

March 13, 2013

REGULAR MEETING OF THE COMMON COUNCIL

MARCH 13, 2013

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday, the 13th day of March 2013 at 7:38 p.m. in the Common Council Chambers, City Hall.

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

One member was absent: Ald. Freeman, working this evening.

City Clerk, Peter J. Denuzze, gave the invocation: O God, our Heavenly Father, who has taught us that we should do to others as we would have them do to us, we ask your blessings upon the work of the Council. We pray that you will strengthen our relations with one another and give us wisdom to promote good government. We ask this in Thy name. Amen.

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

Ald. Trueworthy moved to suspend the rules to allow the Mayor to deliver his State of the City Address 2013, seconded by Ald. Bielinski. So voted.

STATE OF THE CITY ADDRESS 2013

32212 RE: 2013 MAYOR'S STATE OF THE CITY ADDRESS

Pursuant to Chapter V Sec. 3 (f) of the New Britain City Charter, I hereby respectfully submit my written address on the state and condition of the City of New Britain:

President Trueworthy, Leaders Bielinski and Pabon, members of the Common Council, and, most importantly, people of New Britain, I am pleased to report that our city is moving forward. Our city is stronger and in better position than it was one year ago, and the progress in that one year has been significant.

In a time of national economic uncertainty that still challenges so many of our residents, families, and businesses, we have remained focused, and committed to creating jobs, improving the quality of life in our neighborhoods, supporting quality education and maintaining public services while not raising taxes.

And from day one we have made bold decisions to move forward on a path of progress, fighting the difficulties of a global recession and inherited budget deficits to build our economy, renew our Police Department, and address blight in our neighborhoods and build a better quality of life for every resident.

Our job now is to build on the progress of the last 16 months because, as we all know, there is more that needs to be done.

During the first year of this term, my administration has been focused on the things that need to be done to build a brighter future for our city:

1. Economic Development & Job Creation
2. Ensuring a good quality of life in our neighborhoods
3. Supporting quality education.
4. Maintaining public services while not raising taxes.

March 13, 2013

I am happy to report, that in this relatively small period of time, we have made noticeable progress in all of these areas.

We've moved New Britain forward by aggressively pursuing economic development opportunities. I cannot recall a time in recent memory when there has been nearly as much construction in our city than is occurring now.

My number one job as Mayor is job creation for the people of our city and building our city into a brighter and more prosperous future. Everything depends on our economic success, from the economic security of individual families to our ability to fund the public services that provide for a good quality of life, good paying jobs and a vibrant economy.

Since I became mayor I have been unyielding in my commitment to increasing development for our City. Looking back on sixteen months of progress I want to thank the many state leaders, like our state delegation in the legislature, the Governor's team – business leaders, the Chamber of Commerce and so many others in our community for their shared commitment to continuous economic growth in New Britain.

Since the first day I took office I have fought day-in and day-out to retain jobs we already have and to create new ones.

The numbers speak for themselves.

In December Aerospace manufacturer Polamer Precision broke ground on a 150,000 square-foot state-of-the-art facility which will open in October 2013 and bring 72 good paying jobs to the city and will create 50 more by 2016. This is the first solid business development at Pinnacle Park, and it is exactly the kind of high-tech jobs of the future we need. I am proud of working with Polamer to make this development possible.

With city and state assistance, 50 new jobs will be created at Peter Paul Electronics Co. over the next five years. This is an example of how a long-time New Britain manufacturer can grow and create jobs and build on their New Britain tradition of success to continue to advance as a leader in the global market.

B&G Design will be moving 40 jobs to New Britain and plans on hiring 5 new employees.

Varsk Machine LLC added over 16,000 square feet to their operation and look to hire 6 new employees.

The COSTCO project is on track and is expected to result in 220 jobs and approximately \$500,000 annually in tax revenue.

The construction of our police station is complete with the first commercial tenant chosen and second under negotiation.

The \$100 million investment in neighborhood revitalization at Corbin Heights and Pinnacle Extension that I and former Senator DeFronzo worked so hard to achieve is under construction, with a number of units already complete.

The Hospital of Central Connecticut broke ground on a \$40 million, 70,000 square-foot state-of-the-art cancer center that will combine all cancer services into one convenient location and allow for future expansion of cancer care.

New Britain has seen an additional \$20 million of private investment in the last sixteen months and we are not stopping. We will continue to move forward. We are assisting manufactures who have been the engine of economic growth for decades.

March 13, 2013

And I will soon be rolling out a manufacturing employment initiative that will enhance employment and training programs within our city. This will not only improve the employment prospects for individual workers, but more than that, it will send a message to manufacturers that New Britain is a city that takes our manufacturing economy seriously. It sends a message that New Britain is a great place to grow and build new high-tech manufacturing.

This is our future and we are moving forward.

We are going to continue to build on the progress of the CTfastrak construction. Downtown and its immediate radius offer a substantial market within the proximity of this future rapid bus transit terminal for future investment. Within a half mile radius, you'll find professional offices, restaurants, Walnut Hill Park, the New Britain Museum of American Art, New Britain's largest retail plaza, downtown merchants, La Quinta Inn, and a multi-storied municipal parking garage.

In 2013 our downtown will continue to see transformation and we will, as promised, move forward on construction of our new downtown streetscape and "complete streets," project. This project will not only beautify our downtown but will provide pedestrian and bicycle infrastructure, improve connectivity to the CTfastrak station and leverage private investment in our downtown.

New Britain's economic resurgence will not be tied solely to large commercial development. Small business development is an essential part of our economic future and I want to reaffirm my commitment to helping New Britain businessmen and businesswomen prosper.

That is why we are renewing the city's business loan program, to help small businesses to grow.

And we are moving forward with our Arch Street Planning Committee in creating a new plan to renew Arch Street and help build a vibrant commercial and cultural neighborhood our city's Latino community can be proud of.

We are continuing to work with the leaders and businesses on our already vibrant Broad Street to continue to build on the success of our state's center of Polish culture and commerce.

Building success for our city's central commercial corridor must mean having an active and resourceful marketing strategy. New Britain has a wealth to offer residents and visitors, alike – from theaters and museums to restaurants and shops. But the wonderful things that are in and are happening in our city will not result in the vibrant future that it can if people do not know about them.

That is why I am working with community leaders to announce, in the coming weeks, a new marketing plan to parley our great assets into a successful downtown, and vibrant commercial center.

Part of this, you can already see in motion. We have already used the community notification system put in place under my administration to bring people together for cultural events and community activities. From the new downtown Halloween celebration, which we will be doing again, to festivals and other events, we have been and will continue to use this resource to bring the community together to activities that make our downtown and community a more vibrant place. And my administration will continue our work to help community groups create festivals and community activities. Enjoyable activities help build our community and our local economy.

In the upcoming week, we expect to announce a new and exciting development for the Shaws site on West Main Street. In the upcoming weeks, we will be announcing additional new businesses here in New Britain.

In addition to job growth and economic development we've seen renewed energy for the arts – and we've secured funds to back up our community's enthusiasm. In the past year, New Britain's arts and culture programs have attracted new funds and world class art in our downtown. The arts will continue to play an integral role in building a more vibrant downtown and community.

March 13, 2013

In just one year, we have accomplished so much. We are justifiably proud of what we have accomplished. For the future that our community needs and deserves, we need to accomplish so much more. That is why economic development is the most important part of my work as Mayor.

You don't have to have a child in public school, to understand that our children hold the keys to a brighter future for the entire community – an investment in them is an investment in all of us.

That is why, last year with the support of the Common Council I increased the city's funding to the Board of Education's budget - reversing a multi-year trend of flat funding.

And we must prepare our children to be successful in the jobs of the future, including the medical profession. That is why it is so important that we broke ground on the new 145,000 square-foot Medical Professions and Teacher Preparation Magnet School. This is our city's first interdistrict magnet school in New Britain, and it complements the wonderful Health Academy program we already have at New Britain High School.

Quality education is at the core of a successful future economy for our city. For future workers, it means having skills to do the jobs that pay enough to lift families into the middle class. For our city, it means having a workforce that makes our community an attractive place to locate or expand a business and create jobs.

Quality education is a moral imperative - the moral question of whether the kids growing up in our city deserve the same shot in life as youngsters growing up in more affluent communities.

And, while we increase the priority of education, we must also act on the reality that the quality of learning is as much affected by the experiences of children outside of the schools as in. That's why I have heavily prioritized community initiatives designed to improve the quality of life in our young people.

I believe very strongly that all the people of our city deserve to be able to live in neighborhoods with a great quality of life. Ensuring that quality of life includes addressing the very real problems of abandoned, dilapidated and poorly maintained buildings – in other words, blight.

We all understand it takes more than a strong ordinance to fight blight – it takes political will – enforcement, and it takes persistence. Of all the challenges we face as a city, addressing blighted buildings is the one in which we have the greatest authority to make a meaningful difference for the people of our community. But that does not always happen. In fact, in the history of our city, it usually has not – for the same reason it is usually hard to ask vested interests to change for the better.

But the time has come for our city to act for the betterment of all of the people of our city, and not accept the proposition that New Britain's residents, especially people of humble means, must be made to live in substandard conditions and in neighborhoods made tougher to live in because of blighted buildings. The people of our city deserve better than to be treated that way, and it is our responsibility – the leaders of our city – to stand up for them.

I refuse to back down from this important work. There is too much at stake.

Gone are the times of it being acceptable for blighted properties to sit vacant – neglected and in disrepair - casting our city's neighborhoods into landscapes of urban decay. Gone are the times of inaction. Our residents have spoken.

Fighting blight is about improving the quality of life in our neighborhoods. It is about improving health and public safety and turning around years of neglect. I am determined in my efforts to build safer neighborhoods, reduce blight and with it crime.

March 13, 2013

Residents should feel free to call my office directly to report blight. We are here to work for you – we are here to make your community a better place.

Across our city, properties are being cleaned up and the ones that remain problem properties will continue to face our tough enforcement policies. Our anti-blight policies have already had a significant positive impact.

During the period of November 2010 through October 2011, the city filed no liens and collected no fines for severe blight. But, since I assumed office in November 2011, \$1.2 million in liens have been filed and \$15,000 collected for severe blight. From 2010 to 2011, the city issued only 497 citations for general violations but the following year we filed 787 citations. Enforcement of New Britain's anti-blight ordinances has been greatly increased and are making a difference.

The evidence of success can also be seen by looking at some of the most notoriously blighted buildings in New Britain. The Berkowitz Building, located in the heart of New Britain's economic corridor, was left vacant for more than 15 years until thousands of dollars in fines - due to enforcement of the anti-blight ordinance - caused the Staten Island property owner to turn the building over to the City of New Britain for a small amount. Since we have taken ownership, we have received two exciting proposals from private development companies to turn the top floors of the building into apartments and the ground level into retail stores.

Another example of the positive impact of the ordinances is 25 Gilbert Street, a neglected house that will be demolished and converted to homes by Habitat for Humanity.

For some property owners, the strengthened anti-blight ordinance has been an incentive to renovate their existing properties to avoid hefty fines. That is why the Old Burritt Bank, a prominent building on Main Street in downtown New Britain had repairs to its windows and other broken parts.

Blighted properties are a drain on city budgets. They draw away from the quality of life, as well as the economic opportunities, of those living around them and severely diminish the value of properties in the community. These neglected or abandoned properties are more than just eye sores - they are detrimental to the safety, health, welfare and economic growth of the community.

Blighted and abandoned buildings are assessed for taxes at a reduced amount because they are in disrepair. That means less funding for our local schools and other services. Abandoned buildings result in unfair higher taxes on people who actually live in New Britain. This is unfair and wrong - I will work tirelessly to end it.

With the success we have had in addressing the problems with blighted buildings in our community, we must also turn our attention to the proactive investments that we need to be making to ensure a good quality of life for the people of our city.

While we work to address housing blight, we must also be investing in quality housing in our neighborhoods. That is why my administration has implemented a new forgivable housing loan program – the Grow New Britain Homeownership Program – to invest in our neighborhoods, while helping people to afford the dignity of homeownership.

That is also why, in coming weeks, I will be proposing a new program to help strengthen neighborhoods and create jobs by investing in quality housing.

And we need to be acting to improve the quality of community life in neighborhoods. That is why my administration is rolling out a new Community Gardens program. Community members have been meeting and working together to set-up the first three community gardens in our city – places where people in a neighborhood of all ages can come together, grow vegetables and plants and, in the process, grow a stronger community. There will be community gardens this summer on Chapman Street, Lawlor Street and West Main Street.

March 13, 2013

But we need to do more. We need to be investing in improvements that make our parks and public places quality places for people to enjoy together.

That is why, very soon, I will be proposing new investments in our public parks. One of the things I will be proposing will be field improvements at Chesley Park – where the Junior Hurricanes have made their home for their athletic programs for kids.

I will also be proposing investments to restore our city's war memorials that have been shamelessly vandalized. The brave people who gave their lives for our country should be honored and remembered. Our monuments should be honored memorials for them – not blank scars of malicious vandalism. Let's invest in making these improvements.

Of course, the public places that we use the most are our roads and sidewalks. We may not think about them unless they are in disrepair, but whether they are in good condition affects our neighborhood quality of life very directly. This basic infrastructure not only affects how our neighborhoods look to ourselves and visitors, but it also affects our city's economic prospects – telling prospective investors whether our community is a place in which they want to invest. We are wise to invest in our roads, sidewalks and infrastructure.

That is why I will shortly be proposing a new, expanded program for road and sidewalk improvements – to pave and improve miles of roads and many sidewalks that are in dire need of this important work.

And there are some specific projects that deserve our investment, especially for the economic reasons that I said. That is why I will be proposing new investments that will:

Complete the Broad Street reconstruction.

Ensure that the downtown streetscape project will be complete, and

Improve the South Main Street corridor.

Of course, another important investment in a good quality of life in neighborhoods is having an active and professional police force.

Despite the financial challenges we faced when assuming office, we have already been able to move forward with the process of putting additional police officers on the streets.

But the Police Department I inherited faced tough challenges. The department was down more than 40 officers from the full strength of 165, and faced difficult challenges and bad news that harmed morale for a department filled with qualified and dedicated officers.

We now have new and strong leadership at the helm – and new officers on the way. I could not be more proud of our men and women in uniform and the leadership of Chief Wardwell. They have endured through some challenging circumstances while simultaneously yielding impressive results.

What has been achieved is striking.

Crime is down, overall, this year – and down 4% since 2010. But for the more serious crime, it is even more impressive. Our new Shooting Task Force, increased traffics stops, more efficient administrative procedures and community policing have made New Britain a safer place to live and do business.

We have not had a murder in nearly a year – down from 3 from the previous year. This happened because of the good work of our Police Department and because of the importance we have placed on revitalizing the department and restoring morale.

The significant financial challenges we had 16 months ago – the deficit, the unfunded costs of the new police station, redundancy and inefficiencies in what was then 22 city departments – have shaped many of the decisions we have had to make .

March 13, 2013

The budget that I proposed and the Council approved maintained public services in our city without raising taxes. We achieved this through the most sweeping and significant reorganization of our city government in our city's history. We consolidated 22 city departments – often with redundant and overlapping functions – into six departments.

Since the Council enacted the reorganization ordinance, much work has been done to make these departmental consolidations a reality in the actual operations of the city. Many efficiencies have already been realized and many more are still being achieved.

In the new Public Works Department, workers who used to repair vehicles and equipment in different city departments now work together and are doing a better job together. And the recent blizzard disaster our city went through showed the value of having workers who used to be part of four different city departments working together to serve the public.

Under the new Finance Department, the public has one place to go, rather than different places, to pay taxes and water bills. And financial management is done in one department, rather than being divided, as it used to be, among three different departments.

Among the way that these consolidations have achieved savings for the taxpayers has been by allowing fewer workers to be able to maintain the services that a larger number of workers used to provide. The early retirement incentive that I instituted during my first year as Mayor, and the savings it achieved, was made possible because of this.

There is certainly more work ahead in bringing the departmental consolidation to fruition in all of the new departments, but we have already accomplished much.

Another problem my administration faced was that the Police Station project was millions of dollars underfunded. Unless we acted, the construction of our new state of the art police station would have come to a grinding halt. I proposed and the Council approved the funding that finished the construction of our new Police Station.

And right now our police station is the envy of surrounding towns and we're finally updating the city's emergency radio system – a project decades overdo.

There's much more work yet to be done. We can say, though, that because of our actions over the past 16 months, we are headed in a better direction.

We are now again in the process of creating next year's budget. As I said last year, let me be clear about this coming year's budget: we will not raise property taxes. Last year, we did not raise taxes, and this year, in the budget I propose, the amount of tax revenue will not be increased.

Often, elected officials look at just two approaches to balancing a budget – raising taxes and cutting services. We proved a third approach exists. My administration reduced the costs of government by millions of dollars a year through consolidations and increased efficiencies. The budget we approved last year actually decreased the amount of spending below the level of the budget I inherited. All the while we are focusing on the long term benefits of growing our economy and growing jobs.

In order to see meaningful and continued progress, we've had to change the ways things have traditionally been done. Much of the work wasn't easy – change often isn't as convenient as it is necessary. Collectively, and for our future, we have made tough and important choices to benefit all of New Britain.

Our common efforts have already produced positive results and I thank the Common Council for their efforts and their collaboration.

March 13, 2013

But there is so much more that needs to be done. The challenging times that we live in are exactly the moment when we need to be rolling up our sleeves to do the things to build a better tomorrow for ourselves and coming generations.

Too often, people choose difficult times as the moment to stick their heads in the sand, cower and hope for the tough times to pass. They look at tough budget challenges and say that we must do less to maintain and invest in their communities. But I believe that communities that adopt a head-in-the-sand policy during these times will find that their belief in doing less will only result in falling further behind.

We cannot allow that to be New Britain's course. That is why we have to have the courage to invest in a stronger economy that creates good paying jobs and makes for a more vibrant community. That means that we need to invest in our infrastructure and parks. And it means that we have to invest in our next generation by investing in education. It means that we need to have the courage to insist on a good quality of life in our neighborhoods and not allow our residents to be used and abused.

It means that we have to be creative, bold and forward thinking. It means that we have to try new ideas and innovate. It means that we have to challenge old assumptions and ways of thinking.

If we have the courage to be bold during troubled times, our community can prosper into the next generation and beyond.

Our city can be a world leader in high-tech manufacturing and other business, with the prosperity and prestige that comes with it.

All of our neighborhoods can be welcoming places to live and nurturing places to raise children, and our schools can be among the best in the state.

Our city can take its rightful place as an important center of community life, arts and culture.

All of these things are possible for our city, if we have the vision and exercise the will and hard work to make it happen. That is the course that I will continue leading this city toward. And, with your help and support – and the common effort of all of New Britain's people – we can achieve it.

So, tonight, I say to you, the State of the City of New Britain is one of renewal and progress – of moving forward. While there is still much work ahead, now is the time that, together, we will make the future of New Britain brighter for everyone.

God Bless you, God Bless the City of New Britain!

Ald. Trueworthy moved to return to regular order at 8:31 p.m., seconded by Ald. Bielinski. So voted.

Ald. Carlozzi was granted a moment of personal privilege and asked that a moment of silence be observed in memory of former Mayor Linda Blogoslawski who was killed in March of 1998 and for all the victims of senseless gun violence throughout the world.

Ald. Bielinski moved to amend the Agenda by adding 32143-2(Q), 32144-2(R), 32145-2(S), 32189-1(T), 32190-1(U), 32191-1(V), 32193-1(W), 32210(4), 32189-2(5), 32190-2(6), 32191-2(7), and 32193-2(8). Motion seconded by Ald. Trueworthy. Roll call voted – all members present voted in favor.

Ald. Bielinski moved to adopt the minutes of the Regular Meetings of January 9, 2013 and January 23, 2013, seconded by Ald. Trueworthy. So voted.

March 13, 2013

PETITIONS

32211 Ald. Pabon for the installation of “No Parking” signs on both sides of South Burritt Street. Referred to the Board of Police Commissioners.

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved March 18, 2013 by Mayor Timothy E. O’Brien.

CONSENT AGENDA

CITY CLERK

32196 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

- James, Sonia M.
- Reardon, Timothy
- DeArce, Mayra by her Attorney Jonathan Perkins

Peter J. Denuzze
City Clerk

CITY PLAN COMMISSION

32143-1 RE: PROPOSED AMENDMENT TO THE ORDINANCES REGARDING FINES AND PENALTIES FOR ZONING VIOLATIONS

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 March 4, 2013, voted 6 to 0 to approve the following report:

BACKGROUND: This zoning amendment would serve to revise the provisions regarding fines and penalties for zoning violations in Section 280-100 of the Zoning Ordinances and make such violations subject to enforcement under the provisions of the City Code of Ordinances.

FINDINGS: Zoning violations are currently subject to the provisions of Section 280-100 of the zoning ordinances, which have been in effect since adoption of the revised zoning regulations in 1967. Its provisions mandate that if corrective action is not taken within five days of notification of a violation, fines are assessed of not less than \$25 nor more than \$50 and then fines of not less than \$10 nor more than \$50 for each day they persist, afterwards. Fines under this section appear to have never actually been utilized. Most commonly, when a property owner is given notice of violation, they are given the option to go to the Zoning Board of Appeals to get a variance. In the event the variance is not granted, they are ordered to correct the violation or else a notice of zoning violation for their property is filed in the land records. Fixing the violation ends the matter; but violations that are not corrected often remain unresolved, sometimes for many years until the owner wants to sell the property and the prospective buyer/mortgage lender discovers the notice of violation.

March 13, 2013

It is proposed that the zoning violations be made subject to enforcement under the provisions of Section 1-15, General Penalty provisions from the City Code of Ordinances, which allows a \$90 penalty for violation of any city ordinance, with each continuing day that the violation remains being considered a separate violation. This has not been used for zoning violations in the past, but it has been effectively utilized for other enforcement matters, most notably for violations of the blight ordinance and health code. Corporation Counsel has indicated zoning enforcement is a legally permissible utilization of Section 1-15.

The proposed revision would also eliminate confusing and complicating language that suggests that zoning enforcement action may be taken against a tenant or contractor for a zoning violation that takes place on a property. From a legal standpoint, the property owner is ultimately the only party who can be held responsible for a zoning violation on his or her property.

RECOMMENDATION: The City Plan Commission is of the opinion that zoning enforcement has not been effectively carried out and that this has served to weaken the effectiveness of the zoning ordinances in carrying out planning policies and protecting the character of residential neighborhoods and business areas. The City Plan Commission, therefore, recommends adoption of this proposed zoning amendment.

Stephen A. Sidorak, Chairman
City Plan Commission

32144-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES ADDING SEC. 240-70-90 REGARDING LANDSCAPING REQUIREMENTS FOR PARKING LOTS

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 March 4, 2013, voted 6 to 0 to approve the following report:

BACKGROUND: This zoning amendment would serve to strengthen and add specificity to the requirements for landscaping for large parking lots. Presently, the zoning ordinances have no specific requirements for the provision of landscaped islands and plantings in any parking lots, other than the site plan submission requirement of Subsection 280-60-30, that all plans be prepared in "accordance with good professional practice" and show, among other design elements, "landscaping, screening and street trees". It is felt that these general requirements are overly vague and open to interpretation making it difficult to consistently require good landscaping design.

The proposed amendments would apply principally to relatively large parking lots of 50 or more spaces and major alterations to existing large parking lots in which 100 or more spaces are realigned or otherwise altered. They include specific requirements recommended in American Planning Association manuals and commonly used in other Connecticut municipalities. Specific standards would be set requiring a minimum area of 10% of the parking lot to be landscaped; minimum landscape buffer strips five (5) feet in width along the perimeters of all parking areas; landscaped end caps or islands at the ends of parking rows; and minimum standards for the number, spacing and types of shrubs and trees to be planted. There is additionally a section added that would apply to the specialized situation in which a large site development is seeking to have some percentage of its required parking held in reserve for future development, if needed. Under this scenario, the request would be subject to consideration by the City Plan Commission, and the developer would be required to provide plans showing the reserve parking area being attractively landscaped, rather than just held vacant.

FINDINGS: The landscaping of parking lots is seen as being an important part of creating a high quality, attractive commercial environment, conducive to encouraging business activity. Good landscape design also helps to safely direct vehicle and pedestrian traffic and to reduce and filter stormwater runoff from the site. The standards selected here are relatively modest and very common in many other municipal zoning ordinances. They were given reasonable consideration and chosen so as not to be

March 13, 2013

onerous or overly burdensome to any commercial development. Having these clearly defined standards is expected, over time, to improve the appearance of the City's larger developments in the City.

RECOMMENDATION: The City Plan Commission is of the opinion that these proposed amendments are reasonable and desirable changes that will help improve the character and quality of parking lot landscaping in the City. The Commission, therefore, recommends adoption of these zoning amendments.

Stephen A. Sidorak, Chairman
City Plan Commission

32145-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES ADDING SEC. 170-100-45 REGARDING STOREFRONTS IN THE CBD ZONING DISTRICT

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

The City Plan Commission, at its regular meeting held on March 4, 2013, voted 6 to 0 to approve the following report:

BACKGROUND: This zoning amendment would serve to add restrictions to the zoning regulations for storefronts and building façades in the CBD Central Business District. Several recent planning studies for the downtown area emphasized the importance of the downtown's physical appearance, and the 2008 adoption of the CBD zoning included provisions that generally required appropriate architectural design and character that is consistent with goals of creating an attractive and vibrant urban environment. This amendment would add two relatively small subsections that will aid in helping ensure that this general intent is fulfilled.

Proposed Subsection 170-100-45.10 would require that any improvement to the front of any street-facing wall in the CBD be submitted for review by City Plan staff to ensure that it meets the general design criteria of being attractive, consistent and complementary to the overall character of the downtown. Proposed Subsection 170-100-45.20 would specifically prohibit the "garage door" style security doors and grills from being installed on the outside of any storefront window in the CBD and require that any such security measure, where necessary, be an unobtrusive material, mounted behind the storefront windows in a manner that is and does not obscure visibility or detract from the architectural character of the storefront.

FINDINGS: The current CBD restrictions indicate that any building and storefront improvements in the downtown are required to be attractive, architecturally consistent and serving to contribute to creating an attractive, vibrant and welcoming streetscape. The current provisions of the CBD regulations are somewhat vague and general, however, and do not specify that such improvements are subject to review by City staff.

The fact that galvanized roll up security doors and the folding locking gates are currently allowed to be installed in front of the first floor windows and doorways serves to create a very unattractive and unwelcoming appearance in the downtown. These proposed amendments will help see that these types of security measures will not be installed in a manner that creates and detracts from the appearance of the storefront.

RECOMMENDATION: The City Plan Commission is of the opinion that the new proposed CBD zoning provisions are consistent with the planning and economic development policies laid out in the City's 2008 downtown plan and 2010 Plan of Conservation and Development and will be helpful in seeing that these policies are more effectively implemented.

Stephen A. Sidorak, Chairman
City Plan Commission

March 13, 2013

OFFICE OF THE CORPORATION COUNSEL

32197 RE: ANTHONY HOOKS V. CITY OF NEW BRITAIN, 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:

On February 21, 2013, the Honorable Judge Joseph M. Shortall, granted the City's Motion for Summary Judgment in favor of Police Officer Mark DePinto, City of New Britain and former Chief of Police William Gagliardi. The plaintiff had alleged that on February 6, 2009, he was an invited guest at a private party at the Pride of Conn. Lodge's 24-30 Elm Street, New Britain, CT premises. He further claimed that while departing the party, on the sidewalk in front of the Lodge's Building, he was shot by a third party, Eric Figueroa. The complaint alleged negligence and carelessness against city Defendant Police Officer DePinto, negligence and carelessness in assigning police officers to the club by former Chief William Gagliardi and also recklessness by Officer Mark DePinto. The City defendants argued that there were no genuine issues of material facts and that the City defendants are entitled to judgment as a matter of law.

Pursuant to CGSA Section 7-284, a municipality has discretion in deciding whether to provide security for an event and to what degree. Thus in complying with the statute, the named city municipal employees were acting in a discretionary manner and the parties are entitled to qualified immunity. In addition, the parties have immunity under CGSA Section 52-577n for the discretionary acts in regards to the police protection and security at the hall. The determination of how and when to deploy police officers, training and supervising the officers, and failure to warn are discretionary duties. Lastly, the plaintiff was injured by a third party. The City Defendants had no control over this individual, and there was no evidence that the named defendants knew or should have known of the intervening cause.

Irena J. Urbaniak
City Attorney

FINANCE DEPARTMENT

32198 RE: LINE ITEM TRANSFERS – FEB. 20, 2013 THRU MARCH 5, 2013

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

In accordance with the city of New Britain ordinance of Article VII – Finance, Section 2-494(c), the following departments have transferred monies from one line item to another within their departmental budget (total department budget has not changed). Each transfer will be continuously numbered from month to month throughout the fiscal year. This report represents the transfers executed by the mayor in accordance with the aforementioned ordinance for the period ending March 5, 2013

- 6. Department: Sewer Operating Fund
From: 208315101-5746 (Misc. Capital Projects)
To: 208315101-5440 (Rental/Supplies Equip)
Amount: \$25,000.00
Brief Description: Rental of equipment for dredging of Stanley Quarter Pond, a storm water maintenance improvement project

- 7. Department: Donations Account
From: 283420111-5440 (Rentals/Supplies Equip)
To: 283420111-5659 (Operating Material & Supplies)
Amount: \$7,206.00
Brief Description: Purchase of a paragolfer golf cart from sole source provider Stand Up and Play Foundation. Purchase made possible with donations made through fundraising activities

- 8. Department: Fairview Cemetery
From: 204419102-5740 (Other Misc. Equipment)
To: 204419102-5621 (Heat and Gas)

March 13, 2013

- Amount: \$6,000.00
Brief Description: Funds needed due to problems with regulating the heating systems due to faulty gas valves and thermostats
9. Department: Health – FY13 Lead Poisoning Prevention Grant
From: 287522132-5659 (Operation Materials & Supplies)
To: 287522132-5300 (Consulting and Contractual)
Amount: \$2,000.00
Brief Description: Funds needed for Renovation and Repair Painting homeowner education program. Twenty participants at \$100 per student
10. Department: Health – Nursing – FY13 PHEP Grant
From: 245522130-5611 \$500.00 (Office Supplies)
245522130-5876 \$150.00 (Administrative & General)
To: 245522130-5337 (Training/Conferences)
Amount: \$650.00
Brief Description: Costs associated with training and drills outside of regular work hours
11. Department: Health – Nursing – FY13 PHEP Grant
From: 245522130-5121 \$7,885.00 (Full Time Salaries)
245522130-5231 \$115.00 (Medicare)
To: 245522130-5331 (Professional Services)
Amount: \$8,000.00
Brief Description: Additional funds needed for increased hours for subcontractor, New Britain EMS
12. Department: Sewer Operating Fund
From: 208315101-5453 \$ 8,700.00 (Engineering/Appraisals)
208315101-5740 \$16,000.00 (Other Misc. Equipment)
To: 208315101-5343 \$ 8,700.00 (Installation & Repair)
208315101-5660 \$16,000.00 (Vehicle Damage & Supplies)
Amount: \$24,700.00
Brief Description: Funds needed for emergency sewer repairs and for maintenance and repairs to sewer division vehicles

Rebecca Salerni
Acting Finance Director

PURCHASING DEPARTMENT

32199 RE: ON-CALL ENGINEERING SERVICES – SURVEYING AND MAPPING SERVICES FOR THE CITY'S RESERVOIR PROPERTY IN BURLINGTON, CT

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3620, approved at its Regular Meeting of October 26, 2011. This project was presented and approved by the Water Commission at their March 12, 2013 meeting.

Project Name: Surveying and Mapping Services for the City's Reservoir property in Burlington, CT.
Vendor: Lenard Engineering, Inc.
Amount: \$11,000.00
Line Items: 9303501500--5331 Water Operation Fund, Water Land Professional Services
Requested By: Public Works Department/Utilities Division

March 13, 2013

Scope: Lenard Engineering, Inc will conduct land record searches at the Burlington CT Town Hall to gather available mapping and deeds of the City's Reservoir Property and for neighboring properties. Lenard Engineering, Inc will then conduct a boundary survey for approximately fifteen (15) acres of the reservoir's fifty-seven (57) total acres for the purpose of dividing the Class 3 water company land from the remaining Class 1 and 2 water company land. Once the survey is completed an A-2 boundary map of the approximately fifteen (15) acres of Class 3 water company land will be created. Class 3 water company land is land not needed for water supply. A field crew will then go back to the property and set iron pins at the property corners and prominent locations along the rear boundary line of the property. They will meet with the Deputy Director of the Public Works Department to discuss their boundary survey, the work conducted and provide him with the new up-to-date maps of the Class 3 water company land.

Resolved: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$11,000.00 to Lenard Engineering, Inc to provide Surveying and Mapping Services of the City's Reservoir Property in Burlington, CT for the Public Works Department/Utility Division per their On-Call Engineering Services, Bid 3620.

Jack Pieper
Purchasing Agent

32200 RE: COOPERATIVE PURCHASING – NEW FORD EXPEDITION FOR THE FIRE 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 Fire Department for the following under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
Interstate Ford Hartford, CT.	2013 Ford Expedition	\$29,635.20

The New Britain Fire Department requested the purchase of a new 2013 Ford Expedition from Interstate Ford utilizing the State of Connecticut's Contract Award #10PSX0239. This new Ford Expedition will be replacing an existing 2011 Ford Expedition that was hit by a car at an accident scene on RT 9 on January 26, 2013. The Ford Expedition sustained extensive damage and was a total loss. The Fire Department was assisting the State Police on RT9, south bound, near Exit 30 where there was a multi-car accident involving fourteen (14) cars due to heavy sun glare and wet and ice-road surfaces. The Ford Expedition had its emergency lights activated and was behind traffic cones that were diverting traffic off of RT9 at Exit 30 when it was hit. The driver of the car that hit the Fire Department's vehicle was charged by the State Police for traveling fast for conditions. Interstate Ford, because of their state contract was able to obtain for the City a Federal Rebate offered by Ford Motor Company for the purchase of a Ford Expedition by State and Local Governments that reduced the cost by \$6,000.00. Funding is available for this purchase within the Risk Management's account number 704625102-5244, Vehicle Damage Fire Department.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order to Interstate Ford of Hartford, CT for \$29,635.20 for the purchase of a new 2013 Ford Expedition for the New Britain Fire Department utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #10PSX0239.

Jack Pieper
Purchasing Agent

March 13, 2013

32201 RE: ANNUAL SOFTWARE LICENSE RENEWAL AND TECHNICAL SUPPORT FOR INFORMATION TECHNOLOGY DEPARTMENT

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-541 a purchase order was requested by the Information Technology Department for the annual renewal of the Stars Worker's Compensation Software.

<u>Supplier</u>	<u>Service</u>	<u>Amount</u>
CS Stars, LLC. Dallas, TX.	Annual License Renewal and Technical Support	\$11,500.00

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

RESOLVED: The Purchasing Agent is hereby authorized to issue a purchase order for \$11,500.00 to CS Stars, LLC of Dallas, TX for the Annual Stars Worker's Compensation Software License Renewal and Technical Support for the Information Technology Department.

Jack Pieper
Purchasing Agent

32202 RE: EMERGENCY PURCHASE ORDERS – REMOVAL OF SNOW FROM CITY STREETS CAUSED BY BLIZZARD NEMO

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, emergency purchase orders were authorized by the Mayor and issued to the vendors listed below on March 4, 2013

<u>Supplier</u>	<u>Item</u>	<u>Unit Price</u>
Colossale Concrete, Inc New Britain, CT.		\$37,785.00
LTC Construction Company, Inc New Britain, CT.	Emergency Snow Removal Blizzard NEMO	\$17,160.00
Weber's Nursery, Inc New Britain, CT.		<u>\$57,580.00</u>
	Total	\$112,525.00

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:

March 13, 2013

Purchase orders were requested by the Public Works Department for the removal of snow from City Streets caused by blizzard NEMO. Due to the rate snow fell and the amount of snow that fell during the blizzard the Public Works Department did not have enough equipment and operators to remove the snow. The Public Works Department needed additional plow trucks and pay loaders to assist with snow removal from City Streets. The City Streets needed to be cleared of the snow in a timely manner to make them accessible for Police, Fire and EMS so they would be able to respond to emergency situations and to keep the neighborhoods safe. Funding for this Emergency Snow Removal came from the Public Works Department's account numbers 001315004-5331, Sanitation, Professional Services and 003039101-5882, Capital Non- Recurring, Miscellaneous.

Jack Pieper
Purchasing Agent

32203 RE: CRACK SEALING OF BITUMINOUS PAVEMENT OF VARIOUS CITY STREETS 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. 3718 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 eighteen (18) Pavement Sealing Companies. The Purchasing Agent did not receive any letters from the Pavement Sealing 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 the Crack Sealing of Street Section #2 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 and has received documentation from them. They indicated that they would lower their price to match that of the lowest bid submitted by the out of state bidder. Therefore the Public Works Director is recommending that the bid be awarded to, Sealcoating Inc of Braintree, MA for Street Section #1, Costello Industries, Inc of Newington, CT for Street Section #2 and AnnSeal, Inc of Johnson City, NY for Street Section #3 PA who submitted the lowest responsible bids for each of the Street Sections and meet all of the bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue purchase orders for \$36,891.00 for Street Section #1 with Sealcoating of Braintree, MA, for \$40,983.00 for Street Section #2 with Costello Industries, Inc of Newington, CT and \$29,717.00 for Street Section #3 with AnnSeal, Inc of Johnson City NY for the Crack Sealing of Bituminous Pavement of Various City Streets for the Public Works Department per the terms and specifications of Public Bid No. 3718

Jack Pieper
Purchasing Agent

March 13, 2013

32204 RE: SALE OF SCRAP METAL FROM THE RESIDENTIAL RECYCLING CENTER 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. 3709 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Sale of Scrap Metal from the New Britain Residential Recycling Center for the Public Works Department. Funds received from the sale of this scrap metal will be placed in the Public Work's account number, 001315004-4447, General Fund Revenue, Metal Recycle.

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 seventeen (17) Scrap Metal Recycling Companies. The Purchasing Agent did not receive any letters from Scrap Metal Recycling Companies who were on the mailing list indicating they could not provide a response to the bid request. Responses received are on file in the Town Clerks Office.

The bids were reviewed for conformance with specifications by the Public Works Administration and Purchasing Agent. Shetucket Iron & Metal Company of Norwich, CT who submitted the highest price per ton for the scrap metal provided a variable price and not a fixed price as per the bid specifications. Feigenbaum & Nair of New Britain, CT the next highest bidder provided a fixed price. Feigenbaum & Nair has provided this service in the past, April 2009 to March 2011, to the Public Works Department and has been reliable. Therefore the Public Works Director has recommended awarding the bid to Feigenbaum & Nair of New Britain, CT. They will provide to the City with the most revenue under option 2, per container of recycled scrap metal that they will pick up at the City's Residential Recycling Center.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract with Feigenbaum & Nair of New Britain, CT, for the sale of Scrap Metal to be picked up at the City's Residential Recycling Center, option 2, for a fixed price of \$238.00 per ton effective from April 1, 2013 to March 31, 2014 with an option to extend the contract for one (1) additional year if pricing is approved and agreed upon by the Public Works Administration per the terms and specifications of Public Bid No. 3709.

Jack Pieper
Purchasing Agent

32205 RE: VIDEO SURVEILLANCE SYSTEM IN THE BADOLATO MUNICIPAL PARKING GARAGE FOR IT 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. 3702 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for a Video Surveillance System in the Badolato Municipal Parking Garage for the IT Department. Funding for this purchase was obtained from a HUD Grant and is available within the Economic Development Division's account number 3027201538-5855, CDBG Grant Fund, Contractor Expenditures, Badolato 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 ten (10) Security System Companies. The Purchasing Agent did not receive any letters from the Security System on the mailing list indicating they could not provide a response to the bid request. Responses received are on file in the Town Clerks Office.

The bids were reviewed for conformance to specifications by the City's IT Director and the Purchasing Agent. 568 Systems Inc of Berlin, CT submitted the lowest bid but their scope of work was

March 13, 2013

incomplete. Red Hawk of Orange, CT the next lowest bidder met all the bid specifications for the Video Surveillance System. Red Hawk installed the Video Surveillance System in the new Police Building. The compatibility of both systems was critical part of the specification to ensure the Police Department has the ability to monitor in real time the activities within the Parking Garage. Red Hawk's proposal was higher due in part to the cost of the software licensing fees needed for the Police Department's video surveillance system to access the Badolato Garage video surveillance system adding value to the install. Therefore the IT Director is recommending that the bid be awarded to Red Hawk of Orange, CT. The bid results were presented to the Commission on Community and Neighborhood Development at their February 21, 2013 meeting. At this meeting they approved the IT Director's recommendation to award the bid to Red Hawk of Orange, CT.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$98,326.00 and enter into a contract with Red Hawk of Orange, CT for the purchase and installation of a Video Surveillance System in the Badolato Municipal Parking Garage, per the terms and specifications of Public Bid No. 3702.

Jack Pieper
Purchasing Agent

PARKS AND RECREATION DEPARTMENT

32162-1 RE: WOODEN GUARDRAIL REPLACEMENT AT THE CORNER OF EAST ST AND SMALLEY STREET.

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

In response to the City Council's petition #32162, the Parks and Recreation Commission referred the petition to the Fairview Cemetery Commission. The Fairview Cemetery Commission unanimously approved the request of the council to replace the wooden guardrail at the corner of East Street and Smalley Street. The funding is being sought after for completion.

Kent Carlson
Chairman, Fairview Cemetery Commission

PUBLIC WORKS DEPARTMENT

32194-1 RE: REPLACEMENT OF (2) "FIFTEEN MINUTE PARKING" SPACES IN FRONT OF D'AMATO APARTMENTS AT 40 CHESTNUT STREET

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

Reporting that there was one "fifteen minute parking" sign in question that was temporarily removed and replaced with a "no parking" sign to accommodate construction traffic for the new Police Station. The intent was to reinstall the "fifteen minute parking" sign upon completion of the project. As a result of this petition, the sign has since been replaced as requested. There was no need to install an additional "fifteen minute parking" sign. No further action is required.

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

March 13, 2013

COMMITTEE ON PLANNING, ZONING AND HOUSING

32189-1 RE: AMEND ARTICLE 15 DIV 2 OF THE CODE OF ORDINANCES BY ADDING NEW SECTION ESTABLISHING RESIDENTIAL PARKING ON CITY STREETS.

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 Monday evening, March 11, 2013 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #32189 – Article 15 Division 2 of the Code of Ordinances be amended by adding new section establishing Residential Parking on City Streets voted to accept as amended and recommend that the following resolution be referred back to the Common Council with a neutral recommendation.

Alderman Roy Centeno
Chair

32190-1 RE: PURCHASE OF PORTION OF STATE PROPERTY LOCATED AT 10 FRANKLIN SQUARE

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 Monday evening, March 11, 2013 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #32190 – Purchase of a portion of State Real Property located at 10 Franklin Square voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Roy Centeno
Chair

32191-1 RE: LEASE TO CARY GAGNON FOR ESTABLISHMENT OF A DUNKIN DONUTS RESTAURANT AT 135 MAIN 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 Committee on Planning, Zoning and Housing at a special meeting and public hearing held on Monday evening, March 11, 2013 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #32191 – Lease to Mr. Cary Gagnon for establishment of a Dunkin Donuts Restaurant located at 135 Main 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

March 13, 2013

COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

32193-1 RE: EMERGENCY CONTINGENCY PLAN FOR ELECTIONS

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 special meeting held on Tuesday evening, March 12, 2013 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #32193 – Emergency Contingency Plan for Elections 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

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

PURCHASING DEPARTMENT

32206 RE: AQUATIC FACILITY RENOVATIONS AND INSTALLATION OF SPLASH PAD AT G. CHESLEY PARK FOR PARKS AND RECREATION 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. 3715 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Aquatic Facility Renovations and installation of a Splash Pad at G. Chesley Park for the Public Works Department/Parks and Recreation Division. Funding for the Aquatic Facility Renovations and installation of a Splash Pad at G. Chesley Park was obtained from a HUD Grant and is available within the Economic Development Division's account number 3027201638-5855, CDBG Grant Fund, Contractor Expenditures, Chesley Park Splash Pad.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to sixteen (16) Pool Companies. The Purchasing Agent did not receive any letters from the Pool Companies on the mailing list who indicated that they could not respond to the bid request. Responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department/Parks and Recreation Division's Administration, the City's On-call Engineering Company associated with this project and the Purchasing Agent. The bids submitted by the bidders were greater than the amount of money received from the HUD Grant. Because of the importance of this project, the Parks and Recreation Division Administration and the On-Call Engineer used value engineering to determine that certain bid items could be eliminated or modified which would reduce the overall project cost by minimizing landscaping and site improvements, modifying selected equipment, electrical and plumbing specifications, replacing the rubberized surface material with concrete and eliminating the allowance for the installation of security cameras. This would reduce the overall project cost to \$800,000.00 so it would be within the dollar amount of the HUD Grant. Mountain View Landscape and Lawncare of Chicopee, MA

March 13, 2013

who submitted the lowest responsible bid, and met all of the bid specifications agreed to the elimination or modification of certain bid items to reduce the overall cost of the project and be within the budget as amended. Therefore the Deputy Director of the Public Works Department, Parks and Recreation Division, is recommending that the bid be awarded to Mountain View Landscape and Lawncare of Chicopee, MA. The bid results were presented to the Commission on Community and Neighborhood Development at their February 21, 2013 meeting. At this meeting they approved the Deputy Director of the Public Works Department, Parks and Recreation Division, recommendation to award the bid to Mountain View Landscape and Lawncare of Chicopee, MA.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$800,000.00 and enter into a contract with Mountain View Landscape and Lawncare of Chicopee, MA for the Aquatic Facility Renovations and installation of a Splash Pad at G. Chesley for the Public Works Department/Parks and Recreation Division per the terms and specifications, as amended, of Public Bid No. 3715.

Jack Pieper
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved March 18, 2013 by Mayor Timothy E. O'Brien.

COMMITTEE ON ZONING

32143-2 RE: AMEND ZONING ORDINANCES TO REVISE SUBSECTION 280-100 REGARDING FINES AND PENALTIES FOR ZONING VIOLATIONS

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 #32143 -- To amend Zoning Ordinances to revise Subsection 280-100 regarding fines and penalties for zoning violations. Said hearing was held on Monday evening, March 11, 2013 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 March 4, 2013, voted 6 to 0 to approve the amendments to the Zoning Ordinances.

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

To amend Zoning Ordinances to revise Subsection 280-100 regarding fines and penalties for zoning violations.

Alderman Roy Centeno
Chair

Ald. Pabon recused himself, he did not attend the meeting, nor did he listen to the tape. Ald. Sanchez listened to the tape. Ald. Trueworthy moved to accept and adopt, ordinance to take effect 10 calendar days after the Mayor's signature, seconded by Ald. Bielinski. So voted. Approved March 15, 2013 by Mayor Timothy E. O'Brien.

March 13, 2013

32144-2 RE: AMEND ZONING ORDINANCES TO ADD NEW SUBSECTION 240-70-90 UNDER DESIGN REQUIREMENTS FOR OFF STREET PARKING AND TRUCK LOADING AREAS AND ADD NEW SUBSECTION FOR PARKING LOT LANDSCAPING UNDER SEC. 240-70

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 #32144 – Amend Zoning Ordinances to add new subsection 240-70-90, under Design Requirements for Off-street Parking and Truck Loading Areas; add new subsection, for parking lot landscaping, under Section 240-70 under Design Requirements for Off-street Parking and Truck Loading Areas. Said hearing was held on Monday evening, March 11, 2013 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 March 4, 2013, voted 6 to 0 to approve the amendments to the Zoning Ordinances.

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 neutral recommendation.

Amend Zoning Ordinances to add new subsection 240-70-90, under Design Requirements for Off-street Parking and Truck Loading Areas; add new subsection, for parking lot landscaping, under Section 240-70 under Design Requirements for Off-street Parking and Truck Loading Areas.

Alderman Roy Centeno
Chair

Ald. Pabon recused himself, he did not attend the meeting nor did he listen to the tape. Ald. Sanchez listened to the tape. Ald. Trueworthy moved to accept and adopt, ordinance to take effect 10 calendar days after the Mayor's signature, seconded by Ald. Bielinski. So voted. Approved March 15, 2013 by Mayor Timothy E. O'Brien.

32145-2 RE: AMEND ZONING ORDINANCES TO ADD SUBSECTION 170-100-45 BUILDING FACADES IN CENTRAL BUSINESS DISTRICT AND ADD SUBSECTION 170-100 IN THE CBD ZONING DISTRICT

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

The Common Council as the Zoning Authority of the City of New Britain and Planning, Zoning and Housing Committee of the Common Council, gave due and legal notice of a time and place for a public hearing in reference to Item #32145 – To amend the Zoning Ordinances to add subsection 170-100-45, affecting the appearance of building facades and storefronts in the CBD, Central Business District; add new subsection in the CBD zoning district under Section 170-100 Supplemental Regulations. Said hearing was held on Monday evening, March 11, 2013 at 7:00 p.m. in the Council Chambers of City Hall, 27 West Main Street, New Britain, Conn.

The City Plan Commission, at its regular meeting held on Monday evening, March 4, 2013 voted 6 to 0 to approve the amendments to the Zoning Ordinances.

March 13, 2013

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

Alderman Roy Centeno
Chair

Ald. Pabon recused himself, he did not attend the meeting nor did he listen to the tape. Ald. Sanchez listened to the tape. Ald. Trueworthy moved to accept and adopt, ordinance to take effect 10 calendar days after Mayor's signature, seconded by Ald. Collins. So voted. Approved March 15, 2013 by Mayor Timothy E. O'Brien.

Ald. Pabon returned to the Chambers.

NEW BUSINESS

RESOLUTIONS

32207 RE: PURCHASE OF INFLUENZA VACCINES

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, State of Connecticut's Contract #11PSX0054 for the Influenza Vaccines for the 2012/2013 has expired.

WHEREAS, The State of Connecticut is out for public bid for these Influenza Vaccines for the 2013/2014 and is expected to be awarding the contract to the lowest bidder in June 2013.

WHEREAS, The Influenza Vaccine manufacturers only produces a certain amount of the Influenza Vaccine each year and they are distributed by the date of order. A late order will reduce the chance of receiving the vaccine in time for our planned yearly influenza clinics.

WHEREAS, The Health Department would like to place an order for the Influenza Vaccines soon so that they will be guaranteed in getting the Influenza Vaccines before the flu season starts and the Influenza Vaccine manufacturers stop taking orders.

WHEREAS, The Health Department will be obtaining three (3) informal quotes from the Influenza Vaccine Manufacturers.

WHEREAS, the Purchasing Agent will submit a Purchasing Report to the Common Council once the informal quotes have been obtained by the Health Department indicating the results of the informal bid and what company the Health Department decided to purchase the Influenza Vaccines from.

WHEREAS, funding for the Influenza Vaccine is in the Health Department's account number 001522002-5336, therefore, be it

RESOLVED, that the Purchasing Agent is hereby authorized to issue a Purchase Order to the manufacturer that submitted the lowest responsible informal bid to the Health Department for the Influenza Vaccine that will enable them to obtain the vaccine before the manufacturer stop taking orders.

March 13, 2013

Alderman Adam Platosz
Alderman David DeFronzo

Ald. DeFronzo moved to accept and adopt, seconded by Ald. Platosz. So voted. Approved March 18, 2013 by Mayor Timothy E. O'Brien.

32208 RE: AUTHORIZING THE MAYOR TO SIGN AGREEMENT ENTITLED "MASTER MUNICIPAL AGREEMENT FOR CONSTRUCTION PROJECTS"

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

WHEREAS, the State of Connecticut Department of Transportation is looking to streamline the agreement process on State and Federally funded projects which are administered by the Department, by having Municipalities execute Master Municipal Agreements for Construction Projects (MMAC);

WHEREAS, once MMAC's are executed, project specific information and monetary term will be set forth in a Project Authorization Letter (PAL) issued by the Department of Transportation to the municipality for individual construction projects;

WHEREAS, PAL's are expected to take only days to execute, as opposed to the numerous months currently required to execute individual project agreements;

WHEREAS, the ten-year term MMAC is designed to address both municipally advertised construction projects and projects advertised by the Department of Transportation on behalf of the municipalities, which is currently not allowed under present day requirements;

WHEREAS, the MMAC includes standard terms, conditions and contracting "boiler plate" language that should govern all municipal construction projects involving the Department of Transportation which are undertaken throughout the ten-year term:

RESOLVED, that the Honorable Tim E. O'Brien, Mayor, is hereby authorized to sign the Agreement entitled "Master Municipal Agreement for Construction Projects".

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

Ald. Carozzi moved to accept and adopt, seconded by Ald. Collins. So voted. Approved March 18, 2013 by Mayor Timothy E. O'Brien.

32209 RE: RECEIPT OF LOCAL PREVENTION COUNCIL FUNDING - \$5,675 AND FROM WHEELER CLINIC - \$3,000

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

Resolution Summary: This resolution allows for receipt of Local Prevention Council funding of \$5,675 from the Substance Abuse Action Council and \$3,000 from Wheeler Clinic. Funds were used to support Alcohol, Tobacco, and other Drug Abuse prevention activities, with culmination of the project at the

March 13, 2013

September 15, 2012 "Substance Free Family Day" held at Walnut Hill Park . There is no match obligation on the part of the City for these entitlement funds.

WHEREAS;the City of New Britain is committed to prevention of Alcohol, Tobacco, and Other Drug Abuse by its residents, and particularly its children; and

WHEREAS;there is a Local Prevention Council appointed under jurisdiction of the Commission on Youth Services; and

WHEREAS;prevention funding from the Substance Abuse Action Council has been made available for Local Prevention Councils on an annual basis; and

WHEREAS;such funding has been awarded to New Britain Youth & Family Services, the Local Prevention Council for New Britain; NOW THEREFORE BE IT

RESOLVED; that Mayor Timothy E. O'Brien receive full authority to execute all contracts in receipt of Local Prevention Council funding in the amount of \$5,675 and \$3,000 respectively; AND BE IT FURTHER

RESOLVED; that such funding, upon receipt, be placed in appropriate revenue and expenditure accounts as well as budgets be amended as detailed below, under administrative purview of New Britain Youth & Family Services.

Rev. Account:	296536103-4476	Local Revenue/Contributions	\$5,675
Exp. Accounts:	296536103-5121	Salaries	\$1,245
	296536103-5659	Operating Materials/Supplies	\$1,993
	296536103-5830	Fun Day Entertainment Services	\$1,500
	296536103-5336	Other Purchase Services	<u>\$ 937</u>
			\$5,675
Rev. Account:	298536101-4421	Donations/Program Activites	\$3,000
Exp. Accounts:	298536101-5835	Donations/Program Activities	\$3,000

Alderman Emmanuel Sanchez
Alderman Rha-Sheen Brown
Alderman J. Tobias Freeman

ALD. Brown moved to accept and adopt, seconded by Ald. Sanchez. So voted. Approved March 18, 2013 by Mayor Timothy E. O'Brien.

32210 RE: SALE OF PROPERTY KNOWN AS 24 WASHINGTON STREET

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 for economic development.

WHEREAS, The City of New Britain is committed to business development and the economic revitalization of downtown New Britain; and

WHEREAS, The City of New Britain currently owns property known as the Hatch Building located at 24 Washington Street which has been vacant for a number of years; and

March 13, 2013

WHEREAS, Diverse Realty LLC has offered to purchase the property for \$20,000.00 for economic development; and

WHEREAS, Diverse Realty LLC will agree to a clause that the property will automatically revert back to the City of New Britain if it does not obtain a Certificate of Occupancy within one year of the date of purchase; and

WHEREAS, it is in the best interests of the City of New Britain to have this property developed and added to the grand list; 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 Diverse Realty LLC for property known as 24 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 Twenty Thousand Dollars (\$20,000.00).

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning & Housing. Seconded by Ald. Bielinski. So voted. Approved March 18, 2013 by Mayor Timothy E. O'Brien.

32189-2 RE: ARTICLE 15 DIV 2 BE AMENDED BY ADDING A NEW SECTION ESTABLISHING RESIDENTIAL PARKING ON CITY STREETS

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.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Article 15 Division 2 of the Code of Ordinances, City of New Britain, be amended by adding a new section establishing Residential Parking on City Streets to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

[new] . Sec. 15-80 – Residential street parking.

(a) The Common Council may designate “residential street parking zones” on any areas which have parking meters after a public hearing on each such proposal in one of its committees. At such public hearing, the Council committee shall consider the relative amount of revenue of hourly meters in such area against the potential revenue of permits issued pursuant to this section.

(b) When signs are erected designating a block, or a portion of a block, as a part of a residential street parking zone, persons displaying in plain view a residential street parking permit may park in such locations without paying for hourly metered parking or being limited by any parking time limitation.

(c) “Residential street parking permits” may be issued to the owners of specific residential properties, for use by their tenants, in order for the city to facilitate the rehabilitation of one or more residential buildings. Such permits shall not be issued unless approved, as follows:

(1) Applications for residential street parking permits may be submitted to the Public Works Department. The Public Works Department shall forward the application to the Parking Commission and the City Plan Commission.

March 13, 2013

(2) The City Plan Commission shall judge whether granting such residential street parking permits will facilitate the rehabilitation of residential property in a manner and to a degree that is in the best interests of the economic and neighborhood development of the city.

(3) If the City Plan Commission approves of such application and it otherwise finds doing so to be in the best interests of the city, the Parking Commission may grant the residential street parking permits.

(c) Residential street parking permits shall be valid only until revoked by the Parking Commission, which said Commission may do at its discretion. Residential parking permits shall not be valid unless renewed annually with the city and upon payment of a permitting fee, with the issuance of a sticker which shall be permanently affixed to the windshield. Such fee shall be the highest monthly permit parking that the city charges for parking garage parking times eighteen.

(d) Misuse of any permits issued pursuant to his section shall constitute an infraction, punishable by a fine of up to one hundred dollars (\$100.00) for each offense.

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Ald. Bielinski moved to amend by adding Sec. 15-80 and deleting in Sec. (b) after the words "hourly metered parking" or being limited by any parking time limitation. And adding "however all other city parking ordinances (including handicap restricted rules) apply". Amendment seconded by Ald. Trueworthy. Amendment defeated. Roll Call vote on amendment – 7 in favor, 7 opposed. IN FAVOR: Ald. Trueworthy, Magnuszewski, Centeno, Sanchez, Black, Platosz, Bielinski. OPPOSED: Ald. DeFronzo, Collins, Carlozzi, Hermanowski, Brown, Pabon, Giantonio. Mayor voted NO to break the tie. Ald. Trueworthy moved to amend by adding Sec. 15-80, seconded by Ald. Giantonio. Amendment carried. RESOLUTION AS AMENDED CARRIED with Ald. Bielinski voting No. Approved March 18, 2013 by Mayor Timothy E. O'Brien.

32190-2 RE: PURCHASE OF A PORTION OF 10 FRANKLIN SQUARE FROM THE STATE OF CONNECTICUT

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, Sec. 143 of Public Act 12-2 authorizes the State of Connecticut to sell 10 Franklin Square to the City of New Britain for Sixty Thousand Dollars plus administrative costs related to the conveyance; and

WHEREAS, The City of New Britain and State of Connecticut have reached an agreement regarding the transfer of certain real property known as a portion of 10 Franklin Square; and

WHEREAS, The City of New Britain is looking for new opportunities to expand economic development in the downtown geographical area; and

WHEREAS, The State of Connecticut has agreed to convey to the City of New Britain 10 Franklin Square consisting of .89 acres for the sum of Sixty Thousand Dollars plus an administrative fee of One Thousand Dollars with a restrictive covenant that it must be used for economic purposes within two years of its conveyance; and

WHEREAS, Public Act 12-2 Sec. 143 further provides that the City is required to use said property for economic development purposes not later than two years after the date of conveyance; now, therefore, be it

March 13, 2013

RESOLVED, That Timothy E. O'Brien, Jr., Mayor, be and is hereby authorized to execute all documents related to the transfer and acquisition of 10 Franklin Square from the State of Connecticut at a price not to exceed Sixty Thousand Dollars plus administrative costs of One Thousand Dollars.

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Hermanowski. So voted. Approved March 15, 2013 by Mayor Timothy E. O'Brien.

32191-2 RE: LEASE TO CARY GAGNON FOR THE ESTABLISHMENT OF A DUNKIN DONUTS RESTAURANT AT 135 MAIN STREET

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

WHEREAS, The City of New Britain has completed construction of a new Police Station located at Main Street which contains unfinished space on the first floor for commercial development; and

WHEREAS, Cary Gagnon has approached the City requesting to lease 2,000 square feet in order to construct a Dunkin' Donuts Restaurant at 135 Main Street; and

WHEREAS, Mr. Gagnon has been a franchise owner for over twenty-three years, owns numerous Dunkin' Donuts establishments, has successfully turned around non-performing restaurant into successful food establishments and is one of Dunkin's top business performers; and

WHEREAS, The City of New Britain and Mr. Gagnon have been involved in negotiations for a long term lease of this property; and

WHEREAS, The City of New Britain and Mr. Gagnon have reached a preliminary agreement with respect to terms of and conditions of a lease with an initial ten year term at \$13.00 per square foot; a first renewal term of five years at rental rate of \$16.00 per square foot; a second renewal for a term of five years at rental rate \$19.00 per square foot and fourth and fifth renewal term of five years each at a rental rate to be determined by fair market value; and

WHEREAS, The cost of the build-outs of this restaurant shall be the sole responsibility of Mr. Gagnon now, therefore, be it

RESOLVED, That Timothy E. O'Brien, Jr., Mayor, be and is authorized to complete the negotiations between the City of New Britain and Cary Gagnon for the commercial lease of 135 Main Street for rental terms as follows:

- (a) \$13.00 per square foot for initial ten year term;
- (b) \$16.00 per square foot for first renewal, a period of five years;
- (c) \$19.00 per square foot for second renewal, a period of five years;
- (d) fair market value for third renewal period of five years;
- (e) fair market value for fourth renewal period of five years.

and is authorized to sign and execute the Lease Agreement on behalf of the City of New Britain with Cary Gagnon.

Alderwoman Suzanne Bielinski
Majority Leader

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Hermanowski. So voted with Ald. Pabon voting NO. Approved March 15, 2013 by Mayor Timothy E. O'Brien.

March 13, 2013

32193-2 RE: EMERGENCY CONTINGENCY PLAN FOR ELECTIONS

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:

Purpose: Common Council to approve a contingency emergency plan for elections in accordance with Connecticut General Statutes Section 9-174a-1 to 9-174a-34.

Whereas; the Secretary of the State of Connecticut has promulgated regulations for a model emergency plan to cover emergencies that could occur during an election; and

Whereas; this plan was passed by the state's Regulatory Review Committee on September 28, 2012, which is also the effective date of the regulations; and

Whereas; the Registrars of Voters, in conjunction with the Town Clerk, are to create a similar plan for their respective municipality, which must cover at least the following contingencies; solutions for ballot shortages and strategies to implement in the event of poll worker shortage or absence, loss of power, fire or sounding of an alarm, voting machine malfunctions, weather or other natural disaster, need to remove and replace poll workers or moderator, and disorder in and around the polling place; and

Whereas; the plan created shall be submitted to the legislative body of the municipality for approval six months after the effective date of the Secretary of the State's model plan; and

Whereas; March 28, 2013 is the deadline for submission of each town's plan to their respective legislative bodies; and

Whereas; if a municipality fails to create and approve an emergency contingency plan on or before March 28, 2013 the municipality shall be deemed to have adopted the Secretary of the State's model plan; NOW THEREFORE, BE IT

Resolved: the City of New Britain's Common Council hereby adopts the emergency contingency plan for elections as submitted by the Registrars of Voters, effective upon passage.

Alderman Jamie Giantonio

Ald. Giantonio moved to accept and adopt, seconded by Ald. DeFronzo. So voted. Approved March 15, 2013 by Mayor Timothy E. O'Brien.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Sanchez. So voted. Meeting adjourned at 10:09 p.m.

ATTEST: Peter J. Denuzze, City Clerk