

April 23, 2014

**REGULAR MEETING OF THE COMMON COUNCIL
APRIL 23, 2014**

Mayor Erin E. Stewart called the Regular Meeting of the Council to order on Wednesday, the 23rd day of April 2014 at 7:48 p.m. in the Common Council Chambers, City Hall.

Twelve members were present at roll call: Ald. Trueworthy, Magnuszewski, Black, Platosz, Carlozzi, DeFronzo, Salvio, Pabon, Giantonio, Smedley, Salerno, and Bielinski.

Three members were absent: Ald. Collins, Sanchez, and Naples.

The invocation was given by City Clerk, Mark H. Bernacki: O God, Our Heavenly Father, we thank you for a renewed beginning of Spring: for the Rock Cat Baseball season at Willow Brook Park; for the grass that is growing at the Stanley Golf Course; for the roses that will begin to bloom at the Walnut Hill Rose Garden; for the birds, and unfortunately, for the geese that will populate Stanley Quarter Park; for the cool breeze and warm evenings at the Darius Miller Music Shell; for the bees pollinating the flowers at Hungerford Park; for the ultimate shade and beauty of the trees at Shuttle Meadow Reservoir, and for all the things we hear, see and experience this Spring season, Father we thank you. Amen.

The pledge to the flag was led by Robert Storace.

Ald. Trueworthy was granted a point of personal privilege and explained that Ald. Collins was absent due to illness, Ald. Sanchez due to his work and Ald. Naples was out of town.

Ald. Bielinski moved to accept and adopt the minutes of the Special and Regular Meetings of March 12, 2014, seconded by Ald. Trueworthy. So voted.

Ald. Bielinski moved to amend the agenda by adding 32686-1(P), 32686-2(4), 32711(5), and by substituting 32710(3) and 32686-2(4) and moving 32709(2) to the front of resolutions. Motion seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved April 24, 2014 by Erin E. Stewart, Mayor.

CONSENT AGENDA

CITY CLERK

32693 RE: CLAIMS FOR INJURIES AND/OR PROPERTY DAMAGE

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

CLAIMANTS NAME

- American Commerce Insurance
- Castro, Kelvin by Atty. Danielle Wisniowski

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- Kiczwk, Teresa by Atty. Richard W. Mather
- Souksengchan, Benson
- Turek, Mark

Mark H. Bernacki
City Clerk

OFFICE OF THE CORPORATION COUNSEL

32694 RE: MARIA GOMEZ V. CITY OF NEW BRITAIN

To Her 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 FIVE THOUSAND FOUR HUNDRED THIRTY ONE DOLLARS AND THIRTY NINE CENTS (\$5,431.39) be paid to Maria Gomez and Sydney Schulman, Esq., her attorney, in full settlement of her suit against the City of New Britain, now pending in Superior Court, Judicial District of New Britain, at New Britain, for bodily injuries and property damage she allegedly sustained on June 22, 2010 when she was a passenger in a vehicle owned by her. The vehicle allegedly hit a New Britain Water Department water shut off valve cover which plaintiff claims was not properly seated unto its opening in the roadway. As a result of the incident, plaintiff alleges that she has suffered injury in the lumbar spine and right knee. She has been assessed with a 5% permanent partial disability to the lumbar spine and a 5% permanent partial disability to the right knee. In medical specials, the plaintiff has incurred \$5,431.39. There is a lien for the medical bills.

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 Sydney Schulman, Esq., with the approval and consent of Gennaro Bizzarro, 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

PURCHASING DEPARTMENT

32700 RE: EMERGENCY PURCHASE ORDER - FENCE REPAIRS AT POLICE DEPT. IMPOUND LOT

To Her 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 order was authorized by the Mayor and issued to the vendor listed below on April 16, 2014

| <u>Supplier</u> | <u>Item</u> | <u>Total Price</u> |
|--|---------------|--------------------|
| Eagle Fence and Guardrail Plainville, CT. | Fence Repairs | \$4,975.00 |

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:

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A Purchase Order was requested by the Public Works Department for the purchase of fence repairs at the Police Department's Impound Lot at Herald Square. The State of Connecticut caused the damage to the fence while plowing heavy, wet snow over the Truman Overpass that fell upon it. The Police Chief required that the fence be repaired immediately to protect the vehicles in the Impound Lot from being vandalized or stolen.

The Public Works Department and Corporation Council are working to obtain reimbursement from the State of Connecticut for the repairs. Funding for the Fence Repairs came from the General Liability and Risk Management's account number 704625102-5246, Property Damage, Public Works.

Jack Pieper
Purchasing Agent

32706 RE: SALE OF SCRAP METAL - PUBLIC WORKS DEPT.

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

Public Bid No. 3783 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 Works' 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 twenty (20) 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. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance with specifications by the Public Works Administration and Purchasing Agent. Liberty Recycling, LLC of Bristol, CT submitted the highest price per ton for the purchase of the Scrap Metal. Feigenbaum & Nair which is a New Britain based company submitted a bid that was within 10% of the highest bid submitted by a company located within the state. Per City Ordinance Section 2-578 item 10, Feigenbaum & Nair agreed to raise their bid to match the price submitted by the highest bidder. Feigenbaum & Nair was awarded this bid in the past and has been purchasing the Scrap Metal from the Public Works Department since April 2009. Therefore, the Public Works Director has recommended awarding the bid again to Feigenbaum & Nair of New Britain, CT.

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 \$232.10 per ton effective from May 1, 2014 to April 30, 2015 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. 3783.

Jack Pieper
Purchasing Agent

TAX COLLECTOR

32707 RE: TAX ABATEMENTS, CORRECTIONS AND REFUNDS

To Her 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 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

32686-1 RE: PROPOSED AMENDMENT TO SEC. 6-18 OF THE ORDINANCES AND ADDING 6-22 THRU 6-27 REGARDING LICENSING OF DOGS

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

The Consolidated Subcommittee held a regular meeting and public hearing on Thursday, April 17, 2014, at 7:00 pm in the Council Chambers, to which was referred the matter of item 32686, Amend Code of Ordinances, Section 6-18, to increase the fine for roaming dogs, and to add Sections 6-22, 6-23, 6-24, 6.25, 6-26 and 6-27, regarding vaccination, breeding, inspection and litter permits and to define dangerous dogs. The Consolidated Subcommittee amended and voted to accept as amended and refer back to the Common Council with a favorable recommendation.

Alderman Emmanuel Sanchez
Chair

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

FINANCE DEPARTMENT

32695 RE: LINE ITEM TRANSFERS FEB. 5, 2014 THRU APRIL 15, 2014

To Her 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(3), 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 April 15, 2014

5. Department: Fairview Cemetery
From: 001315011-5121 (Full Time Salaries)
To: 001315011-5124 (Part Time Salaries)
Amount: \$25,000.00
Brief Description: Funds needed to pay seasonal and temporary employees due to recent retirements

6. Department: Water Department
From: 9303500101-5659 (Operating Materials & Supplies)
To: 9303500101-5300 (Consulting & Contractual)
Amount: \$14,500.00
Brief Description: Funds needed for on-call engineering services by Lenard Engineering, Inc. Six mandatory dam inspections required by DEEP.

Jonathan Perugini
Budget & Capital Projects Fiscal Officer

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Ald. Carlozzi moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

PURCHASING DEPARTMENT

32696 RE: ON-CALL ENGINEERING SERVICES DAM INSPECTIONS - PUBLIC WORKS DEPT.

To Her 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 April 8, 2014 meeting.

Project Name: Dam Inspections
Vendor: Lenard Engineering, Inc.
Amount: \$14,500.00
Line Items: 9303500101-5300 Water Operating Expense or Supply, Consulting and Contractual Services
Requested By: Public Works Department/Utilities Division

Scope: Lenard Engineering, Inc. will conduct inspections of the six (6) dams at the Utilities Division's Reservoirs in accordance with the new CT DEEP Dam Inspection Regulations. The inspections will include observations of visible components of the dams including their embankments, spillways, downstream channels, intake and outlet structures and training walls. Photographs of the dam components and areas of concern will be taken along with aerial photographs of the watershed and impoundment areas of the reservoirs. Lenard Engineering, Inc. will then create internal reports describing the conditions of each dam and estimate any seepage found. They will then meet with the Utilities Division to discuss their site inspection results of the dams. Lenard Engineering, Inc. will then prepare the required CT DEEP formal dam inspection reports and then submit the reports to them.

Resolved: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$14,500.00 to Lenard Engineering, Inc. to conduct inspections of the six (6) dams at the City's Reservoirs and submit required reports to the CT DEEP for the Public Works Department, Utilities Division.

Jack Pieper
Purchasing Agent

Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

32697 RE: ON CALL ENGINEERING SERVICES LANDFILL AND RECYCLING CENTER COMPLIANCE MONITORING - PUBLIC WORKS DEPARTMENT

To Her 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: Landfill and Recycling Center Compliance Monitoring during 2014
Vendor: CMG Environmental, Inc

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Amount: \$42,830.00
Line Items: 001315004-5331 Sanitation, Professional Services
Requested By: Public Works Department, Engineering Division

Scope: Per Connecticut DEEP consent order, CMG Environmental, Inc. will conduct quarterly testing of ground and surface water as well as monitoring for methane gases at the City's Landfill and Recycling Center. A quarterly, semi-annual and annual summary reports of the testing and monitoring results will be created. These reports will include water quality, ground water elevations and flow maps. The reports will include items such as tabulated analytical data and exceedances of National Primary Drinking Water Standards and the Connecticut Department of Health Services Standards. The evaluation will be submitted to the Public Works Department for review and approval before being sent to the Connecticut DEEP. CMG Environmental, Inc. will also meet with the Public Works Department to discuss the results of their tests.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$42,830.00 to CMG Environmental, Inc. of New Britain, CT for Landfill and Recycling Center Compliance Monitoring during 2014.

Jack Pieper
Purchasing Agent

Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. Ald. Carlozzi moved to table, seconded by Ald. Trueworthy. REPORT TABLED WITH ALD. SALVIO OPPOSED.

32698 RE: ON-CALL ENGINEERING SERVICES HISTORICAL SIGNAGE AND STANLEY QUARTER PARK PROJECT

To Her 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: Historical Signage and Stanley Quarter Park Project
Vendor: TO Design LLC
Amount: \$47,000.00
Line Items: 0083238401-5331 Streetscape Improvement Bond, Professional Services and 0082950302-5331, Street Infrastructure Rehabilitation, Professional Services
Requested By: Public Works Department, Engineering Division

Scope: TO Design LLC will conduct research for the text and images of historic signage. The design of the historic signage is time sensitive as the project is funded by the Preserve America Grant through National Park Services and will be needed for the City's Historic Signage Walking Tour. The Public Works Department will be provided with the preliminary text and images of the signage for review and approval. Once approved, TO Design LLC will provide preliminary layouts so the historic signage can be created and installed. TO Design LLC will also provide on-call landscape architecture and site design services for the Stanley Quarter Park improvement project. The project includes roadway reconstruction, improvements to drainage, parking and fields and lighting for the pond and parking areas. They will conduct on-site visits of the park and meet with the Public Works Department to discuss the project and the costs. Once approved, TO Design LLC will develop the needed engineering prints and specifications so the project can be put out to bid. They will be in attendance at meetings and assist in reviewing the bids submitted to assure that the bidders complied with the bid specifications. Once the project has been awarded, TO Design LLC will conduct on-site visits to assure the work is being conducted to specifications.

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RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$47,000.00 to TO Design LLC of New Britain, CT for Historical Signage and Stanley Quarter Park Projects.

Jack Pieper
Purchasing Agent

Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. Ald. Carlozzi and Ald. Trueworthy withdrew their motions. Ald. Carlozzi moved to accept and adopt, seconded by Ald. Trueworthy. Report accepted and adopted with Ald. Smedley opposed. Approved April 24, 2014 by Mayor Erin E. Stewart.

32699 RE: ON-CALL ENGINEERING SERVICES IDENTIFICATIONS OF ILLICIT DISCHARGES INTO THE CITY'S STORM WATER DRAINAGE SYSTEM

To Her 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: Identifications of Illicit Discharges into the City's Storm Water Drainage System
Vendor: Cardinal Engineering Associates
Amount: \$49,500.00
Line Items: 0082748814-5453 Storm Water Illicit Discharge, Engineering /Appraisals
Requested By: Public Works Department, Utilities Division

Scope: Cardinal Engineering Associates will review the data compiled by the Utilities Division from inspections they conducted of the storm water drainage system for illicit discharges within the City's hundred forty five (145) miles of pipes. Cardinal Engineering Associates will determine if there are any illicit discharges. They will meet with the Utilities Division to determine if any potential sources of illicit discharges have been noted during routine maintenance of the system by City employees or complaints from citizens during the year. Cardinal Engineering Associates after reviewing the reports will conduct inspections of the storm water drainage system where they found illicit discharges may have occurred. At the sites they will obtain samples of the water and soils and have them tested by a state certified Environmental Testing Laboratory. Once the illicit discharge has been isolated to a reach of storm drainage pipes between two adjacent manholes, the source shall be identified by Cardinal Engineering Associates using video inspection and dye testing. Cardinal Engineering Associates will submit all test results to the Public Works Department/Utilities Division for their review and conduct any required meetings with them. They will also prepare any required annual reports for submittal to the Connecticut Department of Energy and Environmental (DEEP) and the United States Environmental Protection Agency (EPA).

Resolved: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$49,500.00 to Cardinal Engineering Associates for them to provide services for the identification of Illicit Discharges into the City's Storm Water Drainage System for the Public Works Department, Utility Division, per their On-Call Engineering Services, Bid 3620.

Jack Pieper
Purchasing Agent

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Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

32701 RE: WEB BASED TRAINING FOR THE FIRE DEPARTMENT

To Her 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 Fire Department for the continuation of their web based training for their firefighters. The company is the sole source supplier of this type of web based training.

| <u>Supplier</u> | <u>Services</u> | <u>Price</u> |
|--|--------------------|--------------|
| Kaplan Solutions Fort Lauderdale, FL. | Web Based Training | \$16,864.00 |

Kaplan Solutions has provided this web based training to the Fire Department for the last two (2) years. Kaplan Solutions is a qualified company that provides web based training for firefighters and other first responders. Kaplan Solutions is still the only company able to provide EMS-physician directed Medic Monthly courses and the only provider of nationally renowned EMS training featuring Bloodborne Pathogens and HIV/AIDS coursework. Kaplan Solutions is the only educational source that is a part of an accredited university offering Fire and EMS continuing education courses. The Purchasing Agent has documentation from the vendor verifying that Kaplan Solutions is the sole source company authorized to provide this type of web based training. Bid solicitation for the purchase of this web based training would not be beneficial to the City. Funding for the purchase of this web based training is available in the Fire Department's account 001212002-5337, Fire Operations, Training and Conferences.

Resolved: that the Purchasing Agent is hereby authorized to issue a Purchase Order for \$16,864.00 to Kaplan Solutions to continue providing Web Based Fire and EMS Training for the Fire Department.

Jack Pieper
Purchasing Agent

Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

32703 RE: RESILIENT WEDGES AND BUTTERFLY WATER VALVES - PUBLIC WORKS DEPT.

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

Public Bid No. 3778 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Resilient Wedges and Butterfly Water Valves for the Public Works Department/Utilities Division. Funding is available for this purchase within the Public Works Department/Utilities Division's account number, 9303500204-5659, Water Maintenance Expense, Operating Material and Supplies.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to thirteen (13) Resilient Wedge and Butterfly Water Valve Companies. The Purchasing Agent did not receive any letters from the Resilient Wedge and Butterfly Water Valve Companies on the mailing list who indicated they could not provide a response to the bid request. The responses received are on file in the Town Clerk's Office.

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The bid was reviewed for conformance to specifications by the Utilities Division's Administration and the Purchasing Agent. HD Supply Waterworks, which is a New Britain, based company was awarded the bid last year and has been supplying the Resilient Wedges and Butterfly Water Valves to the Public Works Department, Utilities Division. The bid that they submitted this year, they were the lowest bidder only for the 16", 24" and 36" Butterfly Water Valves. They were not the lowest bidder for the 20" Butterfly Water Valve but was within 10% of the lowest bid submitted by a company located within the state for the 4", 6", 8", and 12" Resilient Wedges and the 14" Butterfly Water Valve. Per City Ordinance Section 2-578 item 10, HD Supply Waterworks agreed to lower their bid to match the price submitted by the lowest bidder for the 4", 6", 8", and 12" Resilient Wedges and the 14" Butterfly Water Valve. Therefore the Deputy Director of the Public Works Department is recommending that the bid be awarded to Ferguson Water Works of Newington, CT who met all of the bid specifications for the 20" Butterfly Water Valve and to HD Supply Waterworks for the 4", 6", 8" and 12" Resilient Wedges and the 14", 16", 24" and 36" Butterfly Water Valves. The bid results were presented to the Water Commission at their April 8, 2014 meeting. At this meeting they approved the Deputy Director of the Public Works Department's recommendations for the purchase of the 20" Butterfly Water Valve from Ferguson Water Works of Newington, CT and the 4", 6", 8" and 12" Resilient Wedges and the 14", 16", 24" and 36" Butterfly Water Valves from HD Supply Waterworks of New Britain, CT.

RESOLVED: That the Purchasing Agent is authorized to issue a standing purchase order to Ferguson Water Works of Newington CT for the purchase of a 20" Butterfly Water Valve and to HD Supply Waterworks of New Britain, CT. for the purchase of 4", 6", 8" and 12" Resilient Wedges and 14", 16", 24" and 36" Butterfly Water Valves per the attached prices, specifications and terms of Public Bid No. 3778.

Jack Pieper
Purchasing Agent

Ald. Carozzi moved to accept, seconded by Ald. DeFronzo. Ald. Carozzi and Ald. DeFronzo withdrew their motions. Ald. Carozzi moved to accept and adopt, seconded by Ald. DeFronzo. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

32704 RE: TESTING AND CALIBRATION OF LARGE WATER METERS - PUBLIC WORKS DEPT.

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

Public Bid No. 3780 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Testing and Calibration of Large Water Meters for the Public Works Department, Utilities Division. Funding is available for this purchase within the Public Works Department, Utilities Division's account number 9303500204-5659, Water Maintenance Expense, Operating Material and Supplies.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to fifteen (15) Water Meter Testing and Calibration Companies. The Purchasing Agent did not receive any letters from the Water Meter Testing and Calibration Companies on the mailing list who indicated that they could not provide a response to the bid request. The responses received are on file in the Town Clerk's Office.

The bid was reviewed for conformance to specifications by the Public Works Department, Utilities Division's, Administration and the Purchasing Agent. Toomy Water Services, Inc has provided this service in 2011 and 2012 to the Utilities Division. They were not awarded the bid last year because they did not submit the lowest responsible bid. Their bid price this year was \$4.70 lower than the one they submitted last year. Therefore the Deputy Director of the Public Works Department is recommending that the bid be awarded for the Testing and Calibration of Large Water Meters to Toomy Water Services, Inc of North Brookfield, MA. The bid result was presented to the Water Commission at their April 8, 2014 meeting. At this meeting they approved

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the Deputy Director of the Public Works Department's recommendation to award the bid for the Testing and Calibration of the Large Water Meters to Toomy Water Services, Inc of North Brookfield, MA.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing purchase order to Toomy Water Services, Inc of North Brookfield, MA for the Testing and Calibration of Large Water Meters at a price of \$154.00 per meter for the Public Works Department, Utilities Division, per the terms and specifications of Public Bid No. 3780.

Jack Pieper
Purchasing Agent

Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. Ald. Carlozzi and Ald. Trueworthy withdrew their motions. Ald. Carlozzi moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

32705 RE: HIGHWAY CASTINGS - PUBLIC WORKS

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

Public Bid No. 3781 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of Highway Castings for the New Britain Public Works Department, Utilities Division. The funding for this purchase is in the Public Works Department Utilities Division's account number, 208315101-5659 Sewer Fund, Operating Material and Supplies.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to fifteen (15) Casting Companies. The Purchasing Agent did not receive any letters from the Casting Companies on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department Utilities Division's Administration and the Purchasing Agent. HD Supply Waterworks, who is a New Britain based company, has submitted a bid that met the bid specifications and was within 10% of the lowest bid for item 1. Per City Ordinance Section 2-578, item 10, HD Supply Waterworks agreed to lower their bid to match the price submitted by the lowest bidder for item 1. HD Supply Waterworks was awarded the bid last year for item 1. Therefore, the Deputy Director of the Public Works Department is recommending the bid be awarded again to HD Supply Waterworks of New Britain, CT for item 1 and to United Concrete of Yalesville, CT for item 2 who was the lowest bidder and met all of the bid specifications for that item.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing Purchase Order to HD Supply Waterworks of New Britain, CT for the purchase of item 1 and to United Concrete Products of Yalesville, CT for the purchase of item 2 for the New Britain Public Works Department, Utilities Division per the attached pricing, terms and specifications of Public Bid No. 3781.

Jack Pieper
Purchasing Agent

Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. Ald. Carlozzi and Ald. Trueworthy withdrew their motions. Ald. Carlozzi moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

Ald. Trueworthy moved to reconsider the Consent Agenda seconded by Ald. Bielinski. Motion carried with Ald. Gianantonio opposed.

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Ald. Bielinski moved to remove 32702(J) from the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

PURCHASING DEPARTMENT

32702 RE: PRINTING OF ALL TYPES OF TAX BILLS FOR THE TAX COLLECTOR

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

Public Bid No. 3768 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Printing of all types of Tax Bills for the City Tax Collector. Funding is available for this purchase from the Tax Collection Department's Account Number, 001107002-5336, Revenue Collections, Other Purchase Services.

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 fifty five (55) Printing Companies. The Purchasing Agent did not receive any letters from the Printing Companies on the mailing list who indicated they could not provide a response to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the City Tax Collector and the Purchasing Agent. The Purchasing Agent called the lowest bidder's references, who indicated that they provided tax bill printing services to verify their work, performance and reliability. The results of the reference checks were given to the City Tax Collector. Therefore the City Tax Collector is recommending that the bid be awarded to Level One, LLC of Malvern, PA. who was the lowest bidder and met all of the bid specifications for this service.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a purchase order to Level One, LLC of Malvern, PA. The printing of all Types of Tax Bills for the City Tax Collector for a period commencing on June 1, 2014 and terminating on May 30, 2016 with an extension of two (2) one (1) year extensions if mutually agreed upon by the City and Level One, LLC at a unit price of \$0.105 for each Tax Bill, per the terms and specifications of Public Bid No. 3768.

Jack Pieper
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

NEW BUSINESS

RESOLUTIONS

32709 RE: BITUMINOUS PAVING AND MILLING OF CITY STREETS

To Her 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 publicly bids Bituminous Paving and Bituminous Material and awarded Contract #13PSX0300 to the lowest bidder in April 2014; and

WHEREAS, The State of Connecticut went out for public bid for Milling of Bituminous Concrete on Road and Bridges and awarded Contract #12PSX0390 to the lowest bidder in May 2013; and

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WHEREAS, The Public Works Department has historically used the State of Connecticut's contract pricing in accordance with the City's Code of Ordinances, Chapter 2, Article VIII, Division 1 Sections 2-538 (a) and (b), taking advantage of the low bid prices associated with these contracts; and

WHEREAS, By the Public Works Department scheduling their street paving projects with the companies who can meet the lowest bids to the State of Connecticut it will assure that the City's street paving projects will begin early in the season; and

WHEREAS, \$1.3m dollars is available in the Street Infrastructure Bond account number 0082950302-5454, therefore, be it

RESOLVED, that the Public Works Department in conjunction with the City's Purchasing Agent, is hereby authorized to issue purchase orders for a combined total of \$1.3m dollars to the Paving and Milling Contractor that will meet the low bid prices of the Bituminous Paving, Bituminous Material and Milling under the Contracts for the State of Connecticut's Cooperative Program for the milling and paving of City streets, parking lots, park roads and other similar uses for 2014.

Alderman Carlo Carozzi, Jr.
Alderman Eva Magnuszewski
Alderman Donald Naples
Alderman Emmanuel Sanchez

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

32708 RE: BITUMINOUS PAVEMENT REHABILITATION OF CITY STREETS

To Her 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 Department of Public Works is responsible for the maintenance of City streets; and

WHEREAS, Specialized methods of Pavement Rehabilitation are currently available that will result in extended pavement life and significant cost savings over time for roadways that are not yet in need of milling and pavement overlay. This process was utilized during the 2012 and 2013 construction season and to date the DPW is satisfied with the results. In the 2014 construction season the process will be utilized to rehabilitate twenty-two secondary City streets which have lower traffic volume; and

WHEREAS, The process consists of a "20% Recycled Asphalt Rubber Surface Treatment"; and

WHEREAS, This specialized work which is performed by All-State Asphalt, will result in a cost savings of approximately \$250,000 as compared to the cost of milling and paving the nineteen streets; and

WHEREAS, Funding for this work is available in the Infrastructure Bond account number 0082950302-5454;

Therefore, Be It Resolved, that the Common Council authorizes the Purchasing Agent to issue a purchase order to All States Asphalt, Inc. in the amount of \$350,000

Alderman Carl Carozzi, Jr.
Alderman Eva Magnuszewski
Alderman Donald Naples
Alderman Emmanuel Sanchez

Ald. Carozzi moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

April 23, 2014

32710 RE: COMPLETE STREETS MASTER PLAN FOR DOWNTOWN NEW BRITAIN

To Her 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 Center for Transit-Oriented Development is a national leader in promoting more livable and sustainable urban communities and defines transit oriented development (T.O.D.) as being about creating attractive, walkable, sustainable communities that allow residents to have housing and transportation choices to live convenient, affordable, and pleasant lives;

WHEREAS, Transit-Oriented Development opportunities exist within walking distance (typically defined as one-half mile) of a transit station, and the Center for Transit-Oriented Development cites a performance-based approach for TOD projects that: (1) Create a sense of place, (2) Increase "location efficiency" so people can walk and bike and take transit, (3) Provide a rich mix of housing, shopping, and transportation choices, (4) Generate revenue for the public and private sectors and provide value for both new and existing residents;

WHEREAS, Downtown New Britain has the mix of many favorable land uses needed to support future TOD within a half mile of the CTfastrak downtown station, but suffers from an overbuilt road network that is not pedestrian friendly, bicycle friendly, and that lacks a consistent and attractive sense of place;

WHEREAS, the State of Connecticut Public Act No. 09-154 state that from funds received by the department or any municipality for the construction, restoration, rehabilitation or relocation of highways, roads or streets, a reasonable amount shall be expended to provide facilities for all users, including, but not limited to, bikeways and sidewalks with appropriate curb cuts and ramps.

WHEREAS, In 2011 the City was awarded a HUD Sustainable Communities Grant for \$212,500 to develop a Complete Streets Master Plan for Downtown New Britain that had a goal of creating a more attractive, pedestrian and bicycle friendly environment in the downtown area to help create an environment with a greater potential for TOD to occur;

WHEREAS, The planning work associated with the Complete Streets Master Plan for Downtown New Britain was overseen by a Downtown Streetscape Working Group that was comprised of a diverse group of public and private stakeholders all with a shared interest in the future success of downtown New Britain;

WHEREAS, The Complete Streets Master Plan for Downtown New Britain was completed in 2013, and to date has resulted in the city being awarded over \$9 million in competitive grant awards toward funding the construction projects identified in the master plan;

RESOLVED, The New Britain Common Council supports the Complete Streets Master Plan for Downtown New Britain and the design decisions identified within this master plan, as well as supports adopting a complete streets approach for design and construction activities on New Britain's city streets consistent with Public Act No. 09-154.

Alderman Carlo Carozzi, Jr.
Alderwoman Eva Magnuszewski
Alderman Don Naples
Alderman Emmanuel Sanchez

Ald. Carozzi moved to accept and adopt, seconded by Ald. Magnuszewski. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

April 23, 2014

32686-2 RE: AMENDMENT TO SEC 6-18 OF THE ORDINANCES AND ADDING SEC. 6-22 THRU 6-27 REGARDING LICENSING OF DOGS, VACCINATIONS, PERMITS ET AL.

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

Resolution Summary: INTENT AND PURPOSE. To amend Section 6-18 to increase the fine for roaming dogs and to add Sections 6-22, 6-23, 6-24, 6-25, 6-26 and 6-27 to the Code of Ordinances to require parvovirus vaccinations for all dogs, to require breeding permits, to allow for inspection of premises with breeding permits, to require litter permits and to define vicious and dangerous dogs.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Chapter 6, Article I. of the Code of Ordinances, City of New Britain, be amended as follows (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

Sec. 6-18. Running or roaming at large prohibited.

(a) No person owning or keeping a dog, shall allow such dog to be in or upon any street, park or other public place, or in or upon any unenclosed lot or other private premises, unless such dog is attached to a secure leash held continuously in the hands of a responsible person capable of controlling it, or is securely leashed upon such unenclosed lot or premises in such manner that the rope or other attachment by which it is held or tethered does not permit it to be or go beyond the boundaries of such lot or premises or unless such dog is securely confined within a motor vehicle which is adequately ventilated. This section shall not apply to any dog while performing or being exhibited in a bench show or other exhibition or any dog park or use approved by the Parks and Recreation Commission and the Common Council.

(b) Any violation of this section for a spayed or neutered dog shall be punishable by a fine of fifty dollars (\$50.00) for each occurrence.

(c) Any owner or keeper of any unaltered or unvaccinated dog who intentionally or unintentionally allows their dog to roam shall be guilty of a city ordinance violation which shall be punishable by a fine of one hundred ninety-nine dollars (\$199.00).

[NEW] Section 6-22. PARVOVIRUS REQUIRED VACCINATION FOR ALL DOGS

Effective July 1, 2014, all dogs who are to be licensed within the City of New Britain per CGS 22-338 shall have their dogs vaccinated against the Parvovirus in addition to the state mandated Rabies vaccination per CGS 22-339b. The owner or keeper of such dog shall submit to the town clerk a vaccination record by a licensed veterinarian, or a copy thereof, stating that such dog has been vaccinated against parvovirus and rabies, the date of the vaccination, and the duration of the immunity provided by the vaccine. ~~No license shall be issued unless the certificate indicates that the immunity provided by the vaccine is effective at the time of licensing.~~ Failure to have the required vaccination for parvovirus will be a city ordinance violation and shall be punishable by a fine of ninety-nine dollars (\$99.00) which shall be enforced by the New Britain Police Department. ~~\$99 fine~~

[NEW] Section 6-23. BREEDERS PERMIT REQUIRED

April 23, 2014

(a) Effective July 1, 2014, anyone wanting to breed their dog(s) within the City of New Britain must obtain a Breeding Permit from the Police Department prior to breeding their dogs. No person, as principal, agent, employee or otherwise, shall breed any dog, cat or other animal at any place within the City, without a breeders permit. "Breeding" shall be deemed to have occurred upon the production of offspring, whether such offspring result from sexual activity or artificial insemination, and whether such sexual activity was intentional or the result of improper confinement.

(b) Each completed application for a breeder's permit must be submitted to the Animal Control Division of the Police Department in the City of New Britain.

(c) Each application for a breeding permit shall be accompanied by a fee of one hundred dollars (\$100.00) set forth in the City's schedule of fees and charges and no breeding permit shall be issued until the application fee is paid.

(d) Each breeding permit is issued to the person, not the dog, and therefore a breeding permit cannot be sold, purchased, traded, or otherwise conveyed from the person to whom the breeding permit was initially granted.

(e) No breeding permit shall be granted to a person until the following conditions are met:

1. The applicant has submitted the appropriate forms and fees required by the supervisor of animal control for a breeding permit.

2. The applicant has an indoor space and outdoor space in which to breed the dogs and raise the offspring that will contain the dogs as well as provide them with safe, sanitary, and humane conditions, appropriate for breeding a specific breed, and which satisfies all applicable provisions of the Code of Ordinances and all applicable state animal welfare laws.

3. The department has evaluated the physical and behavioral characteristics regarding the suitability of the particular dogs to be bred.

4. The dog identified in the breeder's permit that will be used for breeding must be micro chipped.

(f) The department may deny any application for a breeding permit if it finds that one or more of the following has occurred:

1. The applicant has failed to appropriately license the pet to be bred.

2. The applicant has failed to pay the appropriate application fee.

3. The applicant has a history of allowing dogs to run loose or escape, or has otherwise been found to be neglectful; has had his/her dog identified as a nuisance; or has previously been determined to have violated the provisions of this chapter.

4. The applicant has applied for a breeding permit within the last ten months.

[NEW] Section 6-24. INSPECTION OF PREMISES TO BE USED FOR BREEDING PURPOSES.

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(a) The Animal Control officer or his designee may inspect the premises to be used for breeding purposes and conduct the evaluation set forth in the above section. The Animal Control officer or his designee shall give the applicant 24-hour notice of the inspection and shall conduct such inspection at a reasonable time when the applicant or his/her representative is present.

(b) If the applicant refuses to allow the Animal Control officer or his designee to conduct such inspection, or cannot be contacted by the Animal Control officer or his designee to give notice of the inspection within two weeks of its initial attempt, the application shall be denied.

1. Up to one year after issuing the breeding permit, the Animal Control officer or his designee shall have the option, on one or more occasions, to inspect the premises being used for breeding purpose to ensure that the conditions required to receive a permit are continuing to be met. The Animal Control officer or his designee shall give the permit holder 24-hour notice of the inspection and shall conduct such inspection at a reasonable time when the permit holder or his/her representative is present.
2. If the permit holder refuses to allow the Animal Control officer or his designee to conduct such inspection, or cannot be contacted by the Animal Control officer or his designee to give notice of the inspection within two weeks of its initial attempt, the Animal Control officer or his designee will determine that the permit holder is conducting breeding activities in violation of this chapter, and the breeding permit shall be revoked.

[NEW] Section 6-25. LITTER PERMITS.

(a) Breeding permit holders must apply for and obtain a litter permit for every litter produced by the breeding permit dogs. Breeding permit holders should apply to the Animal Control Division for a litter permit before the dogs are bred. A litter permit application should be accompanied by a litter permit fee in the amount of twenty-five dollars (\$25.00) ~~set forth in the city schedule of fees and charges.~~ A litter permit should be applied for and granted for every litter to be produced by any animal owned, held, or maintained by the permit holder.

(b) In the event that a permit holder or an individual breeder fails to apply for a permit before the female dog enters its gestation period, the department may issue the litter permit without penalty if it determines that the failure to acquire a permit was not in bad faith.

(c) No more than two litter permits will be issued to breeding permit holders within a years' time unless the permit holder also holds a kennel license under CGS 22-342.

(d) All puppies from each litter shall be micro chipped.

[NEW] Section 6-26. ENFORCEMENT OF BREEDING AND LITTER PERMIT REQUIREMENTS

(a) Any person found breeding dogs without the required breeding and/or litter permits shall be in violation of this ordinance and shall be subject to the following penalties:

1. Each dog involved in illegal breeding activities in violation of Section 6-23 shall be impounded and held at the New Britain Animal Control facility or another suitable boarding facility until any applicable licenses are issued or the applicable fines have been paid. The owner/keeper of the involved dog shall be subject to a fine of two hundred fifty dollars (\$250.00) and shall be responsible for all boarding fees while the dog is impounded at the New Britain Animal Control.

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2. Each person who breeds a litter of puppies without a litter permit in violation of Section 6-25 shall be fined in the amount of ~~In addition, a fine of \$20.00 shall be imposed for each puppy in the litter that the illegal breeding has produced.~~

3. The fines imposed under this ordinance are in addition to any other fines that may be levied against the person under other ordinances pertaining to the illegal breeding of dogs.

(b) No dogs will be returned to any premises which are in violation of the zoning ordinances.

[NEW] Section 6-27. VICIOUS OR DANGEROUS DOGS

(a) Dangerous and vicious dogs are defined as dogs that have attacked, bitten, or injured human beings without provocation, or dogs that present an unacceptably high risk of serious injury, even before causing harm. Snarling, showing of teeth, and lunging without provocation can be considered signs of unacceptable high risk behaviour. Any dog that has bitten or attacked a human being or has behaved so as to impose a threat of imminent bodily harm by high risk behaviour towards a human being who is conducting him/herself peacefully and lawfully shall be prima facie presumed vicious or dangerous. No dog shall be declared vicious if any injury or damage is sustained by a person who, at the time the injury was sustained, was found to be committing a wilful trespass or other tort upon premises occupied by the owner or keeper of the dog or was teasing, tormenting, abusing, or assaulting the dog or was committing or attempting to commit a crime. No dog shall be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack.

(b) The animal control officer or his designee may declare a dog as vicious or dangerous as set forth in the above definition with supporting evidence from witnesses, police, or other municipal or government employees, repeated police reports of vicious or dangerous acts or behaviour, or one on one observation of the dog in question. Once a dog has been declared as vicious, the animal control officer shall place one or more of the following restrictions on the dog and its owner.

1. The dog will have to be registered with the Animal Control Division of the Police Department ~~town clerk~~ as a vicious or dangerous dog.

2. The dog must be micro chipped and the microchip must be activated with the microchip company and registered to the dog's licensed owner.

3. Beware of dog signs shall be posted up on the residence where the dog resides. Signs shall be posted in a manner as to be highly visible to the public from a street side view at all angles.

4. The dog must be muzzled at all times when not inside the residence.

5. The dog will not be left outside unattended, whether tethered or in a fenced in backyard.

6. The dog will be confined in a manner where it will not have access to children.

Alderman Wilfredo Pabon
Alderwoman Eva Magnuszewski
Alderwoman Suzanne Bielinski
Alderman Robert Smedley
Alderman Michael W. Trueworthy

April 23, 2014

Ald. Magnuszewski moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

**32711 RE: PROPOSED AMENDMENT TO SEC. 10-37 OF THE ORDINANCES
INCREASING CERTAIN FEES - FOOD PERMITS**

Proposed amendment on file in Town Clerk's Office

Ald. Platosz moved to accept and refer to the Consolidated Committee, seconded by Ald. Magnuszewski. So voted. Approved April 24, 2014 by Mayor Erin E. Stewart.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 9:24 p.m.

ATTEST: Mark H. Bernacki, City Clerk

April 23, 2014