

September 25, 2013

REGULAR MEETING OF THE COMMON COUNCIL

SEPTEMBER 25, 2013

Mayor Timothy E. O'Brien called the Regular Meeting of the Common Council to order at 8:36 p.m. on Wednesday, the 25th day of September 2013 in the Common Council Chambers, City Hall.

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

The invocation was given by City Clerk, Peter J. Denuzze: O God, our Heavenly Father, bless this Common Council and the work they are engaged in. Give them sound and prudent judgement as they resolve the matters before them this evening. We ask this in thy name. Amen.

The pledge to the flag was led by Adam Gottner.

Ald. Bielinski moved to amend the Agenda by adding a Report of the Parks and Recreation 32446-1(F1) and Mayor's report #32481 (I) and remove items #6, 9 & 10. Motion seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

Ald. Bielinski moved to approve minutes of the July 10, 2013 Special Meeting, July 10, 2013 Regular Meeting and July 29, 2013 Special Meeting. Motion seconded by Ald. Trueworthy. So voted.

PETITIONS

- 32487 ALD. DEFRONZO FOR POTHOLE REPAIR IN FRONT OF 57 PENDLETON ROAD. REFERRED TO THE DEPT. OF PUBLIC WORKS.**
- 32488 ALD. TRUEWORTHY FOR INSTALLATION OF A CROSSWALK FROM WAKEFIELD COURT INTERSECTION TO THE STOP & SHOP PLAZA ON WEST MAIN STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS AND DEPT. OF PUBLIC WORKS.**
- 32491 ALD. CARLOZZI, SANCHEZ AND GIANTONIO FOR AN AMENDMENT TO THE ZONING ORDINANCES TO ADD NEW SUBSECTIONS CONCERNING PAWN SHOP ESTABLISHMENTS AND HOME OCCUPATION USE. REFERRED TO THE ZONING SUB-COMMITTEE AND CITY PLAN.**
- 32492 ALD. TRUEWORTHY FOR INSTALLATION OF CROSSWALKS AT THE INTERSECTIONS OF EAST STREET AND SUNRISE AVENUE. REFERRED TO THE BOARD OF POLICE COMMISSIONERS AND DEPT. OF PUBLIC WORKS.**
- 32493 ALD. PLATOSZ FOR CROSSWALK LINES ON EAST STREET AT SUNRISE AVENUE, HOWARD STREET, JUDD AVE, CITY AVENUE, CONNECTICUT AVENUE, THORNILEY STREET, BUENA VISTA AVENUE, VIBBERTS AVENUE AND DIX AVENUE. REFERRED TO THE BOARD OF POLICE COMMISSIONERS AND DEPT. OF PUBLIC WORKS.**

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32494 ALD. BLACK FOR INSTALLATION OF “STOP” SIGNS AT THE END OF NELSON STREET AT THE INTERSECTION OF NANCY ROAD. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved October 2, 2013 by Mayor O'Brien.

CONSENT AGENDA

CITY CLERK

32476 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

- Harris, Kenya S. by Atty. Peter S. Gersten
- Hawkins IV, John
- Springwood Gardens LLC by Atty. Frank J. Raio
- Velazquez, Zenaida

Peter J. Denuzze
City Clerk

OFFICE OF CORPORATION COUNSEL

32477 RE: ALAN EDWARDS V. WILLIAM DEMAIO, DIRECTOR, 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:

RESOLVED, By the Common Council of the City of New Britain that the sum of ONE HUNDRED NINETY FIVE THOUSAND DOLLARS (\$195,000.00) be paid to ALAN EDWARDS AND PETER J. CASEY, his attorney, in full settlement of his suit against the City of New Britain, now pending in Superior Court, Judicial District of New Britain, at New Britain, for bodily injuries he sustained when he allegedly suffered an injury at the Chesley Park softball field on August 3, 2009. He claims to have slid and fell into the side of the valve box for irrigation which was located at the third baseline. His elbow clipped the box and he fractured his humerus in three spots and shattered his ulcreon notch. As a result of the injury, he had three surgeries. Dr. Kevin J. Burton has rated the plaintiff as having a 17% permanent disability rating for the upper extremity based on the AMA Guidelines to the Evaluation of Permanent Impairment, Sixth Edition. His medicals total \$119,092.69. Plaintiff had no medical insurance at the time.

This recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after settlement negotiations between Honorable Judge Abrams, City Attorney Irena J. Urbaniak and Peter Casey, Esq., with the approval and consent of John King, Esq.

This suit is to be withdrawn by the plaintiff without costs to the City of New Britain and settlement is to be made without admission of any liability.

Irena J. Urbaniak
City Attorney

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PURCHASING DEPARTMENT

32478 RE: COOPERATIVE PURCHASING – NEW COMMERCIAL MOWER FOR DEPT. OF PUBLIC WORKS

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

In accordance with the 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 Public Works Department, Utilities Division.

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
Bacher Corporation East Windsor, CT.	Hustler Super Z Mower with 72" Deck	\$11,789.20

The Public Works Department, Utilities Division requested the purchase of one (1) new Hustler Super Z Mower with a 72" deck utilizing the State of Connecticut's Contract Award, #10PSX0307. The new Hustler Super Z Mower will replace an existing commercial mower that was purchased in October of 1993 and has been utilized for almost twenty (20) years to cut grass at the Utilities Division's reservoirs. The existing mower is in need of repairs. Because it is old, parts are becoming obsolete and hard to obtain and has caused it to be unrepairable. Bacher Corporation has given the City a 20% discount off of the list price for this new mower per the State contract. Funding for this purchase is available in the Public Works, Utilities Division's account number 9303501000-5436, Water Capital Equipment Expense, Equipment Maintenance and Repairs.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$11,789.20 to Bacher Corporation of East Windsor, CT for the purchase of a New Hustler Super Z Mower with a 72" deck for the Public Works Department, Utilities Division, utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award # 10PSX0307.

Jack Pieper
Purchasing Agent

32479 RE: ON-CALL ENGINEERING SERVICES

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3620, approved at its Regular Meeting of October 26, 2011.

Project Name:	Assignment for Temporary Engineering Services
Vendor:	Urban Engineers, Inc.
Amount:	\$37,440.00
Line Items:	0082950302-5331 Capital Projects, Street Infrastructure Rehabilitation, Professional Services
Requested By:	Public Works Department

Scope: Urban Engineers, Inc will provide consulting staff to the Public Works Department, Engineering Division. The Engineering Division will utilize the Urban Engineers, Inc staff as a temporary employee as outlined in their scope or services, dated September 16, 2013, for three (3) days a week for thirteen (13) weeks or for hours as needed. The Engineering Division is presently operating at a reduced staff due to illness and retirement of some of its employees.

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Because of this, the Public Works Department needs a qualified engineer to help manage existing and future projects that they may have.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$37,440.00 to Urban Engineers, Inc of Hartford, CT for the Assignment of Temporary Engineering Services for the Public Works Department.

Jack Pieper
Purchasing Agent

PARKS & RECREATION

32446-1 RE: IWO JIMA MONUMENT REPAIRS

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

In response to petition #32446 referencing the Iwo Jima monument, it is located and owned by the Town of Newington. This would not be the City of New Britain's responsibility. This should be referred to the Town of Newington.

Angelo D'Alfonso, Chairman
Parks and Recreation Commission

DEPARTMENT OF PUBLIC WORKS

32444-1 RE: MANHOLE COVER – 28 MCKINLEY DRIVE

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

The manhole is 1" below road grade, which is lower than ideal but well within acceptable standards. McKinley Drive was milled and repaved in 2008. Raising the manhole structure would significantly compromise the pavement and the manhole and lead to pothole problems in the future. We recommend not raising the structure.

Mark E. Moriarty, Director Public Works

OFFICE OF THE MAYOR

32481 RE: THOMAS RONALTER APPOINTMENT AS THE FIRE CHIEF FOR 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 report the following:

Pursuant to Article VIII; Section 8-4(b) of the City Charter, the Mayor appoints Thomas Ronalter as the Fire Chief for the City of New Britain.

Mayor Tim O'Brien

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS, AND DEPARTMENTS

CITY PLAN COMMISSION

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32439-1 RE: PROPOSED AMENDMENT TO THE ZONING MAP TO CHANGE THE ZONE OF PROPERTIES HAVING FRONTAGE ON ARCH STREET FROM OP AND A-3 TO CBD

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

The City Plan Commission, at its regular meeting held on September 9, 2013, voted 5 to 0 to recommend ADOPTION of this proposed zone change.

BACKGROUND: The proposed zone change encompasses approximately twenty- three (23) properties along Arch Street that are currently zoned A-3, High-Rise Apartments, and three (3) additional properties that are zoned OP (Office and Public). The zoning map amendment would re-zone these properties to CBD, Central Business District. This would be an extension of the existing CBD zoning in the downtown, approximately 1,000 feet southward down Arch Street.

The OP properties in the proposed zone change area consist of two (2) Friendship Center properties near the northwest corner of Arch and Grand Streets and approximately one-half of the adjacent New Britain Emergency Medical Service facility. The remainder of the properties within the proposed zone change area are zoned A-3. Despite the A-3 zoning, the bulk of this portion of Arch Street has traditionally been a commercial corridor and is mostly commercial in appearance, with many of the buildings having commercial-style storefronts, though a number are vacant or not used for retail purposes.

ZONING CONSIDERATIONS: For the OP zoned portions of the zone change area that presently encompasses the Friendship Center properties and a portion of the EMS facility, the types of uses that are permitted would be unaffected by the change from OP to CBD zoning. The present configuration of buildings on these properties is more consistent in character with the proposed CBD zoning than with the OP district, in regards to required front yard setbacks and maximum lot coverage, etc. and they would, therefore, become more conforming.

The twenty (20) or more A-3 zoned properties in the zone change area would similarly be made more conforming relative to type of use, lot coverage and yard setbacks, etc.

This would be a benefit to the several existing stores and restaurants that are nonconforming in the current A-3 zone, in that they would become legally permissible conforming uses in the CBD zone. It would also serve to help many of the Arch Street properties that currently have vacant first floor commercial spaces become more attractive for new commercial use that would be compliant under the CBD zoning. This would increase the potential for bringing new investment to the street, and having these vacant and underutilized spaces occupied by businesses would improve the overall appearance and character of the street and help facilitate a more vibrant business environment for the area and for the nearby downtown.

The residential portions of the A-3 properties would either remain conforming or be made more conforming in most cases. The A-3 zoning district allows residential uses at a density of one (1) unit per 1,750 square feet of lot area. A typical Arch Street property that is zoned A-3 and is 13,200 square feet in area would permit a maximum of seven (7) dwelling units. The change to CBD would eliminate the lot area per dwelling unit restriction and allow substantially more units, potentially 40 or more, limited mostly by the height of the building and availability to provide off-street parking.

The CBD zoning would also encourage more intensive development and re-use in the neighborhood by lowering the required off-street parking requirements for both businesses and residential uses. For example, two (2) parking spaces per residential dwelling unit are required in the A-3 zone versus 1.5 per dwelling unit in the CBD, (with a pending change to one (1) space per dwelling unit). The CBD zoning also has more favorable parking requirements for business uses than currently exists in other zoning districts. This reduction in required parking is a

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considerable incentive for a more intensive use of any property that is vacant, underutilized or which lends itself to being re-developed.

The CBD zone also includes some design requirements, which encourage minimal front yard setbacks, multi-story mixed-use buildings and some general design requirements intended to help ensure architectural compatibility and consistency with the established historic character of the area.

RECOMMENDATION: The City Plan Commission is of the opinion that this zone change facilitates the development that is similar to the actual existing buildings and uses in the zone change area and which is consistent with and supportive of the neighboring CBD zoned downtown area. The Commission, therefore, recommends adoption of this zone change.

G. Geoffrey Bray, Chairman Pro Tempore
City Plan Commission

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning & Housing, seconded by Ald. Bielinski. So voted. Approved October 2, 2013 by Mayor Timothy O'Brien.

32440-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES REVISING SEC. 170-50-90 AND 170-50-90.01 REGARDING PARKING FOR RESIDENTIAL USES 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 September 9, 2013, voted 4 to 1 to APPROVE the following report:

BACKGROUND: This amendment would reduce the required parking for residential uses in the CBD, Central Business District, from 1.5 spaces per dwelling unit to one (1) per dwelling unit. This is intended to improve the potential for residential development in and around the downtown core. The conclusion of the city's downtown planning study completed in 2008 indicated that the best, most feasible means of revitalizing the central business district was to encourage higher density residential use in and around the downtown. The key conclusion was that there are opportunities in the rental housing market that would make new construction and the renovation and re-use of existing buildings in the downtown economically viable, and that having a critical mass of residents in and around the city center would support the economic revitalization in the form of new restaurants and shops.

The provision of resident parking on-site is often a significant obstacle to creating housing in the downtown. The normal parking requirement for residential uses throughout the city is two (2) parking spaces per dwelling unit. The zoning amendments for the Central Business District in 2008 reduced this standard to 1.5 spaces per dwelling unit, recognizing the difficulty inherent in adding any parking on many of the smaller, older, already-built up properties. This current, further reduction to one (1) space per unit is consistent with recommendations from the downtown study, CTfasttrack planning studies, as well as other planning and zoning initiatives being undertaken in other cities in Connecticut and across the country.

FINDINGS: Section 170-50-90 is the general parking requirements table indicating the required parking for the various uses in the CBD zone. The amendment to 170-50-90 simply changes the 1.5 spaces per dwelling unit to one (1) space per unit. Section 170-50-90.10 relates to a specific portion of the downtown that is designated the Municipal Parking District. It's depicted on the zoning map and every type of building or land use in this district, except for

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residential, is exempt from providing any off-street parking. This Municipal Parking District dates back to re-development and the construction of the two downtown municipal parking garages. In addition to reducing the residential parking requirement from 1.5 to one (1) space per unit, the amendment also adds some language that clarifies the provisions for accommodating the parking requirement at an off-site location, either a lease on a nearby private lot or some form of arrangement at a municipal parking garage.

RECOMMENDATION: The City Plan Commission is of the opinion that this proposed amendment is 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 that the reduction in residential parking requirements in the downtown is reasonable and consistent with new urban planning and zoning practices being employed elsewhere in the country. The Commission, therefore, recommends adoption of this zoning amendment.

G. Geoffrey Bray, Chairman Pro Tempore
City Plan Commission

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning & Housing, seconded by Ald. Bielinski. So voted. Approved October 2, 2013 by Mayor Timothy O'Brien.

TAX COLLECTOR

32480 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

Ald. Trueworthy moved to go into executive session to discuss item #32481-1, regarding a personnel matter taking Mayor Tim O'Brien and Corporation Counsel, John King. Motion seconded by Ald. Bielinski. Executive session started at 8:48 p.m.

Ald. Trueworthy moved to return to regular order of business, seconded by Ald. Bielinski. So voted. The meeting reconvened at 9:23 p.m.

NEW BUSINESS

RESOLUTIONS

32481-1 RE: APPOINTMENT OF FIRE CHIEF THOMAS G. RONALTER

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 currently has an acting Fire Chief; NOW, THEREFORE, BE IT

RESOLVED; in accordance with Article VIII; Section 8-4(b) 1 of the City Charter, the Mayor recommends Thomas G. Ronalter to be appointed as Fire Chief for the City of New Britain.

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Suzanne Bielienski, Alderwoman
Eva Magnuszewski, Alderwoman
Roy Centeno, Alderman

Ald. Bielinski moved to accept and adopt, seconded by Ald. Magnuszewski. Ald. Bielinski moved to amend to insert the name Thomas G. Ronalter in the resolved paragraph, seconded by Ald. Magnuszewski. So voted. RESOLUTION ADOPTED AS AMENDED. Approved September 30, 2013 by Mayor Timothy O'Brien.

32482 RE: CONNECTICUT LIGHT AND POWER EASEMENT FOR PINNACLE BUSINESS PARK

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 grant an Electrical Distribution Easement on City-owned property to the Connecticut Light and Power Company for electrical service at Pinnacle Business Park.

WHEREAS, the City of New Britain currently owns a portion of the real property known as Pinnacle Business Park; and

WHEREAS, new construction for manufacturing is being built for economic development; and

WHEREAS, the City of New Britain has a strong commitment to redevelopment including an economic growth, job creation and Grand list growth; and

WHEREAS, The Connecticut Light and Power Company is seeking an easement over a portion of this real property in order to install electrical service to supply the utility needs of companies who are constructing new buildings in this Business Park as well as future development; now, therefore, be it

RESOLVED, That Timothy O'Brien, Mayor, be and is hereby authorized to negotiate on behalf of the City of New Britain, an Easement Agreement with The Connecticut Light and Power Company for electrical distribution at Pinnacle Business Park, and to execute any and all documents necessary for the Electrical Distribution Easement for One Dollar and other valuable consideration.

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved September 30, 2013 by Mayor Timothy O'Brien.

Ald. Brown recused himself for items 32483 & 32484 due to possible conflict of interest.

32483 RE: HEALTH ASSISTER GRANT

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 Patient Protection and Affordable Care Act, (ACA) the new Federal Health Insurance Law, goes into effect on January 1, 2014 offering new opportunities for the uninsured to access health insurance. The Office of the Healthcare Advocate is collaborating with Access Health CT, Connecticut's Health Insurance Exchange (AHCT) under the ACA to design and implement a Navigator and In-Person Assister Program.

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WHEREAS; AHCT requires the assistance of organizations with close ties to the community to assist them in reaching out to members of New Britain, to inform residents of the benefits available to them through the ACA and help them enroll in health care coverage through AHCT. AHCT will provide grant funding in the amount of \$6,000 for the period of October 1, 2013 through April 30, 2014 to perform these activities.

WHEREAS; The New Britain Health Department is community based and possesses the experience and qualifications to perform the services.

Local Program Operation Department: Health, under the supervision of the Director.

Resolution Purpose: To approve the receipt of grant funding from The Connecticut Health Insurance Exchange d/b/a Access Health CT in the amount of \$6,000

WHEREAS; the goal of participating in these grant activities is to improve the health and well-being of City residents.

NOW THEREFORE BE IT RESOLVED, that the Mayor, Timothy O'Brien, be authorized to sign any necessary and appropriate agreements in order to secure the use of such funds. BE IT FURTHER

RESOLVED, that the monies in the amount of \$6,000 be appropriated within a special revenue fund as follows:

REVENUE:		
245522138-4437	Revenue	\$ 6,000
EXPENDITURES:		
245522138-5124	Part Time Salaries	\$ 5,000
245522138-5611	Office Supplies	<u>\$ 1,000</u>
Total Expenditures		\$ 6,000

Alderman Adam Platosz
Alderman David DeFronzo

Ald. DeFronzo moved to accept and adopt, seconded by Ald. Platosz. So voted. Approved September 30, 2013 by Mayor Timothy O'Brien.

32484 RE: COMMUNITY SERVICES ASSISTER GRANT

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 Patient Protection and Affordable Care Act, (ACA) the new Federal Health Insurance Law, goes into effect on January 1, 2014 offering new opportunities for the uninsured to access health insurance. The Office of the Healthcare Advocate is collaborating with Access Health CT, Connecticut's Health Insurance Exchange (AHCT) under the ACA to design and implement a Navigator and In-Person Assister Program.

WHEREAS; AHCT requires the assistance of organizations with close ties to the community to assist them in reaching out to members of New Britain, to inform residents of the benefits available to them through the ACA and help them enroll in health care coverage through AHCT. AHCT will provide grant funding in the amount of \$18,000 for the period of October 1, 2013 through April 30, 2014 to perform these activities.

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WHEREAS; The Community Services Department is community based and possesses the experience and qualifications to perform the services.

Local Program Operation Department: Community Services Department, under the supervision of the Director.

Resolution Purpose: To approve the receipt of grant funding from The Connecticut Health Insurance Exchange d/b/a Access Health CT in the amount of \$18,000

WHEREAS; the goal of participating in these grant activities is to improve the health and well-being of City residents.

NOW THEREFORE BE IT RESOLVED, that the Mayor, Timothy O'Brien, be authorized to sign any necessary and appropriate agreements in order to secure the use of such funds. BE IT FURTHER

RESOLVED, that the monies in the amount of \$18,000 be appropriated within a special revenue fund as follows:

REVENUE:		
245522139-4437	Revenue	\$ 18,000
EXPENDITURES:		
245522139-5124	Part TimeSalaries	\$ 15,000
245522139-5611	Office Supplies	<u>\$ 3,000</u>
Total Expenditures		\$ 18,000

Alderman Emmanuel Sanchez
Alderman J. Tobias Freeman

Ald. Freeman moved to accept and adopt, seconded by Ald. Sanchez. Ald. Freeman moved to amend by changing the amount of \$6,000 to \$18,000 in the second Whereas paragraph, seconded by Ald. Bielinski. Amendment carried. RESOLUTION AS AMENDED CARRIED. Approved October 2, 2013 by Mayor Timothy O'Brien.

Ald. Brown returned to the chambers.

32490 RE: BUDGET AMENDMENT AND TRANSFER – FISCAL YEAR 2012-2013

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:

Whereas, revenue, expenditure, encumbrance and accrued liabilities for fiscal year 2012-2013 have been determined and reflected in departmental accounts and funds; and

Whereas, the fiscal year 2012-2013 General Fund results from operations (unaudited) concluded with a surplus summarized as follows:

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenue	\$ 226,241,269	\$ 228,049,827	\$ 1,808,558
Expenditures	\$ 226,241,269	\$ 227,719,465	<u>(1,478,196)</u>
Surplus from Operations (FY07)(FY13)			\$ 330,362

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

2013	2012	2011	2010	2009	2008	2007
\$330,362	\$105,375	\$2,326,617	\$510,907	\$249,688	\$0	\$211,757

Whereas, to more accurately reflect fiscal year 2012-2013 operating results, a budget amendment is proposed to increase revenue budgets to reflect actual funds received / accrued and to increase expenditure budget by a like amount; and

Whereas, revenues realized for: Fines and Fees, Current and Prior Year Tax Collections and BAN/Bond Premium were greater than anticipated; and, prior to the transfer of additional funds to the Medical Self-Insurance fund and the Capital Non-Recurring Fund, expenditures were lower than anticipated due to payroll and benefit savings as well as other savings related to the consolidation, and

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

CAPITAL NON-RECURRING (FUND 004)

- Reserve monies amounting to \$950,000 for

INSURANCE RESERVE FUND

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

Whereas, the fiscal year ending June 30, 2013 is currently in audit process; and

Whereas, the expenditures, encumbrances and accrued liabilities for the fiscal year ended June 30, 2013 have been determined; and

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

Resolved, as of June 30, 2013 appropriation line items within the General Fund, as outlined, for the fiscal year ending June 30, 2013 be transferred, as attached and on file in the Town Clerk's Office; and be it further

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

Alderman Michael Trueworthy
Common Council Majority Leader

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved September 30, 2013 by Mayor Timothy O'Brien.

32485 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING ARTICLE XIX IN CHAPTER 14 LICENSING FOR BARBERSHOPS, SALONS AND COSMETOLOGY

Proposed Ordinance is on file in the Town Clerk's Office.

Ald. Hermanowski moved to accept and refer to the Consolidated Committee, seconded by Ald. DeFronzo. So voted. Approved October 2, 2013 by Mayor Timothy O'Brien.

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32486 RE: DESIGNATING THE MONTH OF OCTOBER AS ITALIAN AMERICAN HERITAGE MONTH

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 United States Congress, by joint resolution on April 30, 1934 and modified in 1968, (36 U.S.C. 107), as amended, proclaimed the second Monday of October of each year as "Columbus Day", and

WHEREAS, Columbus Day has become a celebration of not only memorializing the man and his crew who journeyed to America 521 years ago, but also a day to reflect on the professional and social accomplishments of all Americans of Italian descent and their impact on American Society, and

WHEREAS, the City of New Britain is proud to be home to such a distinguished population and recognizes the accomplishments Italian American men and women have made in fields including business, education, government, law, medicine, and public safety; and

WHEREAS, in addition to a strong professional presence, Italian American fraternal organizations, including Angelo Tomasso Sr. Lodge Order Sons of Italy in America, Calabria Mia, Italian Fraternal, Generale Ameglio Society, Angelo Custode Society, Campodipietra Society, and Italian Heritage Foundation, Inc. have long been pillars in the New Britain community and have contributed to the rich diverse culture of our City; NOW, THEREFORE, BE IT

RESOLVED, that the City of New Britain proclaim October 14, 2013 as Columbus Day and call upon all residents to observe this day with appropriate ceremonies and activities; and be it further

RESOLVED, that the City of New Britain designates October as Italian American Heritage Month.

Alderman Carlo Carlozzi, Jr.

Ald. Carlozzi moved to accept and adopt, seconded by Ald. DeFronzo. So voted. Approved October 2, 2013 by Mayor Timothy O'Brien.

32489 RE: CONTRACT WITH CAROL SALMANSON FOR CREATION OF A SCULPTURE TO BE PLACED IN THE "POCKET PARK" IN THE VICINITY OF THE NEW POLICE DEPT. BUILDING

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 a 1% for Art Ordinance which provides that 1% of the cost of construction or rehab projects of public buildings be set aside for public art: and

WHEREAS, the Police Department Building construction project was, thereby, required to set aside funds for public Art to be placed in, near or in the vicinity of the new Police Department building; and

WHEREAS, the New Britain Arts Commission is tasked with advising the Mayor on all things related to art including the selection of public Art; and

WHEREAS, the Art Commission, with the approval of the Mayor, decided that the art to be funded would be a sculpture and that the budget for the project was one hundred thousand dollars (\$100,000.00); and

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WHEREAS, the building designers designated an appropriate spot for this art, in the “Pocket Park” near the new building on the Main Street side; and

WHEREAS, the Arts Commission, with the guidance and assistance of the Connecticut Department of Economic and Community Development (DECD), Office of the Arts, developed a Request for Qualification (RFQ) process for the selection of the artist to create this sculpture; and

WHEREAS, the Art Commission put in many months of work to assure that a qualified artist would be selected; and

WHEREAS, one hundred and thirty-one artists from all over the country expressed interest in this project, and three qualified, professional artists were chosen as finalists to submit proposals; and

WHEREAS, after careful review of the proposals of the finalists the decision was made by the Arts Commission, with the approval of the Mayor, to offer the opportunity to create this sculpture to Carol Salmanson. Therefore, BE IT

RESOLVED, that the Common Council authorizes Mayor Timothy E. O’Brien to enter into a contract with Carol Salmanson to fabricate, assemble and install a sculpture of her design entitled “Spiral Exchange” for the total price of ninety-nine thousand dollars (\$99,000.00)

Alderman David DeFronzo
Common Council Liaison, Arts Commission

Ald. DeFronzo moved to accept and adopt, seconded by Ald. Collins. So voted. Approved October 2, 2013 by Mayor Timothy O’Brien.

Ald. Trueworthy moved to reconsider item #32480, seconded by Ald. Bielinski. Ald. Carozzi opposed.

TAX COLLECTOR

32480 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

Ald. Bielinski moved to accept and adopt, seconded by Ald. Trueworthy. Ald. Trueworthy moved to amend by adding “Susanne Messier” to the motor vehicle list of clerical errors, seconded by Ald. Bielinski. Roll call vote – 9 in favor, 6 opposed. IN FAVOR: Ald. Trueworthy, Magnuszewski, Centeno, Collins, Black, Hermanowski, Platosz, Freeman and Bielinski. OPPOSED: Ald. DeFronzo, Sanchez, Carozzi, Brown, Pabon and Giantonio. Amendment carried. REPORT ADOPTED AS AMENDED. Approved Sept. 30, 2013 by Mayor Timothy O’Brien.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 9:43 p.m.

ATTEST: Peter J. Denuzze, City Clerk