

March 27, 2013

## REGULAR MEETING OF THE COMMON COUNCIL

**MARCH 27, 2013**

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order on Wednesday, the 27th day of March 2013 at 7:42 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.

Father Pokotylo gave the invocation

Ald. Adam Platosz led the pledge to the flag.

Ald. Bielinski moved to amend the agenda by adding 32230(K.1), substituting 32002-1(6), adding 32231(7) and moving it to the end, and by adding 32190-3(8). Motion seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

### PETITIONS

- 32232** Ald. Hermanowski for an amendment to the Zoning Map to change properties fronting on Broad Street from B-3 to CBD encompassing the areas of Broad Street between Beaver Street and 179 Broad Street. Referred to the Zoning Subcommittee and City Plan.
- 32233** Ald. Hermanowski for an amendment to the Zoning Ordinances, Sec. 170-100-60 to require that buildings in the CBD, Central Business Dist. Be built close to the front property line. Referred to the Zoning Subcommittee and City Plan Commission.
- 32234** Ald. Hermanowski for installation of a "Stop" sign at the corner of Fire House Lane and Stanley Street. Referred to the Board of Police Commissioners.
- 32235** Ald. Collins for installation of "No Parking this side of the Street" sign to be placed on the odd side of Park Gardens (700-772 Ellis 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 April 4, 2013 by Mayor O'Brien.

### CONSENT AGENDA

#### CITY CLERK

**32213 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

- Cintron, Joseph (mother Luz Ramos) by Atty. Richard L. Zayas
- Klimaszewski, Elizabeth
- Denenholtz, Cheryl by Atty. Patricia A. Moss

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- Cuevas, Joel Pacheco and Parents by Atty. Thomas P. Cella
- Santiago, Jacqueline by Atty. Richard L. Zayas
- Colon, Carmen

Peter J. Denuzze  
City Clerk

## OFFICE OF CORPORATION COUNSEL

### 32214 RE: AIDA MOLINA 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 THREE THOUSAND DOLLARS (\$3,000.00) be paid to AIDA MOLINA AND WILLIAM C. RIVERA, ESQ., her attorney, in full settlement of her suit against the City of New Britain, et al now pending in the Connecticut Superior Court under Docket No. HHB-CV-09-5013158 as the result of an incident which took place on May 30, 2007. Plaintiff allegedly sustained injuries as a result of falling into a hole after stepping on a metal plate on the sidewalk on Main Street in front of former Greenfield parking lot. Plaintiff further alleged she sustained injuries to her right side of the body, hip, leg, knee and ankle. She was taken from the scene of the incident by ambulance to the Hospital of Central Connecticut. Medical bills in the amount of \$2901.40 have been substantiated.

This recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after a settlement conference before Judge Shaunnassy, 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.

Irena J. Urbaniak  
City Attorney

## PURCHASING DEPARTMENT

### 32215 RE: EMERGENCY PURCHASE ORDER – SNOW REMOVAL – 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 vendor listed below on March 19, 2013

<u>Supplier</u>	<u>Item</u>	<u>Total Price</u>
Tilcon New Britain, CT.	Emergency Snow Removal Blizzard NEMO	\$11,000.00

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:

A Purchase Order was 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.

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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 number 00131500100-54006, Citywide Paving, CNR.

Jack Pieper  
Purchasing Agent

**32216 RE: COOPERATIVE PURCHASING – ANNUAL FIRE ALARM SYSTEM TESTING, INSPECTION AND FULL SERVICE CONTRACT – 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:

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested by the Public Works Department/Utilities Division for the following under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Description</u>	<u>Price</u>
Simplex Grinnell East Berlin, CT.	Annual Fire Alarm System Testing Inspection and Full Service Contract	\$16,325.00

The Public Works Department/Utilities Division requested a purchase order for the Annual Fire Alarm System Testing, Inspection and Full Service Contract for their Filter Plant, Administration Building and Pump Station. The Full Services Contract includes component, parts, battery replacement and service calls. SimplexGrinnell has been providing maintenance on this system for the Utilities Division in the past. SimplexGrinnell is the manufacturer of the Fire Alarm System and has one hundred and eighty-five (185) offices that make up one of the largest service networks in the Fire Alarm and Sprinkler Industry. SimplexGrinnell has no dealers and to go out to bid for these services would not be beneficial to the City. SimplexGrinnell also has a State of Connecticut Contract, 08PSX0292 for these Services. SimplexGrinnell has once again agreed to charge the Utilities Division the State of Connecticut Contract pricing for these services. The price that SimplexGrinnell is charging the Utilities Division is at a discounted rate of 6% below their normal pricing for these services. This expense was also presented to the Water Commission at their March 12, 2013 meeting in which they approved this expenditure. Funding for this purchase of the Annual Fire Alarm System Testing, Inspection and Full Services Contract is available within the Utilities Division's account number 9303500103-5659, Water Operating Expenses, Treatment, Operating Material and Supplies.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$16,325.00 to SimplexGrinnell of East Berlin, CT for the Annual Fire Alarm System Testing, Inspection and Full Services Contract for the Utilities Division at their Filter Plant, Administration Building and Pump Station utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award # 08PSX0292.

Jack Pieper  
Purchasing Agent

**32217 RE: COOPERATIVE PURCHASING – NEW STOVE FOR THE SENIOR CENTER**

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested for the following under the State of Connecticut's Cooperative Purchasing Plan for the Senior Center.

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<u>Supplier</u>	<u>Item</u>	<u>Price</u>
Warehouse Store Fixtures Company Waterbury, CT.	Vulcan Natural Gas Stove	\$8,303.90

The Senior Center, requested the purchase of a new Vulcan Natural Gas Stove with two (2) ovens, six (6) top burners and a thirty-six (36) inch griddle utilizing the State of Connecticut's Contract Award #10PSX0236. The new stove will be replacing an existing stove that the Senior Center has been utilizing for the past thirty-six (36) years. The existing stove's burners and oven have become inoperative at times because the pilots have failed to supply natural gas to them. Because of the age of this existing stove, parts are becoming hard to find to make the needed repairs. Warehouse Store Fixtures Company is giving the City a fifty-five (55) percent discount off of the Vulcan list price for this stove and a one (1) year warranty per the state contract. This fact has been verified by the Purchasing Agent. Their price also includes delivery and set up of the new stove and the removal and disposal of the existing stove. Funding was obtained from a HUD Grant and is available within the Economic Development Division's account number 3027203036-5855, CDBG Grant Fund, Contractor Expenditures, Senior Center.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$8,303.90 to Warehouse Store Fixtures Company of Waterbury, CT for the purchase of a new Vulcan Natural Gas Stove for the Senior Center utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #10PSX0236.

Jack Pieper  
Purchasing Agent

**32218 RE: COOPERATIVE PURCHASING – NEW COATS FOR THE POLICE DEPARTMENT**

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested by the New Britain Police Department for following under the State of Connecticut's Cooperative Purchasing Plan.

<u>Supplier</u>	<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>
Security Uniforms, Inc. New Britain CT.	Feicheimer Class A Blouse Coats	140	\$225.25
		Total Price	\$30,835.00

The New Britain Police Department requested a purchase order for 140 Feicheimer Class A Blouse Coats. This is a uniform item that the Police Officers need but currently do not have. Security Uniforms, Inc., of New Britain CT, has a State of Connecticut contract, Contract Award # 11PSX0127. Funding is available for this purchase in the Police Department's account number, 001211002-5127, Uniforms and Clothing.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$30,835.00 to Security Uniforms, Inc, of New Britain CT for the purchase of the 140 Feicheimer Class A Blouse Coats for the New Britain Police Department utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #11PSX0127.

Jack Pieper  
Purchasing Agent

**32219 RE: ON-CALL ENGINEERING SERVICES PHASE II STORMWATER PROGRAM COMPLIANCE**

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

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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: Phase II Stormwater Program Compliance  
Vendor: Comprehensive Environmental, Inc.  
Amount: \$17,050.00  
Line Items: 208315101-5453 Sewer Fund, Engineering/Appraisals  
Requested By: Public Works Department/Utilities Division

Scope: Comprehensive Environmental, Inc will assist with the implementation of the City's Phase II Stormwater Management Program in accordance with the National Pollution Discharge Elimination System. They will review the City's Stormwater Management Program and prepare the required annual reports for submittal to the Connecticut Department of Energy and Environmental (DEEP) and the United States Environmental Protection Agency (EPA). They will conduct wet weather sampling of stormwater and rainwater from primarily residential, commercial and industrial City locations. They will analyze each sample for PH, hardness, conductivity, oil, chemicals, ammonia, nitrites and suspended solids. Comprehensive Environmental, Inc will submit all test results to the Public Works Department/Utilities Division for their review and conduct any required meetings with them. Once the test results are approved by the Public Works Department/Utilities Division, Comprehensive Environmental, Inc will complete the required annual reports and submit them to the DEEP and EPA.

Resolved: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$17,050.00 to Comprehensive Environmental, Inc to provide Phase II Stormwater Program Compliance Services and Reporting for the Public Works Department/Utility Division per their On-Call Engineering Services, Bid 3620.

Jack Pieper  
Purchasing Agent

**32220 RE: PROFESSIONAL SERVICES – SOFTWARE USE AND PRINTING OF A CONSUMER CONFIDENCE REPORT 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:

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-531 a purchase order was requested by the Public Works Department/Utilities Division for the creation and printing of their annual Consumer Confidence Report.

<u>Supplier</u>	<u>Services</u>	<u>Price</u>
Gemini Group LLC Natick, MA.	Software Use and Printing of a Consumer Confidence Report	\$3,500.00

The Public Works Department/Utilities Division has for the past ten (10) years created a federally mandated Consumer Confidence Report. The report is required to be sent by July 1 of every year to all customers who purchase water from the Utilities Division. The Utilities Division has always utilized the Gemini Group LLC software system to enter the required data into the system so that the reports can create and then be printed by them. The Gemini Group LLC software meets all of the federal requirements regarding content and specific wording required by the federal and state governments. The software system will also enable the Utilities Division to post the Consumer Confidence Report onto the City's website. Once all of the required information has been entered into the software system, edited and approved by the Utilities Division, Gemini Group LLC will print 17,500 copies of the Consumer Confidence Report that will be sent out. Funding for the use of the software system and printing of the Consumer Confidence Reports is available in the Utilities Division's account 9303500103-5659, Water Treatment Expense, Operating Material and Supplies.

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Resolved: that the Purchasing Agent be and hereby authorized to issue a Purchase Order for \$3,500.00 to Gemini Group, LLC of Natick, MA for the utilization of their Software System and Printing of the annual Consumer Confidence Reports for the Public Works Department/Utilities Division.

Jack Pieper  
Purchasing Agent

**32221 RE: PERFORMANCE EVALUATION SYSTEM FOR THE 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 2-541 (a), a purchase order was requested by the New Britain Police Department for the purchase of a Performance Evaluation System.

<u>Supplier</u>	<u>Services</u>	<u>Total Price</u>
On Target Performance Systems, Inc. Tallahassee, FL.	Performance Management Plus (PMP), Software Program and Technical Support Services.	\$12,000.00

The New Britain Police Department requested the purchase of Performance Management Plus (PMP), Software Program and Technical Support Services for one (1) year. The Performance Evaluation System will help the Police Department evaluate the overall performance of the Officers. The Police Department will also be able to keep track of any special duties the Officers was assigned to conduct. On Target Performance Systems, Inc., of Tallahassee, FL., is the sole proprietor and provider of this Performance Evaluation System. The Purchasing Agent has verified that On Target Performance Systems is the sole proprietor and provider of this system and has no dealers. Therefore bid solicitation for the purchase of the Performance Management Plus (PMP), Software Program and Technical Support Services would not be beneficial to the City. Funding is available for this purchase in the Police Department's, account number, 289211128-5740, Federal Asset Forfeiture, Other Miscellaneous Equipment.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$12,000.00 to On Target Performance Systems, Inc., of Tallahassee, FL for the purchase of the Performance Management Plus (PMP), Software Program and one (1) year Technical Support Services for the New Britain Police Department.

Jack Pieper  
Purchasing Agent

**32222 RE: REPAIRS TO A COMPACTOR 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:

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-541 a purchase order has been requested by the Public Works Department for repairs to their Compactor.

<u>Supplier</u>	<u>Services</u>	<u>Price</u>
HO Penn Newington, CT.	Repairs to a Compactor	\$12,440.30

The Public Works Department is in need of repairs to their Compactor that is located at the City's Landfill. The brake accumulator failed causing the Compactor to be inoperative. It was found that the brake accumulator broke off of the compactor's frame. The pump for the brake accumulator was inspected and found to be inoperative. This was the cause of why the compactor was inoperative and for

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the brake accumulator to be broken off of its frame. A new pump had to be installed and the frame mount for the brake accumulator had to be repaired. HO Penn of Newington, CT is the sole source dealer of this Compactor in the state. They are the only one that can obtain the parts and make the needed repairs. The Purchasing Agent has verified that HO Penn is the sole source dealer of this Caterpillar Compactor in the state. Bid solicitation for the purchase of these needed repairs to the Compactor would not be beneficial to the City. Funding for this purchase is available in the Public Works Department's account number, 0082749104-5436, EBond Landfill Closure, Equipment Maintenance and Repairs.

Resolved: that the Purchasing Agent is hereby authorized to issue a Purchase Order for \$12,440.30 to HO Penn of Newington, CT for repairs to the Compactor at the City's landfill for the Public Works Department.

Jack Pieper  
Purchasing Agent

## **PUBLIC SAFETY TELECOMMUNICATIONS CENTER**

### **32223 RE: EMERGENCY PROCUREMENTS: OPENING OF NEW POLICE HEADQUARTERS**

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:

The opening of the new Police Headquarters in early December was a technological challenge. It involved all new computers, a new telephone system, a fiber optic based network, and extension of the new network back to the old Police Headquarters. This process was very complex in nature and was compounded by several severe obstacles. In order to overcome these hurdles and open the building without major service interruption the Mayor authorized procurement of technical support services and selective associated software licenses and a few hardware components. These were all done through a long standing agreement with XDF, Corp. who has provided equipment and services to the City for an extended period. The total cost of these services, licenses, and equipment was \$31,717.80. The costs will be borne from a state grant to the Public Safety Telecommunications Center.

The specific activities included the following:

- Resolution of a ten day impasse regarding the quality of network service between the old and new buildings that could not be resolved by the prior collective efforts of Carousel Industries (telephone system provider), AT&T (service provider), and by PSTC technical staff.
- Installation of sixty five new personal computers including new operating systems and transfer of the data from the prior systems.
- Installation of new multi-function fax/print/copy devices on each floor.
- Troubleshooting of optical line terminals in conjunction with redundant enterprise level switches on two different floors of the building.
- Network address translation for all devices that were scheduled to operate on the COLLECT network.

This was intensive work that went on for three consecutive weeks including nights and weekends. The building was opened with limited telephone service but through the collective efforts of PSTC staff, XDF, Inc., and the AT&T 9-1-1 team 95% of the issues were resolved in the first ten days after the police move. The staff of the PSTC appreciates the patience and consideration of the management and membership of the New Britain Police Department as we tried to meet their expectations for full service telecommunications under a difficult circumstance.

James P. Donnelly , Director  
Public Safety Telecommunications Center

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**BOARD OF POLICE COMMISSIONERS**

**32065-1 RE: "4-WAY STOP" SIGN AT THE CORNER OF BINGHAM STREET AND ROCKY HILL 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 reviewed this intersection and found that Bingham Street has a "STOP" sign, but Rocky Hill Avenue does not. Rocky Hill Avenue is the major roadway, clear sightlines exist and there have been no reported accidents in this intersection in the last three years. "STOP" signs should not be used for speed control as cited in Connecticut Traffic Commission Reg. 14-298-523. No "STOP" sign is warranted for Rocky Hill Avenue.

One block north is the intersection of Rocky Hill Avenue and Ellis Street. Rocky Hill Avenue is governed by a four way "STOP" sign at the intersection with Ellis Street.

The Board voted to deny this request for a "4 Way Stop" sign at the corner of Bingham Street and Rocky Hill Avenue.

Jack W. Ferguson II  
Clerk of the Board

**32123-1 RE: THE REMOVAL OF "NO PARKING ON THIS SIDE OF THE STREET" SIGNS ON ONE SIDE OF 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:

East Street runs the entire length of the City, north from South Street to the Newington town line near the CCSU campus. This petition does not specify as to which section of East Street the change is requested. The petition is too broad in scope to formulate a determination as to the feasibility for the change. The Traffic Supervisor recommended this petition be denied.

The Board voted to deny this petition for the removal of "No Parking on this Side of the Street" signage on one side of East Street.

Jack W. Ferguson II  
Clerk of the Board

**32147-1 RE: INSTALLATION OF "NO OVERNIGHT PARKING" SIGN ON 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 Supervisor has directed a survey on Russwin Road from Slater Road to West Main Street to determine residents' opinion on "No Overnight Parking" signs. The snow storm interrupted the survey and it will be completed by the next meeting.

Jack W. Ferguson II  
Clerk of the Board

**32162-2 RE: INSTALLATION OF GUARDRAIL TO PROTECT FAIRVIEW CEMETERY FENCE AT CORNER OF SMALLEY AND EAST STREETS**

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



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This petition was passed to the Public Works. They are the agency responsible for the installation of guard rails. Costs associated with guard rails must be approved by the Common Council.

No further action required by the Police Board at this time.

Jack W. Ferguson II  
Clerk of the Board

### **TAX COLLECTOR**

**32224 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

### **CONSOLIDATED COMMITTEE**

**32192-1 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING SUBSECTION (D) TO SECTION 17-40 – WILDLIFE**

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

The Consolidated Committee of the Common Council at a regular meeting and public hearing held on Thursday evening, March 21, 2013 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #32192 – Chapter 17 of the Code of Ordinances be amended by adding subsection (d) to Section 17-40 - Wildlife voted to accept as amended and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderwoman Shirley Black  
Chair

### **CLAIMS COMMITTEE**

**32225 RE: SETTLEMENT OF CLAIMS: PETRA RIVERA, DAISY DEJESUS**

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

The Committee on Administration, Finance and Law and the standing claims sub-committee of the Committee on Administration, Finance and Law at a regular meeting held on Wednesday evening, March 6, 2013 at 6:30 p.m. in Room 201, City Hall having held public hearings and made investigations of said claims, respectfully begs leave to recommend the following:

- A. RESOLVED; that the sum of \$9,500.00 be paid to Petra Rivera of 87 Abbe Street, New Britain, Conn. and Annette Smith, Esquire, her attorney, in full settlement of her claim for personal injuries sustained in an accident on January 31, 2012; and be it further
- B. RESOLVED; that Daisy DeJesus of 86 Winthrop Street, New Britain, Conn. be given leave to withdraw her claim for personal injuries sustained in an accident on September 20, 2011.

Alderman Carlo Carozzi, Jr. , Chair

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## REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

### PUBLIC SAFETY TELECOMMUNICATIONS

#### 32230 RE: STATUS OF THE IMPLEMENTATION OF THE MUNICIPAL RADIO SYSTEM

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

The new municipal radio system was awarded to Motorola in September of 2012 based on complex Request for Proposals and a lengthy but comprehensive competitive process. A notice of award for the development of sites necessary to host the radio system was won by Global Tower Partners, Inc. (GTP) of Boca Raton, Florida. This notice was based on the following:

1. A competitive process with three bidders (GTP, Marcus Communications, and COMCAST).
2. The GTP proposal required no outlay of cash from the City while the other bidders required \$700,000 and 1,000,000 respectively.
3. The GTP proposal provided that it would develop the sites and provide the City with 25% of any carrier rent from the new tower to be erected at Stanley Golf Course, selective siting atop the Elam Street Water Tank, and additional sites at the New Britain Housing Authority D'Amato Apartments and The Hospital of Central Connecticut.
4. In the event that GTP could not rent to carriers, the City would pay \$2,000 per month until two broadband carriers leased from GTP.

Detailed negotiations started with GTP after the radio system award. First, the City dropped the D'Amato apartment site and instead elected to erect the primary control site atop the new Police Headquarters next door on Chestnut Street. There were both logistical and technical advantages to the City to site on the same building that housed dispatch operations. GTP accepted the change. Numerous on-site meetings were held with GTP and all sites were toured multiple times. The Park Department requested that the monopole not be placed as originally intended from earlier drawings done for the Park Department. The site proposal was moved to accommodate the Park Department and GTP did preliminary engineering and siting work at their expense. At this time the Park Department requested that the site be moved again so as to accommodate the proposed "Action Zone". This was done with the cooperation of the Public Works Department and the new site was located in the existing parking lot at the golf course. Multiple hearings were held by the Parks and Recreation Commission, the Commission on City Plan, and the City Council. The plan was approved by Council in December 2012. Subsequently the Park Department after receiving a report from their "Action Zone" consultant requested that the site be relocated to an area behind the 17th tee. This location is now firm with all parties and the Public Works Department is preparing the formal site plan.

The City hired private counsel from Pullman and Comely to negotiate the terms of the agreement with GTP. This was a protracted process with substantial document changes and disagreements. The City, properly in my view, insisted on a firm project plan for implementation. This became contested and the Mayor entered the negotiations directly. The Mayor demanded that the work be completed by May 24, 2013. During this time, we requested that the radio system provider quote a price to complete the site development work. That price was provided three weeks later at \$1.4 million dollars. The City declined.

Negotiations continued but GTP would not agree and counter-proposals were shared over a three week period. Finally, we received GTP's firm completion date of August 30, 2013 on March 8, 2013. After considerable discussion on Saturday, March 9, 2013 the Mayor endorsed the recommendation to build

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the sites on an emergency basis with technical and project management assistance from the Public Works Department. From that day, the project has moved aggressively forward. At this juncture, the Purchasing Administrator has issued emergency purchase orders with prior approval of the Mayor for the following:

- Contract for two (2) equipment shelters for the Elam Street and Stanley Golf Course sites including generators, grounding, security, cable ladders, basic electrical service, and redundant HVAC systems. It also includes the cost for trench beams for the 57,000 pound shelters to sit on.
- Contract for the construction of the monopole, its foundation, grounding ring, fencing, and ice bridges to the shelter at Stanley Golf Course.
- Contract for the installation of antennas and communications lines and support structure for both the Elam Street and Stanley Golf Course sites.
- Contract for the installation of new HVAC for the hospital shelter.
- Contract for the installation of additional electrical service at the Elam Street site to support the new equipment shelter.
- Contract for the installation and connection of fiber optic cables to connect from the new Police Headquarters to the equipment shelter atop The Hospital of Central Connecticut with stops along the way at New Britain EMS and the New Britain Health Department.

Project management is shared between the Public Works Department and the Public Safety Telecommunications Center. Site work in terms of excavation, extension of conduits, and supervision of contractors will be done by the agency responsible for the site. Since the kickoff meeting on March 11, 2013 the group has worked diligently and cooperatively with significant progress.

The next page provides a summary, in spreadsheet form, of the cost and schedule to complete the project. These additional costs will require Council approval to increase the bond authorization. It is important to note that all rent from carriers looking to locate equipment on the Stanley and Elam Street facilities will now go to the City instead of the 25% share.

Site Development  
Radio Project

<u>The Hospital of Central CT</u>	<u>Cost</u>	<u>Completion</u>
Fiber Cost in excess of LOCIP grant	\$ 21,541.80	4/17/2013
HVAC upgrade	\$ 7,236.21	5/1/2013
Antenna Mounting	\$ 4,000.00	4/22/2013
 <u>ELAM Street Water Tank</u>		
Install antennas and lines	\$ 26,740.00	4/17/2013
Equipment shelter/ trench beams	\$ 97,820.00	4/22/2013
Electrical upgrade	\$ 14,975.00	4/10/2013
Contingency	\$ 5,000.00	4/26/2013
 <u>Stanley Golf Course</u>		
Install monopole and antenna	\$ 108,615.00	6/1/2013
Site Preparation	\$ 30,000.00	4/15/2013
Utility installation	\$ 700.00	4/22/2013
Electrical installation	\$ 15,000.00	5/20/2013
Equipment shelter / trench beams	\$ 87,772.00	5/15/2013

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Contingency \$ 5,000.00 6/15/2013

Critical Path Dates

Radio Programming 4/15/2013  
Selective Radio Issuance 4/21/2013  
System Test (1 site) 4/26/2013  
System Test (2 sites) 5/1/2013  
Go Live (2 sites) 5/14/2013  
Move PSTC in to new building 5/14/2013  
Go Live (3 sites) 6/15/2013

Total Site Development Costs \$ 424,400.01

Respectfully submitted by:  
James P. Donnelly

Ald. DeFronzo moved to accept and adopt, seconded by Ald. Bielinski. So Voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

**RESOLUTIONS BACK FROM COMMITTEE**

**32192-2 RE: AMENDMENT TO THE ORDINANCES ADDING SUBSECTION (d) TO SECTION 17-40 – WILDLIFE**

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:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Chapter 17 of the Code of Ordinances be amended by adding the following subsection (d) to Section 17-40 – Wildlife to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word {new});

Section 17-40. Wildlife.

- (a) Hunting, molesting etc. No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, or throw missiles in any park at any animal, reptile, or bird; nor shall he remove, collect, or have in his possession the young of any animal, or the eggs or nest or young of any reptile or bird; nor shall any person fish in any park.
- (b) Poisoning. No person shall give or offer, or attempt to give to any animal or bird in any park any poison or other known noxious substance.
- (c) Use of firearms and weapons. No person shall hunt, trap, or pursue wildlife at any time in any park, and no person shall use, carry or possess firearms, air-rifles, spring guns, bows and arrows, slings, or any kind of trapping device, or any other weapons potentially inimical to wildlife and dangerous to human safety.
- d) Feeding of geese, ducks and all waterfowl is prohibited. No individual except a wildlife rehabilitator trying to catch a sick or injured animal may feed, or provide or give any food or other edible items to geese, ducks or any other waterfowl on any public property or park in the City

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Limits. The penalty for violation of this section shall be one hundred dollars (\$100.00) for each offense.

Alderman Eva Magnuszewski

Ald. Magnuszewski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

## **NEW BUSINESS**

### **RESOLUTIONS**

#### **32226 RE: UKRAINIAN FLAG TO BE DISPLAYED IN THE COMMON COUNCIL CHAMBERS SPONSORED BY THE UKRAINIAN NATIONAL ASSOCIATION**

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 diversity of residents of the City of New Britain constitutes our city as an urban mecca due to the amount of ethnic groups in the City; NOW, THEREFORE, BE IT

RESOLVED; that each ethnic group be allowed to display their flag which would be located in the Common Council Chambers and purchased individually by each group with the flags being all the same size; and BE IT FURTHER

RESOLVED; honoring their diversity in the Common Council Chambers by displaying the homeland flag of the varied citizens will be a tribute to such diversity and show that New Britain is a City for all People; and BE IT FURTHER

RESOLVED; that the Ukrainian flag be displayed in the Common Council Chambers sponsored by the Ukrainian National Association.

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. DeFronzo. So voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

#### **32227 RE: APRIL 2013 – FAIR HOUSING MONTH IN THE CITY OF NEW BRITAIN**

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

Resolution Summary: Proclaiming and promoting the month of April as Fair Housing Month

WHEREAS; 2013 marks the 45th Anniversary of Title VIII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in the sale, rental and financing of dwellings and other housing-related transactions, based on race, color, religion, sex, disability, familial status, and national source of income, and

WHEREAS; the principle of Fair Housing is not only a national law and a national policy, but a fundamental human concept and entitlement for all Americans. Discrimination in housing is much subtler

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today than in the decades past, but it does persist: be it out of ignorance or intolerance. Every April, the nation celebrates the strides made and the work that remains to be done, and

WHEREAS;it is the policy of the City of New Britain to support equal housing opportunity in the administration of programs and services, including its implementation of programs that provide education and outreach to the community on the importance of adhering to the intent of the Fair Housing Act, and

WHEREAS;with the City of New Britain population and diversity, it is critical to continue its efforts to ensure that anti-discrimination laws remain in effect, recognizing that complete success on the goal of equal housing opportunity can only be accomplished with the help and commitment of all people, and

WHEREAS;the New Britain Commission on Human Rights and Opportunities actively promotes April Fair Housing Month and expresses the hope that this observance pursues its responsibility to seek to affirmatively further fair housing, not only during Fair Housing Month in April, but throughout the year; NOW, THEREFORE, BE IT

RESOLVED, that Mayor Timothy E. O'Brien and the Common Council of the City of New Britain do hereby declare April 2013 as a month to celebrate and honor all efforts which guarantee the right to live free of discriminatory housing practices and proclaim this month as: " Fair Housing Month in the City of New Britain".

Alderwoman Tonilynn Collins  
Alderman Rha-Sheen Brown

Ald. Collins moved to accept and adopt, seconded by Ald. Brown. So voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

**32228 RE: STATE REIMBURSEMENT FOR TAX ABATEMENTS – HOUSING FOR LOW OR MODERATE-INCOME PERSONS**

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:

**CERTIFICATION**

I, Peter J. Denuzze, Town and City Clerk, certify that below is a true and correct copy of a resolution duly adopted by City of New Britain at a meeting of its Common Council duly convened on March 27, 2013 and which has not been rescinded or modified in any way whatsoever and is at present in full force and effect.

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Date

Peter J. Denuzze

SEAL

WHEREAS, pursuant to Conn. Gen. Stat. Section 8-216, State reimbursement for tax abatements, the State of Connecticut Department of Economic and Community Development is authorized to extend financial assistance to a municipality for housing solely for low or moderate-income families; and

WHEREAS, it is desirable and in the public interest that the City of New Britain an application to the State for reimbursement of real property taxes abated pursuant to CGS § 8-215, Tax abatement for housing for low or moderate-income persons and to execute a Master Assistance Agreement for such purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE City of New Britain Common Council:

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by the Connecticut General Statutes, particularly CGS §§ 8-215 & 8-216; and

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2. That the filing of annual applications for State financial assistance as reimbursement for tax abatements by the City of New Britain is hereby approved and that Timothy O'Brien, Mayor is directed to execute and file such applications with the State of Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute a Master Assistance Agreement for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the City of New Britain.

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved March 28, 2013 by Mayor Timothy E. O'Brien.

**32229 RE: FIRE DEPARTMENT LOCIP REALLOCATION**

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 New Britain Fire Department has two 30 year old fire stations, two 45 year old stations, another 60 year old and the oldest being 65 years old and

WHEREAS, the Emergency Management building on East St is over 100 years old and

WHEREAS, there is a backlog of needed repairs to Fire Department and Emergency Management facilities and

WHEREAS, these buildings have never had adequate maintenance or significant capital improvement and

WHEREAS, delayed maintenance and repairs are beginning to cause damage to facilities and fire apparatus and

WHEREAS, there is a need to rectify the past lack of investment in Fire Department and Emergency Management facilities and

WHEREAS, there is a need to maintain a safe work environment in these buildings and

WHEREAS, these funds will begin to address the backlog of deferred maintenance at Fire and Emergency Management facilities and

WHEREAS, the New Britain Fire Department was allocated LOCIP monies in the 07-08 funding year for several projects for emergency generators and parking lot improvements and

WHEREAS, there is remaining balances in these accounts for the FD 07-08 LOCIP funds and

WHEREAS, that the remaining 07-08 LOCIP funds designated for Fire Department projects be reallocated for needed Fire Department and Emergency Management projects and

THEREFORE BE IT RESOLVED; that the remaining \$116,573. in 07-08 LOCIP funds will be reallocated for projects and related items for repairs to Stations 4, 5, 7 and the Emergency Management building.

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Funds taken from 07-08 LOCIP fund accounts and re-allocated to new 2013 project as follows:

<u>LOCIP Fire Admin</u>	<u>LOCIP Acct #</u>	<u>Original</u>	<u>Balance</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised</u>
<u>2007</u>						
Station 4 Generator Project	2131200107-52043	\$ 37,000	\$ 10,887	\$ 0	(\$10,887)	\$ 0
Station 8 Generator Project	2131200107-52044	\$ 37,000	\$ 21,686	\$ 0	(\$21,686)	\$ 0
LOCIP Fire Admin 2008 Station 4 Parking Facility	2131200108-52045	<u>\$ 84,000</u>	<u>\$ 84,000</u>	\$ 0	(\$84,000)	<u>\$ 0</u>
Totals		\$158,000	\$116,573	\$ 0	(\$116,573)	\$ 0
LOCIP Fire Admin 2012 Emergency Management Building Exterior Building Repairs	2131200112-52075	\$ 0	\$ 0	\$ 35,000	(\$0)	\$35,000
Stations 4, 5, 7 Parking Lot / Concrete Repairs	2131200112-52076	\$ 0	\$ 0	\$ 21,573	(\$0)	\$21,573
Station 7 Replace Roof System	2131200112-52077	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 60,000</u>	(\$0)	<u>\$60,000</u>
Totals		\$ 0	\$ 0	\$116, 573	(\$0)	\$ 116,573

Alderman Suzanne Bielinski  
Alderman Eva Magnuszewski  
Alderman Roy Centeno

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

**32002-1 RE: ACCEPTANCE OF "ALTON BROOKS WAY" AS A CITY STREET AND RELATED PUBLIC IMPROVEMENTS**

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 Plan staff of the Commission, Bureau of Public Works and Board of Water Commissioners have held field inspections of Alton Brooks Way and of all public infrastructure improvements related to the Pinnacle Heights Business Park Subdivision, and

WHEREAS, all improvements were found to be satisfactorily completed in accordance with City subdivision regulations and engineering standards, and

WHEREAS, at their regular meeting of January 7, 2013, the City Plan Commission voted unanimously to recommend acceptance and adoption of Alton Brooks Way, a City street, along with all associated public infrastructure improvements as depicted on the approved Subdivision Plans titled:

"Subdivision Map, Pinnacle Business Park, 34 Marimac Road (Osgood Ave., Slater Rd., & Long Swamp Rd., New Britain, Connecticut, Rev. 5/16/11, Scale 1"=100', Date November 15, 2010, Project No. 2206-09, Sheet No. 1 of 1, Milone & MacBroom, Engineering, Landscape Architecture and Environmental Science, 99 Realty Drive, Cheshire, Connecticut 06410" which are on file in the Land Records of the City Clerk's Office, Volume 29, Page 30, and

WHEREAS, as-built mylar plans and a deed for the transfer have been submitted and approved by the City Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of New Britain that Alton Brooks Way be formally accepted as a City street.



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Following Council action, full conveyance of the street to the City will be complete upon the filing of the deed and as-built mylar plans for the street right-of-way in the City Land Records.

Alderman Carlo Carlozzi, Jr.  
Alderwoman Eva Magnuszewski  
Common Council Liaisons  
City Plan Commission

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Magnuszewski. So voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

**32190-3 RE: PUBLIC HEARING – PROPOSALS TO PURCHASE 10 FRANKLIN SQUARE**

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

Whereas, by Resolution No. 32190 approved on March 13, 2013, the Common Council authorized Mayor Timothy E. O'Brien, Jr. to execute all documents related to the transfer and acquisition of 10 Franklin Square from the State of Connecticut for a price not to exceed Sixty One Thousand Dollars; and

Whereas, Public Act 12-2 Sec. 143 provides that the City of New Britain is required to use said property for economic development not later than two years from the date of conveyance; and

Whereas, the City of New Britain expects the acquisition to be completed within the next ninety (90) days; and

Whereas, the City of New Britain expects to convey the property to a private entity for economic development shortly after the acquisition process is completed ; and

Whereas, the City of New Britain believes it is in the best interest of economic development and to expand the City's grand list to permit perspective purchasers to present developmental proposals to the Common Council in a timely manner; now, Therefore, be it

Resolved, that the Committee on Planning, Zoning and Housing Committee shall have a public hearing at which time proposals to purchase the property may be presented to the Committee.

Ald. Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved March 28, 2013 by Mayor Timothy E. O'Brien.

**32231 RE: LICENSE – "LITTLE POLAND FESTIVAL" APRIL 28, 2013**

*Resolution on file in Town Clerk's Office*

Ald. Hermanowski moved to accept and refer to the License Committee, seconded by Ald. Black. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

Ald. Trueworthy moved for a five-minute recess, seconded by Ald. Bielinski. So vote. Meeting recessed at 8:09 p.m.

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The Council returned to order at 8:14 p.m.

Ald. Trueworthy moved to suspend the rules in order to amend the agenda by adding 32231-1(R) seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

### **REPORT OF THE LICENSE COMMITTEE**

#### **32231-1 RE: LICENSE FOR “LITTLE POLAND FESTIVAL” APRIL 23, 2013**

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 is hereby authorized to issue to the Polish Foundation of New Britain, said licenses as may be issued under Chapter 5, Section 5-15 of the Code of Ordinances that on Sunday, April 28, 2013 between the hours of 8:00 A.M. to 9:30 P.M. for the purpose of conducting the 2nd Annual “Little Poland Festival” on Broad Street from the corner of Broad and Washington Street west to the corner of Grove Street.

Alderman Lawrence J. Hermanowski  
Chair

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Black. So voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

The Mayor announced that the previous report brings 32231 back before the Council.

### **RESOLUTION**

#### **32231 RE: LICENSE – “LITTLE POLAND FESTIVAL” – APRIL 28, 2013**

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 issue license under Chapter 5, Section 5-15 of the Code of Ordinances for the purpose of conducting the 2nd Annual “Little Poland Festival”.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Common Council of the City of New Britain hereby authorizes the mayor to issue to the Polish Foundation of New Britain, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances that on Sunday, April 28, 2013 between the hours of 8:00 A.M. to 9:30 P.M. for the purpose of conducting the 2nd Annual “Little Poland Festival” on Broad Street from the corner of Broad and Washington Street west to the corner of Grove Street.

Alderman Lawrence Hermanowski

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Black. So voted. Approved April 4, 2013 by Mayor Timothy E. O'Brien.

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

ATTEST: Peter J. Denuzze, City Clerk