

August 13, 2014

REGULAR MEETING OF THE COMMON COUNCIL

AUGUST 13, 2014

Mayor Erin E. Stewart called the Regular Meeting of the Common Council to order at 7:59 p.m. on Wednesday, the 13th day of August 2014 in the Common Council Chambers, City Hall.

Fifteen members were present at roll call: Ald. Trueworthy, Magnuszewski, Black, Collins, Platosz, Sanchez, Carlozzi, DeFronzo, Salvio, Pabon, Gianantonio, Smedley, Salerno, Naples, and Bielinski.

The pledge to the flag was led by Robert Storace.

The invocation was given by City Clerk, Mark H. Bernacki: O God, our Heavenly Father, as summer vacations, summer school and summer camps come to a close, the oppressive heat is over and parents look forward to their children returning to school, look down on our residents and give them solace in knowing your colorful autumn is fast approaching. For the children returning to school, excited about meeting new and old friends, equipped with new pencils, and backpacks, give them the strength, determination, and perseverance to excel in the classroom and become a valuable asset to our community. We ask this in Thy name. Amen.

Ald. Collins moved to accept the minutes of the Regular Meeting of May 14, 2014 and the Special and Regular Meetings of May 28, 2014. Motion seconded by Ald. Bielinski. So voted.

Ald. Collins moved to amend the Agenda by substituting 32801-1(N), by adding 32797-1(O1), 32838(24A), 32797-2(24B), and by moving 32818(5) to the end, seconded by Ald. Bielinski. Roll call vote – all members voted in favor.

PETITIONS

- 32806** ALD. SALVIO FOR A CERTIFICATE OF LOCATION APPROVAL TO ALLOW A MOTOR VEHICLE GENERAL REPAIRER'S LICENSE FOR PROPERTY AT 121 EAST STREET. REFERRED TO CITY PLAN COMMISSION AND ZONING COMMITTEE.
- 32839** ALD. PLATOSZ FOR INVESTIGATING POSSIBLE VAGRANCY ISSUE IN VACANT LOT ON THE CORNER OF MYRTLE STREET AND CLEVELAND STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.
- 32840** WEBER & CARRIER LLP BY ATTY. MICHAEL A. CARRIER FOR AN AMENDMENT TO THE ZONING ORDINANCES ADDING SEC. 50-10-40 (FLOATING DISTRICTS) AND SEC. 175 ADAPTIVE REUSE OF NON-USED OR UNDER-UTILIZED INDUSTRIAL BUILDINGS DISTRICT. REFERRED TO CITY PLAN COMMISSION AND ZONING COMMITTEE.

Ald. Collins moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Approved August 19, 2014 by Mayor Erin E. Stewart.

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CONSENT AGENDA

CITY CLERK

32807 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

- DiBattista, Kimberly
- Janowski, Thomas E.
- Levesque, David
- Lozowska, Stanislawa by Atty. Podorowsky, Thompson & Baron
- Papiernik, Henry
- Sanchez, Josette by Atty. Stephanie A. Wainwright
- Santos, Elizabeth by Atty Michael C. Jainchill

Mark H. Bernacki
City Clerk

CITY PLAN COMMISSION

32638-1 RE: CHANGE OF ZONE ON STANLEY ST. BETWEEN PECK ST AND TALCOTT ST FROM T TO B3

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

An amendment to the zoning map to change the zoning of properties having frontage on Stanley Street, between Talcott Street and Peck Street, from T (Two-Family) to B-3 (Secondary Business).

The City Plan Commission, at its regular meeting held on July 14, 2014, voted 7 to 0 to recommend that this zone change be adopted.

BACKGROUND: This proposed zone change encompasses land areas along both sides of Stanley Street, between Peck Street and Talcott Street. These properties are currently zoned T, Two-Family, and would be changed to B-3, Secondary Business. This would serve to link the B-1, Neighborhood Business, zone near the intersection with North Street to the existing B-3 zoned business properties north of Peck Street.

PLANNING CONSIDERATIONS: None of the involved land to the southern side of Stanley Street in this zone change area is developable. It is all either State highway right-of-way or City-owned land, including the Martin Luther King Memorial Park at the southeastern corner of Stanley Street and Martin Luther King Drive. On the northern side, there are two affected properties, 1044 and 1104 Stanley Street. 1104 Stanley Street is a sizeable piece at the corner of Peck Street that is roughly 1.45 acres in area, with a frontage of 635 feet along Stanley Street and a depth of almost 200 feet. On the south, 1044 Stanley Street is roughly 1.45 acres in area, with a frontage of over 700 feet along Stanley Street, but with a much narrower depth, particularly near the middle sections where it is approximately 50 feet more or less between the front and the rear property lines. Aside from the narrowness of the parcel, the development potential for much of 1044 Stanley Street is also constrained by a substantial amount of bedrock outcropping and extremely steep topography.

The proposed zone change area is bordered on the southeastern side by the Route 9 corridor, which is mostly zoned S-3, Single Family; and at the western end by the CBD, Central Business District, zoned senior apartment buildings on Martin Luther King Drive and the B-1 zoned business properties between

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North Street and Talcott Street. The northern boundary of the zone change area abuts the existing B-3 business properties near Peck Street, including a carwash, auto repair shop, package store and gasoline station. The properties bordering along the north side of this zone change area are zoned T, Two-Family, and consist of several residential properties and a public elementary school, Smalley Academy.

ZONING CONSIDERATIONS: The B-3 zoning district permits a wide variety of business uses ranging from retail stores, to restaurants and office buildings, and also including, subject to special exception approval, auto repairs and sales, gasoline stations and alcohol permit licenses. The zoning district also permits mixed-use buildings with residential apartments on the upper floors over first floor business uses.

The City Plan Commission has reviewed conceptual plans that depict reasonably sizeable business development that would be possible under the proposed B-3 zoning on the northern and southern portions of the zone change area. The involved properties are clearly not reasonably useable for residential development under the current T zoning.

RECOMMENDATION: City Plan Commission is of the opinion that this zone change encompasses a substantial amount of frontage on Stanley Street that is not reasonably developable under the existing T zoning district. The lot coverage, yard setbacks and the uses permitted under the proposed B-3 zoning would potentially make at least portions of the zone change area attractive for mixed-use business development that would be compatible and complement existing businesses near the corner of North Street and on Stanley Street in the vicinity of Peck and Long Streets.

The City Plan Commission is supportive of businesses and mixed-use development that is appropriately located, properly scaled and designed to the location, as this is the primary means of adding tax base and job opportunities. The proposed B-3 zoning would help facilitate this type of development; therefore, the City Plan Commission recommends adoption of this zone change.

Louis G. Amodio, Chairman
City Plan Commission

OFFICE OF THE CORPORATION COUNSEL

32808 RE: JOHN KOVALLO 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 FIVE HUNDRED DOLLARS (\$5,500) be paid to John Kovallo and Max Zayas, Esq., 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 allegedly sustained on February 17, 2011 when he was crossing the intersection of Bradley Street and West Main Street. He claims to have stepped on a broken water department cover which allegedly caused him to fall. As a result of the incident, plaintiff alleges that he has suffered injury to his back and shoulders. In medical specials, the plaintiff has incurred \$7974.67. 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 Max Zayas, 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

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PURCHASING DEPARTMENT

32809 RE: PROFESSIONAL SERVICES - ANNUAL WEB HOSTING AGREEMENT - ASSESSOR'S OFFICE

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 2-531 a purchase order was requested by the City Assessor's Office for the annual renewal of their Web Hosting Agreement.

<u>Supplier</u>	<u>Services</u>	<u>Amount</u>
Vision Government Solutions, Inc. Northborough, MA.	Annual Web Hosting Agreement	\$3,200.00

The City Assessor's Office has requested an annual renewal of their Web Hosting Agreement that they have with Vision Government Solutions, Inc. Vision maintains the data of approximately 17,000 City properties which includes ownership, information, sketches and photos of them. Vision Appraisal uploads new information provided by the Assessor's Office monthly. Vision hosts this data for use by all taxpayers, lawyers, and title searchers. It allows them to obtain information regarding the property as conduct sales searches for all types of City property. Vision has been providing this service as well as technical support to the City Assessor's office since 2002. The software that is utilized for the storage of this information is owned by Vision. Therefore it would be very difficult to find another local software company to provide a competitive bid for annual web hosting and technical support of this software. Bid solicitation for the annual renewal of this web hosting agreement and technical support would not be beneficial to the City. Funding for this annual web hosting agreement renewal and technical support is available in the City Assessor's account number 001107001-5352, Data Processing Account.

RESOLVED: The Purchasing Agent is hereby authorized to issue a purchase order for \$3,200.00 Vision Government Solutions, Inc. of Northborough, MA. for the renewal of the Annual Web Hosting Agreement and Technical Support for City Assessor's Office.

Jack Pieper
Purchasing Agent

32810 RE: COOPERATIVE PURCHASING, INFLUENZA VIRUS VACCINES FOR THE HEALTH 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 2-538 (a), a purchase order was requested for the following under the State of Connecticut cooperative purchasing plan:

<u>Supplier</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
FFF Enterprises Temecula, CA.	Influenza Vaccines	900 Doses	\$15.88	\$14,292.00

The New Britain Health Department, Nursing Division requested the purchase of 900 Doses of Influenza Virus Vaccine utilizing the State of Connecticut Contract Award, 13PSX0043. The Health Department's primary objective is to promote good health and prevent disease. The Health Department does this by providing influenza vaccinations to all individuals interested in receiving this service. FFF Enterprises requests that a purchase order be issued to them prior to August 31, 2014 for the upcoming flu season. This will enable FFF Enterprises to produce an adequate supply of influenza vaccinations and have them delivered to the Health Department prior to the commencement of the inoculation program,

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October through mid-November. Funding is available for this purchase within the Health Department's Account Number, 001522002-5336, Nursing, Other Purchasing Services.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$14,292.00 to FFF Enterprises of Temecula, CA for the purchase of 900 Doses of Influenza Vaccines for the Health Department, Nursing Division, utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award # 13PSX0043.

Jack Pieper
Purchasing Agent

32813 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	\$8,500.00

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 \$8,500.00 to Kaplan Solutions to continue providing Web Based Fire and EMS Training for the Fire Department.

Jack Pieper
Purchasing Agent

32814 RE: ULTRA LOW SULFUR DIESEL FUEL THE 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. 3794 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of Low Sulfur Diesel Fuel for the Public Works Department. Funding is available for the purchase of Low Sulfur Diesel Fuel from the Public Works Department's account, 001315006-5624, Fleet Services, Gas, Oil and Grease.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to twenty-one (21) Suppliers of Ultra Low Sulfur Diesel Fuel. The Purchasing Agent did not receive any letters from suppliers of the Ultra Low Sulfur Diesel Fuel on the mailing list who indicated that they could not respond to the bid request. Responses received are on file in the Town Clerks Office. .

The bids were reviewed for conformance to specifications by the Public Works Administration and the Purchasing Agent. Responses were stated as a differential price per gallon above the New Haven Harbor

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price on July 14, 2014 and a fixed price for both Ultra Low Sulfur and Ultra Low Sulfur Premium Diesel Fuel. East River Energy submitted the lowest fix price for both types of Diesel Fuel. Therefore the Director of the Public Works Department recommended that the bid be awarded at a fixed rate for Ultra-Low Premium Sulfur Diesel Fuel, to East River Energy of Guilford, CT who submitted the lowest fixed rate of \$3.0298 per gallon which includes Lust and Federal Spill Fund taxes. Because of the volatility of the energy market, per Resolution 31880, the Purchasing Agent was able to lock in the price and awarded the bid to East River Energy of Guilford, CT. at the fixed price of \$3.0298 per gallon for the Ultra Low Sulfur Premium Diesel Fuel from July 28, 2014 to July 27, 2015.

Jack Pieper
Purchasing Agent

32815 RE: SALE OF SAW TIMBER AND CORDWOOD ON SHUTTLE MEADOW PROPERTY OF THE CITY OF NEW BRITAIN IN SOUTHTON, CT

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

A Public Bid was solicited by Connwood Foresters, Inc. and received in accordance with the Purchasing Ordinances of the City of New Britain for the sale of Saw Timber and Cordwood on the Property of the Utilities Division, at their Shuttle Meadow location in Southington and Berlin, CT. Connwood Foresters, Inc. has a contract with the City to provide to the Utilities Division professional forestry services, which includes the marketing and sale of timber. Connwood Foresters, Inc. through their forest inventory and management planning services determined that 356 trees on the Utilities Division's property at Shuttle Meadow needed to be harvested.

Invitations to bid were solicited by Connwood Foresters, Inc. The bids when received by Connwood Foresters, Inc. were reviewed, and checked for conformance. The responses received are on file in the Town Clerk's Office. The responses were also presented to the Water Commission at their August 12, 2014 meeting. The Water Commission at this meeting voted and approved that the sale of the Saw Timber and Cordwood be awarded to Clavette Logging of Burlington, CT, who was the highest bidder for the wood at the Utilities Division's Shuttle Meadow location.

Jack Pieper
Purchasing Agent

DEPARTMENT OF PUBLIC WORKS

32803-1 RE: REMOVAL OF DEBRIS ON CORNER OF DUDLEY AND ALLEN STREETS

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

The property owner was issued a notice from Public Works on July 11, 2014. The material was removed from the curbside by Public Works Sanitation Division on July 15, 2014 and an invoice was issued to the property owner on July 15, 2014.

Mark E. Moriarty,
Director Public Works

TAX COLLECTOR

32816 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

COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

32750-1 RE: PROPOSED AMENDMENT TO SEC. 1-17 OF THE ORDINANCES - PROCEDURE FOR ENFORCEMENT OF MUNICIPAL ORDINANCES - ANTI BLIGHT PROGRAM

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

The Committee on Administration, Finance and Law at a regular meeting and public hearing held on Wednesday evening, July 2, 2014, at 7:00 pm in the Council Chambers, to which was referred the matter of resolution #32750 – Amend Code of Ordinances Anti-blight Program Sec. 1-17 to be in compliance with City of New Britain Policy and State Law, voted to accept as amended and recommend that the following amended resolution be referred back to the Common Council with a favorable recommendation.

Alderman David DeFronzo
Chair

32801-1 RE: PROPOSED AMENDMENT TO SEC. 2-911 OF THE ORDINANCES REORGANIZING THE DEPARTMENTS AND OFFICES OF THE 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:

The Committee on Administration, Finance and Law at a regular meeting and public hearing held on Wednesday evening, August 6, 2014, at 7:15 pm in the Council Chambers, to which was referred the matter of resolution #32801 – Amend Section 2-911 of the Code of Ordinances to reorganize the departments and offices of the City of New Britain, voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman David DeFronzo
Chair

32797-1 RE: PROPOSED AMENDMENT TO THE ORDINANCES CREATING THE STANLEY PARK TRUST FUND

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

The Committee on Administration, Finance and Law at a special meeting and public hearing held on Wednesday evening, August 13, 2014, at 6:30 pm in the Council Chambers, to which was referred the matter of resolution #32797 – Amend Code of Ordinances to create the Stanley Park Trust Fund, voted to accept as amended and recommend that the following amended resolution be referred back to the Common Council with a favorable recommendation.

Alderman David DeFronzo
Chair

CLAIMS COMMITTEE

32817 RE: SETTLEMENT OF CLAIMS: MARK TUREK, JOHN HAWKINS

To Her 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 Subcommittee of the Committee on Administration, Finance and Law at a regular meeting held on Wednesday evening, August

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6, 2014, at 6:00 pm 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 Mark Turek of 104 Maiden Lane, Bristol, CT, be given leave to withdraw his claim for property damages sustained on February 22, 2014.
- B. RESOLVED; that the sum of \$41,309.46 be paid to John Hawkins IV and Lucas M. Watson, his attorney, in full settlement of his claim of property damages sustained as a result of the City's main line back up on June 14, 2013.

Alderman Carlo Carlozzi, Jr.
Chair

CONSOLIDATED COMMITTEE

32766-1 RE: SALE OF PATTON BROOK WELL

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 of the Common Council at a regular meeting held on Thursday evening, July 17, 2014, at 7:00 pm in the Council Chambers, to which was referred the matter of resolution #32766 – sale of Patton Brook Well to the Board of Water Commissioners of the Town of Southington for \$1,300,000, voted to accept and recommend that the following resolution be referred back to the Common Council with a neutral recommendation.

Alderman Emmanuel Sanchez
Chair

COMMITTEE ON LICENSES

32796-1 RE: LICENSE - OKTOBERFEST FESTIVAL SEPT. 12 THRU SEPT. 14, 2014

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

The Committee on Licenses, held a meeting on Monday, August 11, 2014, at 7:00 pm in the Council Chambers, voted to accept and to refer back to the Common Council with a favorable recommendation 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 Plans So Grand, LLC. said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for the period of Friday, September 12, 2014, from 5:00 pm – 12:00 am, Saturday, September 13, 2014, from 10:00 am to 12:00 am, and Sunday, September 14, 2014, from 10:00 am to 8:00 pm, for the purpose of conducting the Oktoberfest to be held in Downtown New Britain. Festival to take place on both sides of Main Street from the northeast corner of Chestnut Street north to the south corner of Columbus Boulevard and West Main Street from the east corner of High Street east to Scalise Drive.

Alderman Adam Platosz
Chair

REPORTS OF STANDING COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

PURCHASING DEPARTMENT

32811 RE: COOPERATIVE PURCHASING, NEW COMMERCIAL MOWERS - STANLEY GOLF COURSE

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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 2-538 (a), a purchase order was requested for the following under the State of Connecticut's Cooperative Purchasing Plan for the Public Works Department, Parks and Recreation Division, Stanley Golf Course.

<u>Supplier</u>	<u>Item</u>	<u>Quantity</u>	<u>Each/Price</u>
Turf Products Corporation Enfield, CT.	Toro Reelmaster Mower	2	\$44,327.51
	Total		\$88,655.02

The Parks and Recreation Division, Stanley Golf Course, requested the purchase of two (2) new Toro Reelmaster Mowers utilizing the State of Connecticut's Contract Award #13PSX0321. The new Toro Reelmaster Mowers will replace existing Commercial Mowers that the Stanley Golf Course has been utilizing since 1999. The reels on the existing Commercial Mowers are deteriorating and need replacement. Because these existing Commercial Mowers are old, parts are becoming obsolete and no longer available causing the Commercial Mowers to become unrepairable. Funding is available for this purchase in the Public Works Department, Park and Recreation Division's Stanley Golf Course account numbers 0042010114-56044, Fiscal Year 2014 Capital Equipment Stanley Golf Course Mower and 201420101-5740, Stanley Golf Course, Other Miscellaneous Equipment.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$88,655.02 to Turf Products Corporation of Enfield, CT for the purchase of two (2) Toro Reelmaster Mowers for the Public Works Department, Parks and Recreation Division, Stanley Golf Course utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #13PSX0321.

Jack Pieper
Purchasing Agent

Ald. Carozzi moved to accept and adopt, seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32812 RE: NEW BRITAIN STADIUM SEATS - PARK AND RECREATION 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 2-538 (a), a purchase order was requested by the New Britain Public Works Department, Park and Recreation Division for the purchase of New Britain Stadium Seats.

<u>Supplier</u>	<u>Need Seats</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Hussey Seating Company	19" Plastic Seat	65	\$61.00	\$3,965.00
	20" Plastic Seat	50	\$61.00	\$3,050.00
North Berwick, ME.	21" Plastic Seat	230	\$63.00	\$14,490.00
			Manufacturing set up fees:	\$1,500.00
			Shipping fees:	<u>\$1,400.00</u>
			Total Cost:	\$24,405.00

The New Britain Public Works Department, Park and Recreation Division has requested the purchase of replacement seats for the New Britain Stadium. The seating was manufactured by the Hussey Seating Company and installed at the stadium in 1996. There are three hundred and forty-five (345) seats that are broken and cannot be sat on by the public attending games at the stadium. The broken seats need to be replaced so that attendees of the games can sit in the seats they have a ticket for. There are three different size seats that coincide with the dimensions of the rows and isles that they are located in. The

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Hussy Seating Company still has the molds to manufacturer the needed replacement seats. They are the sole provider of these seats. Funding is available for this purchase in the Public Works Department, Park and Recreation Division's account number 0083237601-5659, Citywide Park Improvements, Operating Material and Supplies.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$24,405.00 to Hussey Seating Company of North Berwick, ME for the purchase of replacement seats for the New Britain Stadium for the Public Works Department, Park and Recreation Division.

Jack Pieper
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

ZONING COMMITTEE

32638-2 RE: CHANGE OF ZONE ON STANLEY STREET, BETWEEN TALCOTT STREET AND PECK STREET FROM T (TWO FAMILY) TO B-3 (SECONDARY BUSINESS)

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

The Common Council as the Zoning Authority of the City of New Britain, at a regular meeting and public hearing, held on August 5, 2014, voted to accept the following proposed zone change to the zoning map and refer back to the Common Council with a favorable recommendation.

To amend the zoning map to change the zoning of properties having frontage on Stanley Street, between Talcott Street and Peck Street, from T (Two-Family) to B-3 (Secondary Business).

Alderman Carlo Carlozzi, Jr.
Chair

Ald. Bielinski, Sanchez and Smedley recused themselves – they did not attend the Zoning Committee meeting, nor did they listen to the tape. Ald. Trueworthy moved to accept and adopt, to take effect ten days from the date of the Mayor's signature. Motion seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

Ald. Bielinski, Sanchez and Smedley returned to the Chambers.

RESOLUTIONS RETURNED FROM COMMITTEE

32750-2 RE: AMENDMENT TO SEC. 1-17 OF THE ORDINANCES - ANTI BLIGHT PROGRAM - ENFORCEMENT OF MUNICIPAL ORDINANCES

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: PURPOSE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Article III of the Code of Ordinances, City of New Britain, be amended by amending Article III Anti-blight Program Sec. 1-17 to be in compliance with City of New Britain Policy and State Law (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

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Sec. 1-17. Procedure for enforcement of municipal ordinances.

(a) Appointment of hearing officers. In accordance with section 7-152c of the General Statutes the following procedure is established for the enforcement of citations for violation of the ordinances of the City of New Britain. This section shall not apply to existing sections of the Code of Ordinances which already have an appeal or hearing procedure contained therein. The mayor as the chief executive officer of the city is hereby authorized to appoint a committee of no less than three (3) hearing officers to conduct hearings as authorized by this article. No such hearing officer shall be a police officer, or employees or persons who issue citations. No such hearing officer or person working under the direction of such hearing officer may otherwise directly or indirectly engage in the private business of collecting the fines, assessments or judgments imposed hereunder. All such citation hearing officers shall serve for a term of two (2) years.

(b) Notice to persons issued citations. Within twelve (12) months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 of the General Statutes, the ~~finance director~~ director of the Department of Licenses, Permits & Inspections or his or her designee shall send notice to inform the person cited by first class mail at his address according to the ~~registration records of the State of Connecticut Department of Motor Vehicles~~ City of New Britain, Land Records and or Tax Records. Such notice shall inform the person cited:

- (1) Of the allegation against him and the amount of the fines, penalties, and costs of fees due;
- (2) That he/she may contest his/her liability before a citation hearing officer by delivering in person or by mail written notice within ten (10) days of the date thereof;
- (3) That if he/she does not demand such a hearing, an assessment and judgment shall enter against him/her; and
- (4) That such judgment may issue without further notice.

(c) Admission of citation violation. If the person receiving the notice required pursuant to subsection 1-17(b) hereof does not either (a) pay the full amount of the fines, penalties, costs or fees without requesting a hearing, or (b) request a hearing as provided herein, within ten (10) days after the date of such notice, such person shall be deemed to have admitted liability and the ~~finance director~~ mayor and his or her designee shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinance and shall follow the procedures set forth herein. If the person who is sent notice pursuant to subsection 1-17(b) wishes to admit liability for any alleged violation, he/she may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the ~~finance director~~ director of the Department of Licenses, Permits & Inspections or his or her designee. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment.

(d) Appeal process. Any person receiving a notice pursuant to subsection 1-17(b) of this article may request a hearing by mailing or delivering such request in writing to the hearing officer at the place designated within ten (10) days after the date of such notice. The chair of the hearing committee shall promptly schedule a hearing and give notice of the date, time and place of such hearing to the person requesting it. Such hearing shall be held not less than fifteen (15) nor more than thirty (30) days from the date of the mailing of notice, provided the chair of the hearing committee shall grant any reasonable request by any interested party for postponement or continuance upon good cause shown. An original certified copy of the initial notice of citation issued by the police officer or other issuing officer or employee shall be filed and retained by the city, and shall be deemed to be a business record within the scope of section 52-180 [of the General Statutes] and evidence of the facts contained therein. The presence of the policeman or issuing officer or employee shall be required at the hearing if the person requesting the hearing so requests. A designated city official or employee, other than a hearing officer, may present evidence on behalf of the city. If such person fails to appear at a hearing, the presiding hearing officer may enter an assessment of default against him/her, in the amount of the fines, penalties, costs or fees provided for by the applicable ordinance. The hearing committee may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he/she deems fair and appropriate. The rules

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regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation.

(e) Decision of hearing officer; failure to pay assessment. The hearing committee presiding at any hearing convened in accordance with the provisions of this article shall announce his/her decision at the end of the hearing. If the hearing committee determines the person is not liable, they shall dismiss the matter and enter their determination in writing accordingly provided however, that any decision may not provide a waiver of compliance with any municipal ordinance. If the hearing committee determines the person is liable for the violation, they shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinance. If such assessment is not paid on the date of its entry, the chair of the hearing committee shall send by first class mail a notice of assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice or assessment with the clerk of a superior court facility designated by the chief court administrator, together with an entry fee of eight dollars (\$8.00), or such other amount as may from time to time be required by law, and request that said clerk enter judgment against such person in favor of the City of New Britain as provided in this article. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars (\$8.00), against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing committee assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(f) Right to judicial review. The person against whom an assessment has been entered in accordance with this article is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee for a small claims case pursuant to section 52-259 [of the General Statutes] , at the superior court facility designated by the chief court administrator, which shall entitle such person to a hearing in accordance with the rules of the judge of the superior court.

(Res. No. 29317-4, 11-8-06)

Alderman Jamie Giantonio
Alderman Don Naples
Alderman Wilfredo Pabon
Alderman Daniel Salerno
Alderman Lou Salvio

Ald. Giantonio moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32801-2 RE: AMENDMENT TO SEC. 2-911 OF THE ORDINANCES REORGANIZING THE DEPARTMENTS AND OFFICES OF THE CITY OF 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:

Resolution Summary: PURPOSE: To reorganize the departments and offices of the City of New Britain.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Code of Ordinances be amended by amending Sec. 2-911 of Chapter 2 to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]; amendment inserted text appears in *italic bold underline*; amendment deleted text appears in ~~*italic bold strike through*~~):

Sec. 2-911. REORGANIZATION PLAN

(a) Pursuant to Section 5-4 of the City Charter, there is hereby enacted an amended reorganization plan. This plan shall include the reorganization of all city departments and offices except the Common Council and Board of Education. ~~As a result of this reorganization plan, there shall hereby~~

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be six (6) departments in the City of New Britain. Those departments shall be formed from departments existing prior to this reorganization, as follows:

1. ~~Community Services Department which shall consist of:~~

- ~~a. Health department~~
- ~~b. Licenses, permits and inspections department~~
- ~~c. Senior center department~~
- ~~d. Parks & recreation department (persons with disabilities)~~
- ~~e. Parks & recreation department (youth Services)~~
- ~~f. Parks & recreation department (veterans services)~~
- ~~g. Human rights and opportunities~~
- ~~h. Welfare department~~

2. ~~Finance administration which shall consist of:~~

- ~~a. Office of the assessor~~
- ~~b. Finance department (including central administration, Information technology, purchasing)~~
- ~~c. Property management department (parking ticket office)~~
- ~~d. Tax collector's office~~
- ~~e. Water department (billing and financial administrative)~~

3. ~~Legal services department which shall consist of :~~

- ~~a. Town and city clerk~~
- ~~b. Corporation counsel's office~~
- ~~c. Democratic registrar of voters~~
- ~~d. Personnel department~~
- ~~e. Republican registrar of voters~~

4. ~~Economic and policy department which shall consist of:~~

- ~~a. Office of the Mayor~~
- ~~b. Department of municipal development (including city plan and HUD funds administration)~~
- ~~c. Municipal economic development authority~~

5. ~~Public safety department which shall consist of:~~

- ~~a. Emergency management~~
- ~~b. Fire department~~
- ~~c. Police department~~
- ~~d. Public safety telecommunications department~~

6. ~~Public works department which shall consist of:~~

- ~~a. Park & recreation department (except persons with disabilities, youth services and veterans services and including Stanley Golf Course and Driving Range and Fairview Cemetery);~~
- ~~b. Property management department (except parking ticket office)~~
- ~~c. Public works department (including sewer operating)~~
- ~~d. Water department (water maintenance).~~

A. Mayor

1. Office of the Mayor, which shall include:

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- a. Municipal Economic Development Authority
2. Corporation Counsel which shall include:
 - a. Department of Human Resources and Personnel
 - b. Human Rights and Opportunities
3. Police Department
4. Fire Department
5. Public Safety Telecommunications Department
6. Public Works Department, which shall include:
 - a. Administrative Services
 - b. Field Services & Parks Division, which shall include:
 - a. Stanley Golf Course maintenance
 - b. Cemetery maintenance
 - c. Fleet and Facilities Division
 - d. Water & Sewer Division
7. Recreation and Community Services Department, which shall include:
 - a. Recreation Division, which shall include:
 - a. All recreation programming
 - b. Stanley Golf Course operations
 - c. Cemetery operations
 - b. Community Services Division, which shall include:
 - a. Youth & Family Services
 - b. Persons with Disabilities
 - c. Veterans Services
 - d. Fair Housing
 - c. Senior Center
8. Finance Department, which shall include:
 - a. Central Administration, which shall include:
 - a. Treasury & Accounting Functions
 - b. Budget & Capitol Projects
 - c. Water/Sewer Billing & Assessments
 - d. Purchasing & Risk Management
 - b. City Assessor
9. Information Technology Department
10. Health & Building Services Department, which shall include:
 - a. Building/Housing Inspections and Permitting
 - b. Health Inspections and Permitting
 - c. Nursing Services
11. Department of Municipal Development, which shall include:
 - a. HUD Funds Administration
 - b. City Plan & Zoning

B. Elected Officials

1. Town and City Clerk
2. Tax Collector
3. Registrars of Voters

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- C. ~~(b)~~ Notwithstanding any provision of the Ordinances of the City of New Britain, except in the case of the fire, police and public safety telecommunications departments, whenever said Ordinances refer to any department or office, or portion, function or the department head thereof, the functions, powers and responsibilities referred to therein shall be vested in such reorganized department, or, as the case may be, in the department head of such reorganized department. When the terms used to describe the departments, department heads and offices set forth in this reorganization ordinance differ from the terms contained in other sections of the Code of Ordinances; the reorganization ordinance shall control and be applicable.

Alderman Wilfredo Pabon

Ald. Pabon moved to accept and adopt, seconded by Ald. Giantonio. Roll call vote – 12 in favor, 3 opposed. IN FAVOR: Ald. Black, Collins, Sanchez, Carlozzi, Defronzo, Salvio, Pabon, Giantonio, Smedley, Salerno, Naples and Bielinski. OPPOSED: Ald. Trueworthy, Magnuszewski and Platosz. RESOLUTION ADOPTED.

32766-2 RE: THE SALE OF PATTON BROOK WELL TO THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF SOUTHINGTON FOR THE PURCHASE PRICE OF \$1,300,000.00

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 City of New Britain and Board of Water Commissioners lease the Patton Brook Well located in Southington, Connecticut to the Board of Water Commissioners of the Town of Southington; AND

WHEREAS, Patton Brook Well has been verified to be Class I Water Company Land by the Connecticut Department of Public Health, Water Supplies Section; AND

WHEREAS, the Lease Agreement expires on June 30, 2014; AND

WHEREAS, the Board of Water Commissioners of the Town of Southington has offered to purchase the Patton Brook Well for One Million Three Hundred Thousand & 00/100 (\$1,300,000.00) Dollars ; AND

WHEREAS, in connection with the proposed sale, the City of New Britain Board of Water Commissioners is required to relinquish its diversion registration of 1.207 million gallons per day permitted withdrawal capacity and all riparian rights for this parcel to Southington; AND

WHEREAS, the City of New Britain Board of Water Commissioners will be required to obtain the approval of the Connecticut Department of Public Health, Water Supplies Section to sell Patton Brook Well because it is Class I Water Company Land; AND

WHEREAS, Section 15-4(x) authorizes the City of New Britain to sell water property it no longer needs subject to approval of the Board of Water Commissioners and Common Council; AND

WHEREAS, the City of New Britain Board of Water Commissioners voted at its Meeting of June 10, 2014 to sell the Patton Brook Well to the Board of Water Commissioners of the Town of Southington, and to forward the sale to the Mayor and Common Council with a favorable recommendation for their approval; AND

WHEREAS, Mayor Erin E. Stewart has approved the sale of Patton Brook Well and recommends it to the Common Council of the City of New Britain; therefore, be it

RESOLVED, that the Common Council of the City of New Britain hereby approves the sale of Patton Brook Well by the City of New Britain Board of Water Commissioners to the Board of Water Commissioner of the Town of Southington for a purchase price of One Million Three Hundred Thousand & 00/100 (\$1,300,000.00) Dollars and the Mayor and the Chairman of the City of New Britain Board of

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Water Commissioners are hereby authorized to execute any and all documents necessary for the conveyance of said property.

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Giantonio. Roll call vote – 7 in favor, 8 opposed. IN FAVOR: Ald. Collins, Salvio, Pabon, Giantonio, Smedley, Salerno and Naples. OPPOSED: Ald. Trueworthy, Magnuszewski, Black, Platosz, Sanchez, Carlozzi, DeFronzo and Bielinski. RESOLUTION DEFEATED.

32796-2 RE: LICENSE - OKTOBERFEST FESTIVAL SEPT. 12, 2014 THRU SEPT. 14, 2014

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Plans So Grand, LLC. said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for the period of Friday, September 12, 2014, from 5:00 pm – 12:00 am, Saturday, September 13, 2014, from 10:00 am to 12:00 am, and Sunday, September 14, 2014, from 10:00 am to 8:00 pm, for the purpose of conducting the Oktoberfest to be held in Downtown New Britain. Festival to take place on both sides of Main Street from the northeast corner of Chestnut Street north to the south corner of Columbus Boulevard and West Main Street from the east corner of High Street east to Scalise Drive.

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. Resolution adopted with Ald. Carlozzi opposed. Approved August 19, 2014 by Mayor Erin E. Stewart.

NEW BUSINESS

RESOLUTIONS

32819 RE: PROPOSED SALE OF 56 HOWARD STREET TO JALLDYZE SHYQERIU AND NDRICIM DALANI FOR NOT LESS THAN \$25,000.00

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: PURPOSE. To convey a City of New Britain-owned property for rehabilitation and housing.

WHEREAS, the City of New Britain currently owns property known as 56 Howard Street which had been acquired through the foreclosure process and has been vacant since 2/26/13; and

WHEREAS, Jaldyze Shyqeriu and Ndricim Dalani have offered to purchase the property for Twenty Five Thousand Dollars (\$25,000.00) and will rehabilitate the condition of the building; and

WHEREAS, Jaldyze Shyqeriu and Ndricim Dalani are proposing to convert the present four family home into a two family dwelling to be used as rental property; and

WHEREAS, it is in the best interest of the City of New Britain to have this property rehabbed and restored to the grand list; now therefore, be it

RESOLVED, that Erin E. Stewart, Mayor, be and is hereby authorized to negotiate and execute on behalf of the City of New Britain a Purchase and Sales Agreement with Jaldyze Shyqeriu and Ndricim Dalani for property known as 56 Howard Street and to execute any and all documents necessary for the conveyance of said property in accordance with the terms of said agreement at a sales price not less than Twenty Five Thousand Dollars (\$25,000.00).

Alderman Michael Trueworthy
Property Management Liaison

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Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Bielinski. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32820 RE: THE PROPOSED SALE OF 66 WINTHROP STREET TO SHAWNOY AND KARI HENRY FOR NOT LESS THAN \$30,000.00

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: PURPOSE. To convey a City of New Britain-owned property for rehabilitation and housing.

WHEREAS, the City of New Britain currently owns property known as 66 Winthrop Street which had been acquired through the foreclosure process and has been vacant since 11/18/13; and

WHEREAS, Shawnoy and Kari Henry have offered to purchase the property for Thirty Thousand Dollars (\$30,000.00) and will rehabilitate the condition of the building; and

WHEREAS, Shawnoy and Kari Henry are proposing to do extensive upgrade and modernization to meet City, State, Federal and insurance regulations such as a new roof, repairs to the foundation, upgrades to the electrical system and plumbing and heating system; and

WHEREAS, Shawnoy and Kari Henry would like to reside in and make 66 Winthrop Street their own home; and

WHEREAS, it is in the best interest of the City of New Britain to have this property rehabbed and restored to the grand list; now therefore, be it

RESOLVED, that Erin E. Stewart, Mayor, be and is hereby authorized to negotiate and execute on behalf of the City of New Britain a Purchase and Sales Agreement with Shawnoy and Kari Henry for property known as 66 Winthrop Street and to execute any and all documents necessary for the conveyance of said property in accordance with the terms of said agreement at a sales price not less than Thirty Thousand Dollars (\$30,000.00).

Alderman Michael Trueworthy
Property Management Liaison

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Bielinski. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32821 RE: BUDGET AMENDMENT \$2,800 - FIRE DEPARTMENT

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 New Britain Fire Department has applied for a fire prevention grant from FM Global:

Whereas, the New Britain Fire Department has requested funding to purchase four iPADS for the Fire Marshal's Office.

Whereas, the New Britain Fire Department has been awarded a total of \$2,800 for these purposes and is on a reimbursement basis.

Therefore, Be it Resolved, that a budget amendment within the Fire Department Grants Special Revenue Fund be made as follows:

Revenue:		
226212110-4232	Grants & Contributions	\$2,800

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Expenditures:
226212110-5740

Other Misc. Equipment

\$2,800

Alderman Suzanne Bielinski
Alderman Jamie Giantonio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. Roll call vote – all members voted in favor. Approved August 19, 2014 by Mayor Erin E. Stewart.

32822 RE: WITHDRAWAL FROM THE CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY AND JOINING THE CAPITOL REGION COUNCIL OF GOVERNMENTS

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: PURPOSE. To withdraw from The Central Connecticut Regional Planning Agency and to join the Capitol Region Council of Governments.

BE IT HEREBY RESOLVED BY THE CITY OF NEW BRITAIN, THAT WHEREAS the City of New Britain has recently been re-designated by the State of Connecticut Office of Policy and Management as a member of the Capitol Planning Region, and is now eligible to become a member of the Capitol Region Council of Governments.

NOW, THEREFORE, pursuant to authority under the City Charter, it is resolved this 13th day of August, 2014, by the Common Council that the following resolution is hereby adopted, in accordance with Section 8-36a and Section 4-124j of the Connecticut General Statutes and Section 249 of Public Act 13-247:

The City of New Britain hereby declares its intent to withdraw from the Central Connecticut Regional Planning Association on June 30, 2014, and that such withdrawal will be final six months thereafter on December 31, 2014.

Furthermore, the City of New Britain shall continue to serve as a member of a transition board for the sole purpose of assisting the executive director in dissolving the CCRPA entity and all its assets and liabilities.

Resolved: That the Common Council of the City of New Britain hereby votes to join the Capitol Region Council of Governments, effective July 1, 2014, and toward that end, formally adopts Sections 4-124i to 4-124p, inclusive, of the Connecticut General Statutes, in accordance with the procedures set forth in Section 4-124j of the Connecticut General Statutes and Section 249 of Public Act 13-247.

Dated at New Britain, CT this 13th day of August, 2014.

Alderman Michael Trueworthy
Alderman Suzanne Bielinski
Alderman Wilfredo Pabon
Alderman Jamie Giantonio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32823 RE: THE RECEIPT OF ADDITIONAL FUNDING FROM THE STATE OF CT. DEPT. OF PUBLIC HEALTH - \$37, 085 - LEAD POISONING PREVENTION

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:

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Program Objective: To accommodate changes to the CT General Statutes related to lead poisoning and prevention that went into effect on January 1, 2009. In response, the Legislature made changes to Public Act 07-02 that include allocated funds for use by local health departments to assist in responding to an anticipated increase in case numbers and to support new lead activities. The new lead activities will include: referrals to medical providers for blood lead screening of children who are at risk for lead, environmental health case-management services for such children, and education for parents of these children.

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

Resolution Purpose: To approve the receipt of additional funding from the State of Connecticut Department of Public Health through this subcontract with the New Britain Health Department.

WHEREAS; the State Department of Public Health, through this subcontract, has notified the City that funding in the amount of \$37,085 has been awarded to the New Britain Health Department for fiscal year 7/1/14 through 6/30/15.

WHEREAS; the New Britain Health Department will utilize these funds to monitor blood lead screening of children who are at risk for lead poisoning and provide public health case-management services for such children and education to parents of such children,

THEREFORE BE IT RESOLVED, that The Mayor be authorized to sign the contract agreement for this program. And

RESOLVED, that the amount of \$37,085 be appropriated into the Health Per Capita Fund, Lead Poisoning Prevention and Control Program as follows:

<u>Revenue:</u>		
287522145-4222	State of CT – CADH	\$37,085
<u>Expenditures:</u>		
287522145-5121	Full-Time Salaries	\$26,179
287522145-5231	Medicare	\$380
287522145-5337	Training	\$500
287522145-5657	Programs/Educational Materials	\$1,318
287522145-5611	Office Supplies	\$1,500
287522145-5331	Contractual	\$2,000
287522145-5540	Advertising	\$500
287522145-5652	Program Supplies	\$1,000
287522145-5876	Administrative & General Costs	<u>\$3,708</u>
	Total Expenditures	\$37,085

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Collins. Roll call vote – all members voted in favor. Approved August 19, 2014 by Mayor Erin E. Stewart.

32824 RE: RECEIPT OF FUNDING - \$17,000 - FROM THE CONNECTICUT YOUTH SERVICES ASSOCIATION TO OPERATE THE LIST PROGRAM

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: This resolution allows for Mayor Erin E. Stewart to sign an agreement for the City's receipt of funding in the amount of \$17,000 from the Connecticut Youth Services Association and to place such funds in revenue and expenditure accounts to operate the Local Interagency Service Team (LIST) program which coordinates mental health and juvenile justice services within the New Britain Juvenile Court District catchment area. Funds will be used to hire one part time LIST coordinator and for

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provision of supplies set forth in the application for funding. There are no City funds used for this initiative.

WHEREAS; the City of New Britain is committed to children and youth, and desires to make the community the best place possible to educate and raise children; and

WHEREAS; the City of New Britain's Youth Service Bureau is by state statute 10-19m-p "the coordinating unit of community-based services to provide comprehensive delivery of prevention, intervention, treatment and follow-up services;" and

WHEREAS; the City of New Britain will receive funding to operate the Local Interagency Service Team to coordinate mental health and juvenile justice services within the New Britain Juvenile Court catchment area; and

WHEREAS; there is a memorandum of agreement between the City of New Britain and the Connecticut Youth Services Association; NOW THEREFORE BE IT

RESOLVED; that Mayor Erin E. Stewart receive full authority to execute all memorandums of agreement in receipt of Local Interagency Service Team funding in the amount of \$17,000 from the Connecticut Youth Services Association; AND BE IT FURTHER

RESOLVED; that such funding, upon receipt, be placed in appropriate revenue and expenditure accounts as defined below.

Rev. Account: 298536103-4232	Local Revenue/Contributions	\$17,000
Exp. Account: 298536103-5124	Part Time Salaries	\$12,000
298536103-5659	Supplies	\$ 5,000

Alderman Emmanuel Sanchez

Ald. Sanchez moved to accept and adopt, seconded by Ald. DeFronzo. Roll call vote – all members voted in favor. Approved August 19, 2014 by Mayor Erin E. Stewart.

32825 RE: BROWNFIELD ASSESSMENT GRANT NOT TO EXCEED \$200,000. FROM THE CONNECTICUT DEPT. OF ECONOMIC AND COMMUNITY DEVELOPMENT -BOSCO DRIVE 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: PURPOSE. To authorize the City of New Britain's Municipal Brownfield Assessment Grant from the Connecticut Department of Economic and Community Development.

WHEREAS, pursuant to Section 32-763 of the Connecticut General Statutes, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that City of New Britain make an application to the State for \$200,000.00 in order to undertake and support the City of New Britain's Municipal Brownfield Assessment Grant Application to assess property located in the New Britain's Downtown Development District at 1 Bosco Drive and several additional properties on Badolato Drive and to execute an Assistance Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE Common Council of the City of New Britain that Erin E. Stewart, Mayor of the City of New Britain, is authorized to file an application for state financial assistance in an amount not to exceed \$200,000.00 and is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement

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with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments and revisions thereto, and to act as the authorized representative of the City of New Britain.

Alderman Michael Treworthy
Alderman Suzanne Bielinski
Alderman Wilfredo Pabon
Alderman Jamie Giantonio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32826 RE: BROWNFIELD ASSESSMENT GRANT FROM THE CONNECTICUT DEPT. OF ECONOMIC AND COMMUNITY DEVELOPMENT - NOT TO EXCEED \$500,000. BOSCO DRIVE 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: PURPOSE. To authorize the City of New Britain's Municipal Brownfield Assessment Grant from the Connecticut Department of Economic and Community Development for assessment and remediation.

WHEREAS, pursuant to Section 32-763 of the Connecticut General Statutes, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that City of New Britain make an application to the State for \$500,000.00 in order to undertake and support the City of New Britain's Municipal Brownfield Assessment Grant Application to assess and remediate property located in the New Britain's Downtown Development District at 1 Bosco Drive and several additional properties on Badolato Drive and to execute an Assistance Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE Common Council of the City of New Britain that Erin E. Stewart, Mayor of the City of New Britain, is authorized to file an application for state financial assistance in an amount not to exceed \$500,000.00 and is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments and revisions thereto, and to act as the authorized representative of the City of New Britain.

Alderman Michael Treworthy
Alderman Suzanne Bielinski
Alderman Wilfredo Pabon
Alderman Jamie Giantonio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32827 RE: EMERGENCY MEDICAL SERVICES TO ASSIST WITH EMERGENCY PLANNING FOR THE HEALTH DEPT.

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, a budget within special revenue fund #245 was established for the Bioterrorism/ Emergency Preparedness Planning Program, which includes available funding for an Emergency Preparedness Coordinator, and

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Whereas, the monies accepted by the Health Department for the administration of the grant require us to complete the grant deliverables. These include the development, planning and exercising of local and regional emergency preparedness and response plans, and

Whereas, monies are available within this fund to cover the cost of hiring New Britain Emergency Medical Services to assist with Emergency Planning for the Health Department, and

Whereas, New Britain Emergency Medical Services, is the lead 9-1-1 response agency for the City's comprehensive Emergency Medical Services System and has been actively involved in emergency preparedness planning on a local, regional and statewide level. New Britain Emergency Medical Services is highly qualified to perform in this role for the Health Department.

THEREFORE BE IT RESOLVED that the Purchasing Agent, or his designee, is hereby authorized to execute an agreement for services with New Britain Emergency Medical Services for the above services, for the grant period (7/1/14 thru 6/30/15) at a cost of \$36,140, with the option to extend the contract for a period of one year for the above services. And, BE IT FURTHER

RESOLVED that the compensation come from special revenue fund #245 budget, Public Health Preparedness Planning.

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32828 RE: EMERGENCY MANAGEMENT AND HOMELAND SECURITY - APPROVAL OF ALLOCATION FUNDING

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 Connecticut Department of Emergency Management and Homeland Security (DEMHS) is the designated recipient and State Administrative Agency (SAA) of the United States Department of Homeland Security for Federal Fiscal Year 2013 State Homeland Security Grant Program (SHSGP), Grant Number EMW-2013-SS-00076-S01 including the following programs: Metropolitan Medical Response System (MMRS) and Citizen Corps Program (CCP).

WHEREAS, the Emergency Management and Homeland Security Coordinating Council has approved the allocation formula for grant funds available under such programs as the SHSGP, MMRS and CCP.

WHEREAS, DEMHS is retaining pass-through funds from SHSGP Grant in the total amount of \$1,342,087. on behalf of local units of government, for the following six regional set-aside projects designed to benefit the state's municipalities:

- a. Expanded Regional Collaboration;
- b. Connecticut Intelligence/Fusion Center/Critical Infrastructure;
- c. CBRNE Detection/IED Attack Deterrence;
- d. Medical Preparation and Response;
- e. NIMS/ICS Training and Exercise
- f. Metropolitan Medical Response System; and
- g. Citizens Corps Program

WHEREAS, DEMHS – in coordination and cooperation with the municipalities located within DEMHS Region 3, including New Britain – has created, and established bylaws for the Region 3 Regional Emergency Planning Team (REPT), a multi-disciplinary, multi-jurisdictional regional group to facilitate planning and resource coordination within DEMHS Region 3 and

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WHEREAS, the City of New Britain also agrees to allow CRCOG to provide financial and programmatic oversight of the Federal Fiscal Year 2013 regional allocation not included in the six regional set-aside projects and

WHEREAS, such funds will be applied to specific projects developed and approved by the Region 3 REPT and DEMHS. New Britain also agrees to allow CRCOG to provide financial and programmatic oversight of the Federal Fiscal Year 2013 allocations targeted for municipalities in DEMHS Region 3 and

WHEREAS, the Region 3 REPT has been established to foster regional collaboration and mutual aid through, among other things, collaborative plan development, resource sharing and coordination and

WHEREAS, CRCOG has agreed to operate as the fiscal agent for the federal SHSGP grants awarded to DEMHS Region 3 for Federal Fiscal Year 2013

RESOLVED; that the City of New Britain Common Council may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and BE IT FURTHER

RESOLVED; that Erin E. Stewart, Mayor of the City of New Britain, is authorized and directed to execute and deliver any and all documents on behalf of the City of New Britain Common Council and to do and perform all acts and things which she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such agreements.

Alderman Suzanne Bielinski
Alderman Jamie Giantonio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32829 RE: AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ENTITLED "MASTER MUNICIPAL AGREEMENT FOR RIGHTS OF WAY PROJECTS"

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

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

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

WHEREAS, the ten-year term of the MMA ROW is designed to address both municipally-advertised construction projects and projects advertised by the Department of Transportation on behalf of the municipalities;

WHEREAS, the MMA ROW includes standard terms, conditions and contracting "boiler plate" language that should govern all municipal construction projects involving the Department of Transportation which are undertaken throughout the term;

NOW THEREFORE, BE IT RESOLVED, that the Honorable Erin E. Stewart, Mayor of the City of New Britain, is hereby authorized to sign the Agreement entitled "Master Municipal Agreement for Rights of Way Projects."

Alderman Wilfredo Pabon

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Ald. Pabon moved to accept and adopt, seconded by Ald. Giantonio. Ald. Bielinski moved to amend the motion to "accept and refer to the Committee on Planning, Zoning and Housing", seconded by Ald. DeFronzo. Roll call vote – 8 in favor, 7 opposed. IN FAVOR: Ald. Trueworthy, Magnuszewski, Black, Collins, Platosz, Sanchez, DeFronzo and Bielinski. OPPOSED: Ald. Carlozzi, Salvio, Pabon, Giantonio, Smedley, Salerno and Naples. RESOLUTION REFERRED. Approved August 19, 2014 by Mayor Erin E. Stewart.

32830 RE: GRANT FUNDING FROM THE STATE OF CONNECTICUT WITHIN THE CITY'S HEALTH PER CAPITA SPECIAL REVENUE FUND ACCOUNT STRUCTURE

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:

The City of New Britain Health Department routinely receives state funding which must be utilized to augment local appropriations provided for public health purposes. These funds are appropriated in the City's special revenue account structure under the Health Per Capita allocation.

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

Resolution Purpose: To formally accept and appropriate funding from the State of Connecticut within the City's Health Per Capita special revenue fund account structure.

WHEREAS, the City has been allocated new funding for the period of July 1, 2014 through June 30, 2015 in the amount of \$86,320 and

WHEREAS, under the terms of the grant, the City is allowed to carryover unexhausted funds into the new fiscal year. At the end of fiscal year 2014, this amounted to \$67,110.

WHEREAS, also, under the terms of the agreement, the City is allowed to transfer monies between line items to further augment local appropriations as needed and

WHEREAS, the State of Connecticut has previously approved these line items transfers. THEREFORE BE IT,

RESOLVED, that the fund balance of \$67,110 from Fiscal Year 2014 be transferred into the Health Per Capita revenue and BE IT FURTHER

RESOLVED, that the entire amount of \$153,430 be appropriated within the City's special revenue account structure as follows:

Revenue:		
287522146-4222	Revenue – State of CT	\$ 86,320
287522146-4571	Revenue – Fund Balance	<u>\$ 67,110</u>
	Total Revenue	\$153,430
Expenditures:		
287522146-5124	Data Entry Technician/Clerical Staff*	\$ 58,290
287522146-5121	Full Time Clerical Staff	\$ 46,318
287522146-5122	Nursing Services	\$ 500
287522146-5122	Environmental Services	\$ 3,000
287522146-5231	Fringe Benefits	\$ 29,528
287522146-5645	Books and Periodicals	\$ 250
287522146-5435	Bldg. Rent and Utilities	\$ 11,544
287522146-5740	Equipment	\$ 2,000
287522146-5527	Malpractice Insurance	\$ 500
287522146-5652	Health Promotion Supplies	\$ 1,000
287522146-5125	Student Interns	<u>\$ 500</u>
	Total Expenditures	\$153,430

Notes:

- *Existing part time temporary positions funded through Health Per Capita Grant in previous years.

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Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Collins. Roll call vote – 15 in favor, 0 opposed. Approved August 19, 2014 by Mayor Erin E. Stewart.

32831 RE: LISTING AND MARKETING COMMISSION AGREEMENT WITH BRINDLEE MOUNTAIN FIRE APPARATUS - SURPLUS FIRE RESCUE TRUCK

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 New Britain Fire Department has as surplus property a 2007 E-One Cyclone II Heavy Rescue fire truck; and

WHEREAS, the Fire Department has been unable to generate any interest from fire departments with the State of Connecticut; and

WHEREAS, Sec. 2-596 of the Code of Ordinances requires surplus property to be sold via competitive bidding; and

WHEREAS, the City Purchasing Agent does not have any fire departments on his bidders' list of over 200 companies for the sale of surplus vehicles and equipment and believes it is in the City's best interest to contract with Brindlee Fire Mountain Apparatus, Union Grove Alabama to assist in the procurement process; and

WHEREAS, Brindlee Mountain Fire Apparatus is in the business of listing and marketing surplus fire vehicles and has agreed to Market the 2007 E-One Cyclone II Heavy Rescue fire truck; and

WHEREAS, if as part of the bidding process Brindlee Mountain Fire Apparatus secures a purchaser of the 2007 E-One Cyclone II Heavy Rescue fire truck, the City of New Britain is required to pay a commission based on the following formula:

1. Ten (10%) percent (or a minimum of \$500.00) if the selling price is less than \$75,000.00;
2. Seven (7%) percent if the selling price is between \$75,000.00 and \$150,000.00; or
3. Five (5%) percent if the selling price exceeds \$150,000.00.

RESOLVED, that Erin E. Stewart, Mayor, be and is hereby authorized to execute the attached Listing and Marketing Commission Agreement with Brindlee Mountain Fire Apparatus.

Alderwoman Suzanne Bielinski
Alderman Jamie Giantonio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32832 RE: AGREEMENT - MAINTENANCE AND TECHNICAL SUPPORT OF THE AVAYA ENTERPRISE TELEPHONE SYSTEMS AND RELATED ITEMS OPERATED BY THE CITY

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, as part of the development of the New Britain Police Station project, the building was outfitted with a Voice over IP telephone system; and

WHEREAS, part of the basis for this procurement was to extend it to other organizational entities in the city so as to form a unified enterprise system;

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WHEREAS, the system provided the low bidder, Carousel Industries Inc. of Exeter, Rhode Island, has been extended to the New Britain EMS, Fire Department, Health Department and all departments at City Hall; and

WHEREAS, the system has sufficient capacity to be further extended to other entities of government including the Board of Education; and

WHEREAS, the recurring maintenance costs for the entire system are included in the budget for the Public Safety Telecommunications Center; and

WHEREAS, the portions of the system installed at City Hall are under maintenance warranty for nine months of the current fiscal year; and

WHEREAS, Carousel Industries, Inc. is responsible for those warranty services which must be conducted in conjunction with the objects in the system hosted by the Public Safety Telecommunications Center; and

WHEREAS, Carousel Industries, Inc. has provided a quote for 24/7 services at an annual cost for all items including handsets for \$34,745.00 annually; and

WHEREAS, the City does not have the technical resources to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to enter into a contract with Carousel Industries, Inc. of Exeter, Rhode Island for a period not to exceed two years; and be it further

RESOLVED, that the Purchasing Agent is hereby authorized to enter into a time and materials contract with Carousel Industries, Inc. for any unanticipated specialized changes to the system for a one year period at an hourly rate of \$190.00 per hour, and be it further

RESOLVED, that the Purchasing Agent may, at the request of the Director of the Fleet and Facilities Division of the Department of Public Works, or the Director of Public Safety Telecommunications, or the Director of Information Technology, seek lower cost alternatives to any time and materials work based on the experience of the risk managed efforts.

Alderwoman Suzanne Bielinski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32833 RE: CONTRACT - MAINTENANCE AND TECHNICAL SUPPORT OF THE GENETEC VIDEO SURVEILLANCE AND ACCESS CONTROL SOFTWARE - NEW BRITAIN POLICE HEADQUARTERS AND FIRST SGT. HENRY J. SZCZESNY GARAGE

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, as part of the development of the New Britain Police Station project, the building was outfitted with a state of the art video, audio, and security control system; and

WHEREAS, the basis of this growing enterprise system is hosted in a software package provided by Genetec S.A. of Canada and provided by Red Hawk Fire and Security, Inc. with regional offices in Orange, CT; and

WHEREAS, the Genetec system is used for video monitoring of the Szczesny garage and for prisoner booking process as well as the investigative interview rooms in the building. The system concurrently provides complete control over the doors and elevators throughout the facility; and

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WHEREAS, Red Hawk Fire and Security employees and technicians have been vetted for clearance in supporting this system and it is strategically important that the Genetec operating system software be kept current in order to assure its viability and supportability going forward; and

WHEREAS, Red Hawk Fire and Security was selected via a competitive procurement to provide the system and has done a creditable job for the past twelve months in maintaining the system and responding to issues as they arose; and

WHEREAS, the Board of Finance and Taxation requested that certain maintenance contracts be renegotiated to try to lower the annual costs; and that the scope of items to be risk managed be increased; and

WHEREAS, Red Hawk Fire and Security has agreed to provide the Genetec software maintenance services at a reduced annual cost of \$9,965.00 and will hold the price firm for twenty four months; and

WHEREAS, Red Hawk Fire and Security, Inc. has agreed to provide skilled labor at an hourly rate of \$134.55 for the repair of any cameras or door controls not otherwise covered under warranty; and

WHEREAS, the City does not have the technical resources to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to enter into a contract with Red Hawk Fire and Security, Inc. of Orange, CT to provide software support and maintenance of the Genetec security software at an annual cost of \$9,965.00 for a period not to exceed two years; and be it further

RESOLVED, that the Purchasing Agent is hereby authorized to enter into a time and materials contract with Red Hawk Fire and Security, Inc. of Orange, CT to provide camera and access control maintenance for a one year period at an hourly rate of \$134.55 per hour, and be it further

RESOLVED, that the Purchasing Agent may, at the request of the Director of the Fleet and Facilities Division of the Department of Public Works, or the Director of Public Safety Telecommunications, or the Chief of Police, seek lower cost alternatives to the time and materials work based on the experience of the risk managed efforts.

Alderman Suzanne Bielinski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32834 RE: CONTRACT - MAINTENANCE AND TECHNICAL SUPPORT OF THE GIGABIT PASSIVE OPTICAL NETWORK AT NEW BRITAIN POLICE HEADQUARTERS

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, as part of the development of the New Britain Police Station project, the building was outfitted with a state of the art fiber optic cable communications system so as to provide high bandwidth to users and at the same time eliminate the need for specialized wiring closets; and

WHEREAS, the system was manufactured and designed by Motorola, Inc.; and

WHEREAS, Motorola Inc. decided to sell this portion of its business to Arris, Inc. in late 2013; and

WHEREAS, Arris Inc. does not directly provide technical support and maintenance to its customer base but rather does this through a single dealer, Qypsys, Inc. of Tampa, FL.; and

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WHEREAS, Qypsys, Inc. provided the actual technical support for the installation and configuration of the gigabit passive optical network (GPON) for the New Britain installation and provide the maintenance and support during the warranty period; and

WHEREAS, the maintenance and support of this system is vital to the operation of the systems and technical services in Police Headquarters including the City's 9-1-1 center and radio system controls. Moreover, the system connects to the radio site at the Hospital of Central Connecticut as well as the New Britain EMS headquarters and City Hall; and

WHEREAS, Qypsys, Inc. has agreed to provide these services directly rather than through dealers at a reduced annual cost of \$28,844.41; and

WHEREAS, Qypsys, Inc. has agreed to hold this annual price firm for the succeeding two years with a six month no cost extension at the end of the three year period.

WHEREAS, the City does not have the technical resources to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to enter into a contract with Qypsys, Inc. of Tampa, FL to provide maintenance and technical support for the GPON and its components at an annual cost of \$28,844.41 for a period not to exceed three years with a final no cost extension for an additional six month period.

Alderman Suzanne Bielinski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32835 RE: CONTRACT - MAINTENANCE AND TECHNICAL SUPPORT OF SELECTED AUDIO VISUAL EQUIPMENT AND SYSTEMS OPERATED BY THE CITY'S POLICE AND PUBLIC SAFETY TELECOMMUNICATIONS DEPARTMENT

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, as part of the development of the New Britain Police Station project, the building was outfitted with extensive audio visual equipment and systems including facilities for the Community Room, all conference rooms, training centers, the Emergency Operations Center, the Public Safety 9-1-1 Center and electronic signage and messaging systems at strategic points in the building; and

WHEREAS, these systems have performed reasonably well and the maintenance of most of these areas can be risk managed on a 9/5 hourly time and materials basis; and

WHEREAS, the systems necessary for recurring services and emergency operations provided the low bidder, Vision Point, LLC of Newington, CT are limited to the dispatch center, the EOC and conference room, as well as the Police Department's Main Desk which serves as a hub of police activity;

WHEREAS, Vision Point, LLC has provided informal quotes for rendering full maintenance and technical support on a 24/7 basis for these limited operations at an annual cost of \$18,735; and

WHEREAS, the recurring maintenance costs for these critical components are included in the budget for the Public Safety Telecommunications Center; and

WHEREAS, the City does not have the technical resources to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to enter into a contract with Vision Point, LLC for a period not to exceed two years; and be it further

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RESOLVED, that the Purchasing Agent is hereby authorized to enter into a time and materials contract with Vision Point, LLC for any unanticipated specialized changes to the system for a one year period at a standard hourly rate of \$95 per hour and a premium rate of \$125 per hour for night and weekend work, and be it further

RESOLVED, that the Purchasing Agent may, at the request of the Chief of Police or the Director of Public Safety Telecommunications seek lower cost alternatives to any time and materials work based on the experience of the risk managed efforts.

Alderwoman Suzanne Bielinski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

**32836 RE: CONTRACT - MAINTENANCE OF THE FIRE DEPARTMENT'S RECORDS
MANAGEMENT SYSTEM SOFTWARE**

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 New Britain Fire Department has successfully used the FIREHOUSE software product as its principal records management system for more than a decade; and

WHEREAS, this software product was acquired by Xerox Government Systems during 2013 and continues to offer and enhance the product; and

WHEREAS, the maintenance and support price of this product has been very stable; and

WHEREAS, the annual cost of this service is \$3,615; and

WHEREAS, the recurring maintenance cost for this software has been included in the budget for the Public Safety Telecommunications Center; and

WHEREAS, the City does not have the technical resources to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to enter into a contract with Xerox Government Systems, LLC of Urbandale, Iowa for a period not to exceed two years.

Alderwoman Suzanne Bielinski

Ald Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

**32837 RE: CONTRACT - MAINTENANCE OF THE PUBLIC SAFETY TELECOMMUNICATIONS
CENTER HIGH AVAILABILITY SERVER SYSTEM**

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 Public Safety Telecommunications Center uses a high availability server system provided by Stratus Technologies of Maynard, MA for its computer assisted dispatch system; and

WHEREAS, this product is ultra-reliable and is remotely monitored on a 24/7 basis for errors and faults; and

WHEREAS, the annual maintenance and support cost for this service is \$9,792; and

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WHEREAS, the recurring maintenance cost for this software has been included in the budget for the Public Safety Telecommunications Center; and

WHEREAS, the City does not have the technical resources to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to enter into a contract with Stratus Technologies of Maynard, MA for a period not to exceed two years.

Alderwoman Suzanne Bielinski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32838 RE: FIRE DEPARTMENT ENERGY CONSERVATION PROGRAM

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 New Britain Fire Department desires to improve the energy efficiency of all Fire Department facilities including lighting and Heating, Ventilation, Air Conditioning (HVAC) systems and;

WHEREAS, the Fire Department seeks the budget line item savings associated with such energy conservation measures; and

WHEREAS, the Fire Department requires a reliable energy (HVAC) infrastructure to fulfill its critical mission but that is difficult with some original Fire Station heating systems being 45 years old; and

WHEREAS, the City of New Britain is eligible for the Small Business Energy Advantage (SBEA) program through Connecticut Light & Power (CL&P); and

WHEREAS, World Energy Solutions, as a CL&P / SBEA approved contractor, has recently performed energy audits of City Fire Stations and proposed a program of energy conservation improvement to the lighting and HVAC energy infrastructure; and

WHEREAS, the World Energy Solutions company partners with the local contractor Link Mechanical for the HVAC portion of the energy conservation work and;

WHEREAS, the Fire Department will utilize previously approved facility improvement funding to pay the upfront cost of the conservation program with the remaining cost to be paid through a standard loan program on monthly utility bills; and

RESOLVED, that Erin E. Stewart, Mayor, be and is hereby authorized to execute agreements for the CL&P / SBEA program with World Energy Solutions for an energy conservation program for New Britain Fire Department facilities.

Alderwoman Suzanne Bielinski
Alderman Jamie Giantonio

Ald. Giantonio moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32797-2 RE: AMENDMENT TO THE ORDINANCES ADDING SEC. 17-56 ESTABLISHING THE STANLEY PARK TRUST FUND AS THE RESULT OF THE PROPOSED SALE OF A PORTION OF STANLEY GOLF COURSE TO COSTCO

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:

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Resolution Summary: PURPOSE. To amend the Code of Ordinances to create the Stanley Park Trust Fund as the result of the proposed sale of a portion of Stanley Golf Course to COSTCO.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Chapter 17, Article III "PARK USE REGULATIONS" of the Code of Ordinances, City of New Britain, be amended by adding a new Section 17-56 to read as follows (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

[NEW] Sec. 17-56. Establishment of the Stanley Park Trust Fund.

(a) There is hereby established a permanent endowment fund known as the Stanley Park Trust Fund. Such fund is established under authority and provisions of Conn. Gen. Stat. Section 7-129a.

(b) Pursuant to the requirements set forth in the Stanley Park Deed of Gift, executed December 22, 1927, recorded in the land records for the City of New Britain at Volume 214, Page 473, the Stanley Park Trust Fund is established to ensure that the proceeds from sales of Stanley Park land is "set up in the hands of the City Treasurer as a perpetual trust fund, the income only thereof to be available for use in the development and maintenance of Stanley Park."

(c) The principal of the Stanley Park Trust Fund shall consist of:

- a. The proceeds from the anticipated sale of a portion of the Stanley Park to Costco;
- b. The proceeds from any future sale of Stanley Park, in part or in whole in accordance with the Stanley Park Deed of Gift; and
- c. Any funds from any source designated by the City Treasurer of the City of New Britain, Connecticut to be added to the Stanley Park Trust Fund for the purposes of said Trust Fund as set forth herein.

(d) The Stanley Park Trust Fund shall be managed by a Committee of the Treasurer and Five Trustees (the "Trustees") appointed by the Mayor subject to the approval of Common Council, including one of whom is a representative of land preservation and community benefit interests. One Trustee shall be a representative of the Alex W. Stanley heirs to be designated by the heirs. If there are no heirs or the heirs do not designate a representative then the appointment shall be made by the Mayor subject to the approval of Common Council.

(e) In accordance with the Stanley Park Deed of Gift, the principal of the Stanley Park Trust Fund shall be managed only in accordance with the following provisions:

- i. The Trustees shall have exclusive control over any and all principal, income, and disbursements of the Stanley Park Trust Fund; and
- ii. Such funds may be invested under an agreement managed by the City Treasurer of the City of New Britain, Connecticut in accordance with Conn. Gen. Stat. Section 45a-535 *et seq.* and the Stanley Park Deed of Gift.

(f) In accordance with the Stanley Park Deed of Gift, only the interest or earnings on the principal of the Stanley Park Trust Fund shall be expendable solely for use in the development and maintenance of Stanley Park;

(g) The Trustees, after consultation with the Mayor of the City of New Britain, Connecticut, may appoint a committee of advisors to counsel and advise the Treasurer on oversight and distribution of the Stanley Park Trust Fund, interest or earnings, but the Trustees are not required to appoint such an advisory committee.

(h) The Stanley Park Trust Fund must be managed in accordance with the requirements of Conn. Gen. Stat. Section 7-129a and the Connecticut Uniform Prudent Management of Institutional Funds Act, Conn. Gen. Stat. Section 45a-535 *et seq.*

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(i) The City Treasurer of the City of New Britain must give notice to the Attorney General of the State of Connecticut prior to any sale or development of Stanley Park land.

Alderman Shirley Black
Alderman David DeFronzo
Alderman Jamie Giantonio
Alderman Eva Magnuszewski
Alderman Daniel Salerno

Ald. Giantonio moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

32818 RE: ST. MARY ROMAN CATHOLIC CHURCH PATRONAL FEAST OF OUR LADY OF THE ASSUMPTION FESTIVAL - AUG. 15, 2014 AND AUG. 16, 2014

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Saint Mary Roman Catholic Church, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for the period of Friday, August 15, 2014, from 5:00 pm to 10:00 pm, and Saturday, August 16, 2014, from 12:00 pm to 8:00 pm, for the purpose of conducting the 10th Annual Patronal Feast of Our Lady of the Assumption Festival, to be held in the church driveway at 544 Main Street.

Alderman David DeFronzo

Ald. DeFronzo moved to accept and refer to the License Committee, seconded by Ald. Black. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

Ald. Bielinski moved to recess, seconded by Ald. DeFronzo. So voted. Meeting recessed at 10:10 p.m.

The Council returned to order at 10:15 p.m.

Ald. Bielinski moved to suspend the rules in order to add 32818-1(Q1) and 32818-2(25), seconded by Ald. Trueworthy. Roll call vote – all members voted in favor.

COMMITTEE ON LICENSES

32818-1 RE: ST. MARY – PATRONAL FEAST OF OUR LADY OF THE ASSUMPTION FESTIVAL

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

The Committee on Licenses, held a meeting on Wednesday, August 13, 2014, voted to accept and to refer back to the Common Council with a favorable recommendation 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 Saint Mary Roman Catholic Church, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for the period of Friday, August 15, 2014, from 5:00 pm to 10:00 pm, and Saturday, August 16, 2014, from 12:00 pm to 8:00 pm, for the purpose of conducting the 10th Annual Patronal Feast of Our Lady of the Assumption Festival, to be held in the church driveway at 544 Main Street.

Alderman Adam Platosz
Chair

August 13, 2014

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

RESOLUTION

32818-2 LICENSE – ST. MARY PATRONAL FEAST OF OUR LADY OF THE ASSUMPTION FESTIVAL

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Saint Mary Roman Catholic Church, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for the period of Friday, August 15, 2014, from 5:00 pm to 10:00 pm, and Saturday, August 16, 2014, from 12:00 pm to 8:00 pm, for the purpose of conducting the 10th Annual Patronal Feast of Our Lady of the Assumption Festival, to be held in the church driveway at 544 Main Street.

Alderman David DeFronzo

Ald. Defronzo moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved August 19, 2014 by Mayor Erin E. Stewart.

Ald. Naples was granted a point of personal privilege and said that the suggestion of one Council Meeting per month was a bad idea.

Ald. Naples also discussed the issue of Ald. Trueworthy remaining on the Council and said that he should resign.

Ald. Trueworthy was granted a point of personal privilege and addressed his actions, apologized and asked for forgiveness.

There being no further business to come before the Council, Ald. Bielinski moved to adjourn, seconded by Ald. Collins. So voted. Meeting adjourned at 10:27 p.m.

ATTEST: Mark H. Bernacki, City Clerk