rehabilitation area, pursuant to General Statutes, sections 12-65c through 12-65f.

(b) As used in this section, "rehabilitation" means the improvement or repair of a residential structure or facilities appurtenant thereto, exclusive of general maintenance of repair.

(c) Residential property within the rehabilitation area which meets the criteria set forth in this section shall be eligible to enter into an agreement with the city assessor for deferral of any increased tax assessment attributable to rehabilitation as provided in the statute sections referred to in paragraph (a) of this section, if the rehabilitation work has a total value of at least two thousand dollars (\$2,000.00) as indicated on the official building permit on file in the building commission office.

(d) For the first year following completion of rehabilitation, the entire increase shall be deferred thereafter, ten (10) per cent of the increase shall be assessed against the property each year until one hundred (100) per cent of such increase has been so assessed. The rehabilitation shall be determined to have been completed and the assessment deferral therefore will commence, either with the assessment date following the completion of the rehabilitation or with the assessment date following the issuance of a certificate of occupancy for the renovated building or, at the option of the applicant, in the assessment year of any partial year assessment

levied upon construction completed with the issuance of a certificate of occupancy. In any case, however, the assessment deferral shall not be granted in more than ten (10) assessment years.

(e) Any person aggrieved by any decision or action, or failure to take action, by the city under the provisions of this section, and the statute sections referred to in paragraph (a) of this section may appeal in accordance with section 12-65f of the General Statutes of the State of Connecticut.

(f) Any residential property in the city may be declared eligible for deferral of tax assessment by the city assessor if it meets the following criteria:

(1) The tax collector certifies at the time of final approval that the applicant has no real or personal property tax due in the city. No one who has delinquent or due real or personal property tax shall have an application for deferral under this section receive final approval until all tax installments due are paid in full. Such payment of taxes must be made in a timely manner to meet all other deadlines contained in this ordinance. Failure to pay taxes in timely manner shall not provide in any instance an extension of other deadlines; and

(2) The improvements either:

- a. Have been ordered by city officials in order to bring the property into compliance with housing codes, building codes or fire safety codes; or
 - b. Include the thorough rehabilitation or remodeling of the interior and/or exterior of the property, which improvements in the unanimous judgment of the city assessor, the chief building inspector and the director of health constitute an appropriate and desirable rehabilitation of the property; provided, however, new additions to a property shall not be eligible for deferral, nor shall exterior renovation or improvements of properties which are included on the official list of historic structures adopted by the city plan commission or which are located within a historical district designated by ordinance be eligible for deferral unless such exterior renovation or improvements are, in the opinion of the director of planning or his/her designees, compatible with the historic features of the property;
 - c. Are made to restore authentic exterior historic features of properties which are included on the official list of historic structures adopted by the city plan commission or located within a historic district designated by ordinance. The authenticity of the feature shall be determined by the director of planning or his/her designee.
- (g) This deferral benefit is not transferable except tax deferral benefits granted under this section may be transferred to the first purchaser of each condominium unit if the project will be used for residential condominium purposes or to the first cooperative housing association, provided that any residential condominium or cooperative housing project which requires relocation of tenants shall require specific approval by the common council which may request such information on the project which it deems necessary to evaluate the impact of the project on displaced persons or businesses.

Notwithstanding the above, in any residential condominium or cooperative housing project, in which the developer of the project defaults and the lender to whom the developer has defaulted transfers all the units that were received by the lender as a result of the default to one (1) party, that party will be considered a replacement developer who shall be entitled to the deferral and shall have the right to transfer the deferral to the first purchaser of any of the received units or to the first cooperative housing association. No replacement developer shall be eligible for continuation of these deferral benefits unless he and any first purchaser or first cooperative housing association applies for benefits as described herein and said benefits shall not be continued unless he and any first purchaser or first cooperative housing association complies with the provision of subsection (i) of this section.

The replacement developer must apply to the city assessor for continuation of deferral benefits no later than sixty (60) days after the transfer of the ownership to the replacement developer is recorded on the land records of the city. The city assessor shall have thirty (30) days from the date the application is filed to review the application of the replacement developer. If the city assessor determines that the replacement developer has met the provisions of this subsection, he shall approve the application. Final and complete approval of the application for continuation of deferral benefits shall be achieved upon certification by the tax collector of the city that at the time of this certification the applicant, the replacement developer, has no real or personal property tax due in the city. The tax collector shall have ten (10) days after the action of the city assessor to so certify or to deny.

(h) In order to qualify for property tax deferral under this section, the property owner must file an application for deferral on forms available from the city assessor. This application must be filed with the city assessor no later than the date of the issuance of a certificate of occupancy. In any case that a certificate of occupancy is not issued, application must be filed with the city assessor no later than November 1 which follows the assessment date after the completion of renovation or rehabilitation.

(i) In the event that the owner of any real property which has qualified for deferral under this section fails to pay real property taxes on the property receiving such deferral, within sixty (60) calendar days of the date such taxes become due and payable, the deferral shall cease and be removed as of the date of the next tax bill or tax installment. No further deferral or continuation of abatement may occur without specific approval of the city assessor which approval shall be granted when the owner shall have paid in full all delinquent taxes, together with interest and penalties, provided such payment is made prior to the date of the next tax bill or tax installment. The city assessor shall act to approve the restoration of the deferral only after complete payment of all taxes due, together with interest and penalties and provided such payment shall have been made prior to the due date of the next tax bill or tax installment.

(j) No deferral benefits afforded under this section shall apply to assessment on any grand list of the municipality after the grand list of ~~2012~~ 2017.

Alderman David DeFronzo
Alderman Michael Trueworthy

Ald. DeFronzo moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

Ald. Trueworthy moved to accept and adopt resolution 31941-1, seconded by Ald. Sanchez. Ald. Trueworthy moved to amend by substitution 3.1(31941-2), seconded by Ald. Bielinski. Amendment carried.

31941-2 RE: AMENDMENT TO THE ORDINANCES ADDING A NEW DIVISION 27 FAIR RENT COMMISSION SEC. 2-911

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 fair rent commission for the City of New Britain.~~ Pursuant to and in conformity with the Connecticut General Statutes, Sections 7-148b through 7-148f, the Common Council of the City of New Britain proposes the establishment of a Fair Rent Commission, whose powers, duties and obligations shall be to make studies and investigations, conduct hearings and receive complaints relative to rental charges on housing accommodations, ensuring that rental charges "are not to be harsh and unconscionable", thus creating a fair and equal process for the tenant and landlord; compelled by the need for habitable and rent stabilized housing stock in the city of New Britain, and

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Code of Ordinances be amended by adding a new Division 17, FAIR RENT COMMISSION to Chapter 2 to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

[NEW] Chapter 17. Fair Rent Commission.

Sec. 2-911. FAIR RENT COMMISSION

(a) ~~There shall be a Fair Rent Commission of the City of New Britain, established pursuant to Connecticut General Statutes Section 7-148b (hereinafter referred to as the "Commission").~~ Pursuant to and in conformity with the Connecticut General Statutes, Sections 7-148b through 7-148f, there is hereby created a commission known as the Fair Rent Commission. Said Commission shall have such powers, duties and responsibilities as are provided pursuant to Sections 7-148b through 7-148f, inclusive, of the Connecticut General Statutes

including but not limited to make studies and investigations, to conduct hearings and receive complaints relative to rental charges on housing accommodations, to ensure that rental charges “are not harsh and unconscionable”, thus creating a fair and equal process for the tenant and landlord; compelled by the need for habitable and rent stabilized housing stock in the city of New Britain, and

(b) The Commission shall consist of ~~seven~~ nine (9) electors of the city appointed by the Mayor which shall be comprised of three (3) tenants/renters, three (3) landlords and three (3) property owners. The chairperson of the Commission shall be elected by its members. The members shall be appointed to serve a term of two (2) years. The Commission shall be empowered to enact such by-laws and regulations as are necessary for the conduct of its business, provided no by-laws or regulations shall be in conflict with Section 7-148b through 7-148f of the Connecticut General Statutes, and

(c) In the Commission’s consideration of fair rents, no fines or penalties for violations of city ordinances or state or federal laws may be included in fair rent amounts, nor shall the cost of complying with anti-blight or code enforcement orders from the city, state or federal governments or other authorities.

(d) In determining whether a rental charge is too excessive, with due regard to all the circumstances, the Fair Rent Commission shall consider the following 13 factors: (1) the rents charged for the same number of rooms and other housing accommodations in the same and in other areas of the municipality; (2) the sanitary conditions existing in the housing accommodations in question; (3) the number of bathtubs and showers, flush water closets, kitchen sinks and lavatory basins available to the occupants thereof; (4) services, furniture, furnishings and equipment supplied therein; (5) the size and number of bedrooms contained therein; (6) repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein; (7) the amount of taxes and overhead expenses, including debt services, thereof; whether the accommodations are in compliance with the ordinances of the city and the general statutes relating to health and safety; (9) the income of the petitioner and the availability of accommodations; (10) the availability of utilities; (11) damages done to the property by the tenant caused by other than ordinary wear and tear; (12) the amount and frequency of increases in the rental charges; (13) whether, and the extent to which, the income from an increase rental charge has been or will be reinvested in improvements to the accommodation

(e) The Fair Rent Commission will be unable to accept excessive rent complaints if: 1) The Tenants owe back rent; 2) The Tenants have already signed leases agreeing to requested rent; and 3) Landlords have already begun the legal eviction process against the specified tenant.

Alderman Emmanuel Sanchez

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Resolution adopted with Ald. Carlozzi, Giantonio and Platosz opposed. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

31988-2 RE: THE SALE OF 179 WASHINGTON STREET TO POLISH FALCONS OF AMERICA

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 convey a City of New Britain owned property to Polish Falcons of America to ensure adequate parking for their facility in connection with their remodeling and expansion plans.

WHEREAS, The City of New Britain currently owns property located at 179 Washington Street; and

WHEREAS, The Polish Falcons of America is a Polish fraternal organization that has been in existence in the City of New Britain for over one hundred years and at its present location 201 Washington Street for approximately seventy-five years; and

WHEREAS, The City of New Britain is committed to success of cultural organization and activities; and

WHEREAS, The Polish Falcons of America are in the process of developing a plan to expand and remodel their building located at 201 Washington Street that would include a new banquet facility and office space; and

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WHEREAS, In order to successfully complete this new project the Polish Falcons of America will require additional parking spaces; now, therefore, be it

RESOLVED, That Timothy E. O'Brien, Jr., Mayor, be and is hereby authorized to negotiate and execute on behalf of the City of New Britain a Purchase and Sales Agreement with the Polish Falcons of America for property known as 179 Washington Street and to execute any and all documents necessary for the conveyance of said property in accordance with the terms of said agreement at a sale price of not less than Fifty Thousand Dollars (\$50,000.00).

Alderman Lawrence Hermanowski
Alderman Michael W. Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

NEW BUSINESS

RESOLUTIONS

32021 RE: YOUTH SERVICE BUREAU BUDGET AMENDMENT AND TRANSFER (WHEELER CLINIC CONTRACT)

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: Via Wheeler Clinic, pass-through monies originating from the state of Connecticut Department of Children and Families have been received to continue the New Britain Youth & Family Services' Systems of Care Program which provides care coordination services for 48 children with severe psychiatric and/or behavioral diagnoses. New Britain Youth & Family Services has been providing this service for several years and has documented cost savings to the City by keeping these children at home and within the community rather than being placed out of district or hospitalized elsewhere. In receipt of a contract from Wheeler Clinic, dated 07/01/12, funding in the amount of \$104,440 has been provided and signature by the Mayor is necessary for contract approval. Additionally, as the budget for this program has been delayed due to state fiscal issues, a budget for said funds is created by this resolution.

Resolution Purpose: This resolution authorizes a budget amendment as detailed below and for Mayor Timothy E. O'Brien to execute a contract with Wheeler Clinic, Inc. of Plainville, CT for the acceptance of \$104,440 by New Britain Youth & Family Services to administer the Systems of Care program. This contract mandates the services of two Care Coordinator positions.

Whereas, The state of Connecticut Department of Children and Families via Wheeler Clinic has initiated another year of funding in the amount of \$104,440. The contract for receipt of such funds calls for signature by the individual responsible for execution of such contracts on the City's behalf. Therefore, be it now

Resolved, that Mayor Timothy E. O'Brien is hereby empowered to execute said contract with Wheeler Clinic, Inc. for the provision of Care Coordination Services by New Britain Youth Services; and be it further

Resolved, that both the grant award and balance be placed within the City's accounting structure and transfer of funds from the Youth Service Bureau Council appropriation, thereby amending the current fiscal year budget for this program as follows :

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Budget

Revenues:		
248523104-4514	Wheeler Clinic Grant	\$ 104,440
248523104-6001	General Fund Appropriation	<u>\$ 38,403</u>
	Total Revenues	\$ 142,843
Expenditures:		
248523104-5121	Full Time Salaries	\$ 110,896
248523104-5220	MERF	\$ 12,531
248523104-5227	Worker's Comp	\$ 500
248523104-5228	Fringe Benefits (health/life ins.)	\$ 13,064
248523104-5231	Medicare	\$ 1,608
248523104-5611	Office Supplies	\$ 3,744
248523104-5876	Admin Overhead	<u>\$ 500</u>
	Total Expenditures	\$ 142,843

Alderman Emmanuel Sanchez

Ald. Sanchez moved to accept and adopt, seconded by Ald. Black. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

32022 RE: BUDGET APPROPRIATION-ACCEPTANCE OF GRANT FROM CAPITOL REGION CHIEFS OF POLICE ASSOCIATION FOR NEW LIVESCAN FINGER-PRINT MACHINE

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 Federal Bureau of Investigation (FBI) and State of Connecticut has a networked fingerprint production and recognition system that has been used by the New Britain Police Department for at least ten (10) years, and,

WHEREAS, the current livescan fingerprint machine is obsolete and a new one is budgeted for the new Police Headquarters, and,

WHEREAS, a new machine costs \$20,287, but the Capitol Region Chiefs of Police Association has offered the City a grant of \$5,833, thereby reducing the preapproved cost to \$14,454, with no requirement for a cash match, and, THEREFORE, BE IT

RESOLVED, that Mayor Timothy O'Brien be authorized to accept the \$5,833, from the Capitol Region Chiefs of Police Association towards the purchase of a new livescan fingerprint machine.

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

Ald. Bielinski moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

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32023 RE: PROPOSED AMENDMENT TO SEC. 20-80 OF THE ORDINANCES REGARDING FEES FOR EXCESSIVE EMERGENCY CALLS

Proposed Ordinances on File in Town Clerk's Office

Ald. Michael W. Trueworthy

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 18th day of September 2012.

Ald. Trueworthy moved the Council enter into Executive Session to discuss pending litigation regarding item 32000(B) Walsh vs. Gagliardi, et al and that they be accompanied by the Mayor, the Corporation Counsel, and Acting Police Chief. Motion seconded by Ald. Bielinski. Roll call vote – all members present voted in favor. Executive Session began at 9:35 p.m.

The Council voted to return to order at 10:33 p.m. on motion of Ald. Trueworthy, seconded by Ald. Bielinski.

REPORT OF THE OFFICE OF THE CORPORATION COUNSEL

32000 RE: STATUS REPORT – WALSH V. GAGLIARDI 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:

Please be advised that on September 12, 2012 a representative from the Office of Corporation Counsel will present in executive session an update on the active litigation for the above captioned matter.

Irena J. Urbaniak
City Attorney

Ald. Trueworthy moved to accept, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

RESOLUTION

32020 RE: NEW BRITAIN UKRAINIAN FESTIVAL SEPTEMBER 15, 2012

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

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and he is hereby authorized to issue to the St. Josaphat Ukrainian Catholic Church, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for Saturday, September 15, 2012 for the purpose of conducting a festival from 12:00 noon – 10:00 p.m. at the Polanka – Falcon Field, Farmington Avenue, New Britain, Conn.

Alderman Adam Platosz

September 12, 2012

Ald. Platosz moved to accept and refer to the License Committee, seconded by Ald. Pabon. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

Ald. Trueworthy moved for a two-minute recess, seconded by Ald. Bielinski. So voted.

Meeting recessed.

The Council returned to order at 10:40 p.m. on motion of Ald. Trueworthy, seconded by Ald. Bielinski.

Ald. Trueworthy moved to suspend the rules, seconded by Ald. Bielinski. So voted.

Ald. Trueworthy moved amend the agenda by adding two reports - 32000-1(B3) and 32020-1(Z11), seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

REPORT OF THE OFFICE OF THE CORPORATION COUNSEL

32000-1 RE: JEFFREY WALSH 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 TWENTY THOUSAND DOLLARS (\$20,000.00) be paid to JEFFREY WALSH and JAMES N. TALLBERG, ESQ., his attorney, in full settlement of his suit against the City of New Britain, et al now pending in the United District Court for the District of Connecticut under Docket No. 3:09-cv-00873 seeking damages for false arrest, false imprisonment, malicious prosecution and retaliation as the result of an incident which took place on June 4, 2007.

This recommendation is made upon the advice of Assistant Corporation Counsel, Joseph E. Skelly, Jr., after a settlement conference before District Judge Tucker C. Melancon, 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, et al and settlement is to be made without admission of any liability.

Joseph E. Skelly, Jr.
Assistant Corporation Counsel

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Report accepted and adopted with Ald. Trueworthy, Brown, Sanchez and Giantonio opposed. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 2012.

REPORT OF THE LICENSE COMMITTEE

32020-1 RE: NEW BRITAIN UKRAINIAN FESTIVAL

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 Mayor be and he is hereby authorized to issue to the St. Josaphat Ukrainian Catholic Church, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for Saturday, September 15, 2012 for the purpose of conducting a festival from 12:00 noon – 10:00 p.m. at the Polanka – Falcon Field, Farmington Avenue, New Britain, Conn.

Alderman Lawrence J. Hermanowski
Chair

September 12, 2012

Ald. Platosz moved to accept and adopt, seconded by Ald. Black. So voted. Approved by Mayor Timothy O'Brien Jr. the 18th day of September 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 10:45 p.m.

ATTEST: Peter J. Denuzze, City Clerk

September 12, 2012