

March 12, 2014

## REGULAR MEETING OF THE COMMON COUNCIL

**MARCH 12, 2014**

Mayor Erin E. Stewart called the Regular Meeting of the Common Council to order at 11:19 p.m. on Wednesday, the 12th day of March 2014 in the Common Council Chambers, City Hall.

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

One member was absent: Ald. Collins was ill.

The invocation was given by City Clerk, Mark H. Bernacki: O God our Heavenly Father. March is the month of reflection and sacrifice. While many observe the Lenten season by sacrificing something of importance give some of us the will not to succumb to the decadence of chocolate or excesses of alcohol during St. Patrick's Day or whatever vice we may have. Look down on our fellow citizens. Give us the love, compassion and commitment for the less fortunate in our community as we attempt to do Your work and to make their lives better. We ask this in Thy name. Amen.

The pledge to the flag was led by Celeste Roche.

Ald. Carlozzi was granted a point of personal privilege and asked that the Council keep the Tomasso family in their hearts and prayers for Paul Tomasso, who was said to have gone hiking and is now missing for 3 weeks. Pray that he is found, safe, and back to his family soon.

The Council remained at ease while Mayor Stewart delivered her State of the City Address.

### MAYOR

#### **32662 RE: 2014 MAYOR ERIN E. STEWART STATE OF THE CITY ADDRESS**

To all those gathered here in our Council Chambers tonight: welcome to City Hall and thank you for being with us.

Distinguished members of the Common Council, elected officials, department leaders, city employees and, most importantly, my fellow citizens, I come before you tonight to deliver the first State of the City address of my administration.

To be sure, whether you are a mayor, a governor or a president, there is always the strong impulse to say that the state of the city, the state of the state, or the state of the union is strong – or offer some other positive adjective – either to give reassurance or to gloss over the difficult realities we face in order to obtain a favorable sound bite or news story.

I have been in office for exactly four months today, and if you all have learned one thing about me, it's that I have no desire to sugarcoat the truth or turn a blind eye to the monumental challenges of the job I was elected to do.

Ladies and gentlemen, the state of our city is that New Britain is at a crossroads...and when you find yourself at a crossroads you have to make a decision to go one way or the other.

March 12, 2014

For too long, we have been traveling down the same road. During good economic times it was easy to stay on this road, as we were helped by increased funding from the state and federal governments, an expanding tax base, and residents with more disposable income.

But over the past few years, as our nation's economy cratered, the economic development in our City slowed, and our residents began having to do more with much less. Yet the government of this City has continued down the same old road.

Whether it has been efforts by previous administrations to avoid political hazard, or been the refusal of the unions to realize the truth that the old ways of doing business are over, or been the result of good people who don't want to have to say "no" to our friends when they want something that the City cannot afford... Regardless of the reason, we simply cannot continue down that same old road.

So many people in this business dwell on assigning blame and pointing fingers – and, invariably, those fingers always point backwards to the past.

Now I'm not advocating that we forget what was done that has put our City in the dire position we now find ourselves in – but as George Santayana famously said, "Those who cannot remember the past are condemned to repeat it." But I am here tonight to deliver a message that is focused on the future of New Britain, and to give you all fair notice that we are beginning a new era of municipal government in the Hardware City.

Typically, these speeches are an opportunity for the Mayor to stand up and recite a litany of accomplishments, some grand...some not so grand...and conclude with broad appeals for bipartisanship and civility in our government. Rather than waiting until the end, I would instead like to begin by saying how proud I am to share the responsibility of governing our City with this Council.

I honestly didn't know what the working relationship would be between a Republican mayor and a Council with a Democratic majority when I took office. But over these past four months, I have been so pleased with the quality of communication, dedication and general respect that has marked the relationship between our two branches of government thus far.

As we come into an extraordinarily difficult budget season, I have no doubt that we will certainly have our differences. But as long as we all remember that the person we are disagreeing with is, in fact, a person – and not merely the partisan letter that follows their name – and we remember that all of us deserve respect, I believe we will navigate these rough waters very well indeed.

Shortly after I took office, the one thing that became apparent almost immediately was that, despite all of the wonderful projects, developments, and resources that we have, and despite all of the marvelous and talented people we have working in city government, there has not been a clear vision laid out as to where New Britain is going and how we are going to get there.

Of course, we have many master plans, including plans for downtown development, emergency management, traffic flow, parks and recreation, and the list goes on...and we should have plans for these types of things. But so much of what we do in New Britain is the product of ad hoc opportunity and not the result of a coordinated vision that informs and guides every aspect of city government.

Tonight, I am putting forward my vision for our City. It tells a story of what we will become, and it requires that all of us share in not merely the hope, but the belief, that the sweeping changes I will describe actually can – and will – be done.

March 12, 2014

We will not begin by asking tired questions like “what are we doing right and what are we doing wrong...” No, we will begin by leading from where we are, resetting where we want to go, building on our strengths and embracing a future that will be different in many ways from what we know and do today.

The vision is guided by six key principles, and if you listened to me on the stump last year, they should come as no surprise:

- 1) delivering the leadership needed to be most responsive to our residents,
- 2) providing our children with the education they deserve,
- 3) being fiscally responsible,
- 4) being transparent in all of our dealings,
- 5) enabling New Britain to be truly “open for business,” and, most importantly,
- 6) restoring pride in our City.

The first component of my vision, indeed its most critical component, should come as no surprise...and it is that we will overcome our present financial crisis and get this city back on firm financial ground. Leaders are products of their times, and they are defined less by those things they choose to promote, and more by how they surmount the challenges that arise during the course of their term.

Ladies and gentlemen, the financial crisis that the City of New Britain is now facing IS the defining challenge of our time together. How we deal with this crisis...and mark my words, it is a crisis...will be the legacy we leave behind.

As I said earlier, I’m not interested in playing the blame game and spinning our wheels in an attempt to travel the road of least political risk. You can all make those assumptions as you see fit, but I’m not interested in playing that game. We have 73,000 people counting on us and no one deserves to be caught in political banter.

Doing what is necessary to pull ourselves back from the brink is not going to make us any more popular – in fact, we must be prepared to incur the anger of those we represent in order to provide the bitter medicine our City needs to get well.

Tonight, we took a bold first step down that new road by reducing or rescinding our current debt load by nearly \$19 million dollars. We also passed three critical items that will give the City the short term tools we need to deal with the current crisis and afford us the opportunity to put in place long-term changes that will bring us back to a structurally balanced budget.

Among the items passed tonight was an authorization to issue tax anticipation notes (or TANs) to give us financial assurance as we move to close this gaping deficit. They reassure the capital markets and the rating agencies that, regardless of what happens, the City will have the necessary cash-on-hand to operate through the end of this fiscal year.

But I want to be crystal clear here: issuing TANs will only come as a last resort. Even now, the City is pursuing more favorable options that include:

- the leasing of certain city assets;
- getting the City out of businesses we shouldn’t be in and working with companies who can do the jobs far better, and far cheaper;
- working with our union brothers and sisters to involve them in the solution;
- eliminating certain city services;
- increasing fees for services and licenses; and
- working with our department heads on major immediate spending reductions.

March 12, 2014

Friends, we are well beyond mere belt-tightening here. We are all going to feel the pinch—and this is just to get us through the current fiscal year.

In April, I will be back here to unveil my 2015 budget proposal in detail and, believe me, it is going to look a lot different than previous city budgets have looked. City government must be fundamentally changed in order to bring us to balance, and that is going to mean deep cuts across all departments. Everything is on the table...including the unfortunate reality that some jobs are going to have to be cut.

There is nothing more difficult than having to let someone go, but the fact is that we have more government than we can afford in New Britain. And I promise the taxpayers of this City that before I come back to them and ask for a nickel more in taxes, I will have cut our budget to the bare bone.

Getting to a structurally balanced budget is the primary goal of this administration. Structurally balanced means that what we spend is EQUAL to what we take in.

I will work with any alderperson or department head who shares my commitment to right-size City Hall. This is the defining challenge of our time and it stands between us and the City we want to become. When I said that we were at a crossroads...this is it. This is where we choose to take a different path...and it's my sincere hope that we can take that path together.

Now, while restoring our fiscal health is paramount and is the key to our City's rebirth, my vision goes well beyond dollars and cents. We are going to fundamentally change the culture in City Hall. Every organization has its own beliefs, attitudes and behaviors that shape how we think and act.

City Hall culture seems to emphasize bureaucratic regularity, strictly separated functions, narrow job descriptions, correction rather than prevention, and exalts procedures over results. This culture tends to exist even in the face of facts that prove just how inefficient and error-prone it can be. Changing the culture of our government will take time, but the journey begins here.

First, we will adopt an "outside-in" perspective to guide everything that we do. It demands that we look first at how our policies and procedures will be understood by, and impact, the community that we serve. We will no longer live in the "bureaucratic bubble" that often blinds us to reality. We will routinely seek outside viewpoints, both before we act and after, to help evaluate how we are doing.

Second, there will be no "gotcha" attitude in City Hall. Yes, we are serious about our mission and committed to our oath to uphold and enforce the law, but we are equally interested in delivering quality services and helping our constituents stay ahead of problems, avoid mistakes and access the services they have paid for.

Third, we will focus on cost reduction and efficiency without jeopardizing other needs. We will continually look for ways to reduce the costs of running government. Every expense must be justified as an investment that creates real value, which is why all purchase orders will continue to run through my office. But at the same time we are also committed to balancing this with the need to continuously improve core services to achieve the most effective and efficient delivery to the community.

For example, we are currently auditing the way City Hall uses copiers and paper so that we can best reduce waste, cut costs, and streamline our everyday processes. Along those lines, I am aggressively pursuing options that will greatly expand the City's use of renewable energy – particularly solar energy – which will make us far less reliant on the grid and will include guaranteed reductions in our energy costs.

March 12, 2014

Our vision also addresses our technological capacity in order to improve customer service to our residents. The single most important step toward doing this and bringing City government into the 21st century is creating a 21st century web portal. We must be able to provide a wide range of automated, real-time and customer-friendly services to our community. There is no excuse why a resident cannot pay their water, sewer and tax bills all online and all in the same place. Our Tax Collector, Cheryl Blogoslawski, has already taken steps to allow for online tax payments, and now we have to take it further.

New Britain needs a robust website to provide for “whole citizen” account management. An open and user-friendly, but secure and accurate, system for online interaction and information-sharing is not about keeping us one-step ahead of our fellow towns...it is something we need just to keep up with them. Our neighboring municipalities have online capabilities that make interactions with their local governments seem easy compared to what we do here in New Britain.

And we're not just focused on revenue collection, rather it's about sharing information and being able to communicate with, and better serve, a constituency that is continuously expanding their reliance upon, and expectation of, online customer service.

I applaud our new City Clerk, Mark Bernacki, for the steps he is taking to put marriage licenses, land records and other essential documents online. It is our vision that if you need a license, permit or other certificate, you will be able to either complete the transaction online or, at the very least, be able to secure all of the paperwork so that your experience at City Hall is a brief one with no headaches.

This is not about taking work away from current employees...this is about allowing those employees more time for substantive projects, while making City Hall accessible 24 hours a day.

My vision also includes New Britain's schools. I don't know about you, but I am sick and tired of people using the New Britain school system as a punchline. Do we have our fair share of problems? Of course we do. It comes with the territory when you have a city our size with our socio-economic diversity. But what has become plain to me is that we, the leaders of this City, are in many ways responsible for the myth that our schools either aren't making the grade or are somehow failing our students.

But that isn't the case and that type of attitude just serves to validate this myth in the minds of people both in and out of New Britain. When you take a look at the volume and quality of resources that we provide our students, from elementary through high school, and compare it with those provided by our neighboring communities with supposedly “better schools,” the results will astound you. When you hear the stories of student achievement and their subsequent successes, and there are many, I am confident that you too will come to realize that New Britain schools are doing something right. Our educational facilities are outstanding and continually improving – including the multi-million dollar rebuild of Gaffney School that is ready to begin.

As a relatively recent product of that school system, and a former member of the Board of Education, I can tell you firsthand that New Britain schools ARE something to be proud of. Yes, it costs a lot of money to provide that education and, yes, those costs continue to rise. Every year we hear the calls to increase funding for the schools and that's the only way we will show that we really care about the kids. Alternatively, if we don't increase the funding, we are told that we are somehow against our students or that we're balancing the budget on their backs. Well, I challenge anyone to say that I don't care about our kids. Whatever problems we may face in our schools, the cause of those problems is not a lack of funding.

We need to change the way we think about, and talk about, our school system before we talk about putting more money into it. Rebranding New Britain as a place where our children get a first-rate education begins with us and it is where restoring the pride begins. At the same time, we must continue to refine our educational processes so that we are preparing our students for

March 12, 2014

the jobs of this century...not the last. We must continue placing an emphasis on science, technology, engineering and math.

The Health Sciences Academy at New Britain High School has been a tremendous success and I have been told by several of our local business owners that they are very interested in seeing us get the Manufacturing Academy off the ground quickly. There are good, skilled jobs to be had right here in New Britain, but we need to match our curricular options to their needs.

Finally, our vision includes a command focus on economic development that makes sense. We have a wonderful core of small manufacturers and other businesses already in town. Companies like Polamer Precision, Rich Foods, Stag Arms, Admill Machine, and many others, are proud to call New Britain home and they are great ambassadors in helping us attract new interest.

I am meeting with developers on a near-daily basis. We are working nonstop to maximize the influx of commercial interest and transit-oriented development dollars that are coming our way thanks to CTFastrak, which is scheduled to be finished in February next year.

Whether it's economic development or innovative transportation solutions, we will continue to expand our grand list and make certain that everyone knows that New Britain is open for business.

These are the broad strokes that define my vision for our City. Here is the goal:

If you live in New Britain, the achievement of our vision will improve your life. Your city's government will be about delivering high-quality services and offering better information and assistance in the form and fashion that you prefer.

If you're a business or property owner, it means you have a partner in making New Britain a better place to work and conduct commerce.

If you're a visitor, it means your experience will be safe and enjoyable.

If you work in New Britain city government, it means getting ahead of our challenges, working as a team across departments, having the chance to learn and grow on the job, while gaining a better understanding of how each of us contributes to, and shapes, our City.

Whatever your perspective, New Britain will be a "city of the future" – one that inspires the best in its citizens, businesses and employees. We will overcome our great challenges and we will restore pride to The Hardware City.

My friends, New Britain is at a crossroads.... May each of us have the courage to stride boldly down this new path together.

God bless you and God bless the City of New Britain.

Ald. Bielinski moved to amend the agenda by substituting 32656 and moving 32657 in front of Resolutions Back from Committee, motion seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor.

## PETITIONS

**32659 ALD. GIANTONIO FOR CONDUCTING A TRAFFIC STUDY ON SOUTH BURRITT STREET REGARDING LIMITING PARKING TO ONE SIDE OF THE STREET. REFERRED TO BOARD OF POLICE COMMISSIONERS.**

March 12, 2014

**32660 ALD. PLATOSZ FOR INSTALLATION OF A CROSSWALK AT THE INTERSECTION OF OSGOOD AVENUE AND JORDAN STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS AND DEPT. OF PUBLIC WORKS.**

**32661 ALD. DEFRONZO FOR INSTALLATION OF A "DEER CROSSING" SIGN ON SHUTTLE MEADOW AVENUE. REFERRED TO THE DEPT. OF PUBLIC WORKS.**

Ald. Bielinski moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved March 13, 2014 by Mayor Erin E. Stewart.

## **CONSENT AGENDA**

### **CITY CLERK**

**32642 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**

- Aroyo, Javier by Atty. Frank J. McCoy
- Arroyo, Javier by Atty. Frank J. McCoy
- Burdick Jr., Robert E.
- Carrero, Aleyla by Atty. Angelo Cicchiello
- Dawson, Victoria
- Lesniak, Maryla
- Martinez, Susan Y.
- Schaller, Theresa
- Zalewski, Ruth by Atty. Michael L. Romanelli
- Valdiviezo, Jefferson

Mark H. Bernacki  
City Clerk

## **OFFICE OF CORPORATION COUNSEL**

**32643 RE: ANTHONY TARICANI III 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 EIGHT THOUSAND DOLLARS (\$8,000.00) be paid to Anthony Taricani III and Alan J. Rome, 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 and property damage he allegedly sustained on October 4, 2010, when attempting to park his vehicle at curbside on Day Street, the right wheels of his vehicle fell into an unprotected drain hole. As a result of the incident, plaintiff alleges that he has suffered from headaches, head pain, neck pain, nausea and a cervical sprain/strain. He was assigned a 5% permanent partial impairment of the cervical spine. In medical specials, the plaintiff has incurred \$5,216.23. He is also alleging in property damage \$3,628.51. Thus a total in specials of \$8,844.74.

March 12, 2014

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 Alan J. Rome, 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

**32644 RE: CATHERINE SAUTTER 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 SEVENTEEN THOUSAND DOLLARS (\$17,000.00) be paid to Catherine Sautter and Brian M. Silver, Esq., her attorney, in full settlement of her suit against the City of New Britain, now pending in Superior Court, Judicial District of New Britain, at New Britain, for bodily injuries and property damage she allegedly sustained on June 23, 2010 when she was riding her bicycle in a southbound direction on Curtis Street, when her bicycle hit a pothole causing her to flip over the handlebars. As a result of the incident, plaintiff alleges that she has suffered a fracture to her elbow, cracked and bruised ribs, bruised left knee and left hip and sprained right wrist. In medical specials, the plaintiff has incurred \$4,858.00 and in lost wages \$4,022.00, thus, a total in specials of \$8,800.00. 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 Brian M. Silver, Esq., with the approval and consent of Gennaro Bizzarro, Esq.

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

Irena J. Urbaniak  
City Attorney

**PURCHASING DEPARTMENT**

**32645 RE: PRINTING OF BROCHURES FOR THE PUBLIC WORKS DEPARTMENT  
/PARKS AND RECREATION DIVISION**

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. 3767 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Printing of Summer/Fall 2014 and the Winter/Spring 2014-2015 Brochures for the Public Works Department, Parks & Recreation Division. Funding is available for the printing of these Brochures within the Public Works Department, Parks and Recreation Division's Account Number 001420001-5550, General Fund, Printing and Advertising.

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 seventy-two (72) Printing Companies. The Purchasing Agent did not receive any letters from the Printing Companies on the mailing list who indicated that they could not respond to the bid request. The responses are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Parks and Recreation Division's Administration and the Purchasing Agent. As done previously, the Parks and

March 12, 2014

Recreation Division Administration would like a brochure that is appealing so more parents look at the brochure and become aware of the programs offered by the City for their children. Therefore the Deputy Director of the Public Works Department is recommending that the bid be awarded to Woodward Printing Services of Platteville, WI, who was the lowest bidder and met all of the bid specifications for the printing of the brochures.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue purchase orders to Woodward Printing Services of Platteville, WI, in the amount of \$2,306.00 for the printing of 10,000 Summer/Fall 2014 Brochures and \$2,306.00 for the printing of 10,000 Winter/Spring 2014-2015 Brochures for the Public Works Department, Parks and Recreation Division per the terms and specifications of Public Bid No. 3767.

Jack Pieper  
Purchasing Agent

**32646 RE: CHEMICALS, FERTILIZERS, GRASSES AND PESTICIDES – PUBLIC WORKS/PARKS AND RECREATION DIV. AND STANLEY GOLF COURSE**

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. 3770 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for required purchases of Chemicals, Fertilizers, Grasses and Pesticides for the Public Works Department, Parks and Recreation Division and the Stanley Golf Course. Funding is available for these purchases within the Public Works Department, Parks and Recreation Division's Account Number 001419003-5659, General Fund, Horticulture, Operating Materials and Supplies and the Stanley Golf Course's account number 201420101-5616, Operational Fund, Fertilizers and Chemicals.

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-four (24) Chemical, Fertilizer, Grass and Pesticide Companies. The Purchasing Agent did not receive any letters from the Chemical, Fertilizer, Grass and Pesticide Companies on the mailing list indicating they could not provide a response to the bid request. The responses are on file in the Town Clerk's Office.

The bids were reviewed for conformance with specifications by Public Works Department, Parks and Recreation Division's and the Stanley Golf Course's Administration as well as the Purchasing Agent. Considerations in determining the awards were:

- In some instances two awards were made. Patents on the formulations of many previously purchased products have run out, and generic forms have emerged. In those cases, a brand name and a generic product have been chosen. Generics, which do not have a proven track record, will be tested during the season.
- Ties were awarded in accordance with City of New Britain Code of Ordinance section 2-573.
- In some cases it appears that the low bidder was not selected; however, not all bidders submitted responses on the correct unit size. Conversions were made by Golf Course Administration for comparison.
- In some cases Bidders supplied the same prices because they are agents or distributors for the manufacturer of the Chemicals, Fertilizers, Grasses and Pesticides. This will enable the Parks and Recreation Division and the Stanley Golf

March 12, 2014

Course to obtain the needed items if one of the agents or distributors cannot supply them in a timely manner.

- Three (3) Bidders no longer had sales representatives to handle orders or address product issues or concerns.

Therefore, the Deputy Director of the Public Works Department is recommending that the bid be awarded to following companies, Hart Seed of Wethersfield, CT, Allen Seed of Exeter, RI., D&S of Durham, CT, Harrell LLC of Lakeland, FL., Metro Turf of Brookfield, CT., Fairplay Turf of Exeter, RI., Cardinals, Inc. of Unionville, CT, John Deer Landscapes of Cleveland OH., Winding Brook Turf Farm of Wethersfield, CT., Plant Food Company, Inc. of Cranbury, NJ., and Tuckahoe Turf Farms of Canton, MA.

RESOLVED: That the Purchasing Agent is hereby authorized to issue purchase orders to Hart Seed of Wethersfield, CT, Allen Seed of Exeter, RI., D&S of Durham, CT, Harrell LLC of Lakeland, FL., Metro Turf of Brookfield, CT., Fairplay Turf of Exeter, RI., Cardinals, Inc. of Unionville, CT, John Deer Landscapes of Cleveland OH., Winding Brook Turf Farm of Wethersfield, CT., Plant Food Company, Inc. of Cranbury, NJ., and Tuckahoe Turf Farms of Canton, MA. on an as-needed basis, from March 14, 2014 to March 13, 2015 as per the selected prices highlighted on the attachment as well as the specifications, terms and conditions of Public Bid No. 3770.

Jack Pieper  
Purchasing Agent

**32647 RE: COOPERATIVE PURCHASING – MOTION TRAINER, FITNESS EQUIPMENT FOR PUBLIC WORKS/PARKS & RECREATION DIVISION**

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, Parks and Recreation Division for the following under the State of Connecticut's Cooperative Plan:

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
New England Fitness Distributors, Inc. Glastonbury, CT.	Motion Trainer	\$6,220.00

The New Britain Public Works Department, Parks and Recreation Division requested a purchase order for the purchase of a replacement Motion Trainer utilizing the State of Connecticut's Contract Award #11PSX0029. The Motion Trainer's use is part of the Persons with Disabilities/City Employees freedom fitness room located in the basement of City Hall that is supervised by the Parks and Recreation Division. The fitness room is also used to offer fitness programming through the Recreation Division. The previous unit that was in the fitness room was damaged when a waterline in the boiler room broke and flooded the fitness room. The water from this leak damaged the unit causing it to become inoperable and it could not be fixed. Funding is available for this purchase within the General Liability and Risk Management's account number 704625102-5251, Property Damages, Parks and Recreation.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$6,220.00 to New England Fitness Distributors, Inc. of Glastonbury, CT., for the purchase of a new Motion Trainer for the Public Works Department, Parks and Recreation Division, utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #11PSX0029.

Jack Pieper  
Purchasing Agent

March 12, 2014

**DEPT. OF PUBLIC WORKS**

**32601-1 RE: STREET LIGHTING AT THE INTERSECTION OF BROAD STREET AND BOOTH STREET**

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

Public Works field staff has determined there is sufficient street lighting at the intersection of Broad Street and Booth Street. There are street lights on all telephone poles in the area.

No further action will be taken.

Mark E. Moriarty,  
Director Public Works

**32602-1 RE: REPAIRS TO CATCH BASINS AT THE INTERSECTION OF HIGH STREET AND MYRTLE STREET**

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

The catch basins at the intersection of High Street and Myrtle Street regarding corroded rods have been investigated. When the weather breaks the rods will be replaced.

Kenneth Marzi  
Superintendent of Water & Sewer

**CLAIMS COMMITTEE**

**32648 RE: SETTLEMENT OF CLAIMS**

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, March 5, 2014, at 6:30 PM in Room 201, City Hall, having held public hearings and made investigations of said claims, respectfully begs leave to recommend the following:

RESOLVED; that Juliette Yudysky and Janic Malec, her attorney, be given leave to withdraw their claim for personal injuries sustained on May 7, 2012.

RESOLVED; that the sum of \$6,563.22 be paid to Joseph Millett of 1699 Meriden Road, Wolcott, Connecticut, in full settlement of his January 24, 2013 claim for repairs to the sewer main located at 1185 West Main Street, New Britain .

Alderman Carlo Carozzi, Jr.  
Chair

**COMMITTEE ON ADMINISTRATION, FINANCE AND LAW**

**32472-4 RE: PROPOSED AMENDMENT TO THE ORDINANCES SEC. 2-22 TO ALLOW PUBLIC PARTICIPATION DURING ANY REGULARLY SCHEDULED MEETING AND/OR SPECIAL MEETING OF THE COMMON COUNCIL**

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

March 12, 2014

The Committee on Administration, Finance and Law at a regular meeting and public hearing held on Wednesday evening, March 5, 2014, at 7:00 PM in the Council Chambers, to which was referred the matter of resolution #32472-3 – Amend Section 2-22 of the Code of Ordinances to allow for public participation during any regularly scheduled meeting and/or special meeting of the Common Council, voted to accept as amended and recommend that the following amended resolution be referred back to the Common Council with a favorable recommendation.

Alderman Carlo Carozzi, Jr.  
Chair

### **COMMITTEE ON PLANNING, ZONING AND HOUSING**

#### **32631-1 RE: ACQUISITION OF 246 BEAVER STREET FROM THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION**

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 Planning, Zoning and Housing held a regular meeting and public hearing on Tuesday, March 4, 2014, at 7:00 PM in the Council Chambers to which was referred the matter of item #32631 - Acquisition of 246 Beaver Street from the State of Connecticut Department of Transportation, and voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Michael Trueworthy  
Council President

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

#### **CITY PLAN COMMISSION**

#### **32613-1 RE: CERTIFICATE OF LOCATION APPROVAL-MOTOR VEHICLE GENERAL REPAIRER'S LICENSE AT 62C ST. CLAIR AVE. – ART AUTO SERVICE, LLC**

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

APPLICANT: Art Auto Service, LLC  
ADDRESS: 62C St. Clair Avenue  
ZONE: I-2 (General Industry)

The City Plan Commission, at its regular meeting held on March 3, 2014, voted 7 to 0, to recommend that this certificate of location approval be granted:

**BACKGROUND:** The applicant is requesting the granting of a certificate of location approval to allow a State general repairer's license, in accordance with Sections 14-54 of the Connecticut General Statutes. The subject location is in a complex of small industrial buildings on the north side of St. Clair Avenue, near East Street. The area is zoned I-2, General Industry, which permits auto repairers by right. This application is to allow auto repairs, only; the current lease area does not include enough parking for auto sales.

March 12, 2014

**FINDINGS:** The applicant's plans show the proposed business occupying a small portion of one of the rear, interior buildings near the back corner of this seven (7) building complex. The applicant's space would be a single-garage bay with a total floor area of approximately 1,200 square feet, consisting primarily of the work space and a small office area and lavatory. The submitted plan shows the required five (5) parking spaces, including the required handicapped space, located along the front of the building. There is also some undesignated, shared parking available in the central portion of the property.

Other portions of this site have been licensed for auto repair in the past; at least two are currently active. The front location at 66C St. Clair Avenue was the site of a former used car dealer's license, which was granted location approval in February 1998 (ZBA Application #3776) and later licensed as a repairer's only location. Another rear building location at 52 St. Clair Avenue is a used auto dealer repairer location (ZBA location approval #4224 granted in December 2004.) Other parts of this property house a variety of other small businesses including machine shops, a contractor's yard and a small warehouse storage.

**CONCLUSION:** The I-2 zone allows auto repairers by right, and this property has at least two (2) other licensed repairer businesses currently active. As depicted in the submitted site plan, this site appears to be adequately suited to the applicant's small auto repair operation. This would, by necessity, be a very limited operation, drawing very little traffic and having minimal impact to the character of the site or to the other businesses here.

**RECOMMENDATION:** The City Plan Commission has reviewed the submitted plan and has no objections to the granting of a certificate of location approval for this location, limited exclusively to auto repairs, as shown in the submitted site plan.

Louis G. Amodio, Chairman  
City Plan Commission

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning & Housing, seconded by Ald. Bielinski. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

## **COMMITTEE ON PLANNING, ZONING AND HOUSING**

### **31989-7 RE: PROPOSED AMENDMENT TO THE ORDINANCES TO SEC. 14-400 THROUGH 14-406 CONCERNING LICENSURE FOR RESIDENTIAL RENTAL PROPERTY BUSINESSES**

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 Planning, Zoning and Housing held a regular meeting and public hearing on Tuesday, March 4, 2014, at 7:00 PM in the Council Chambers to which was referred the matter of item #31989 - Code of Ordinances be amended by deleting Article XIX, Sections 14-400 through 14-406, concerning licensure for residential rental property businesses, voted to accept and recommend that the following be referred back to the Common Council with a favorable recommendation.

Alderman Michael Trueworthy  
Council President

Ald. Bielinski moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

March 12, 2014

## NEW BUSINESS

### RESOLUTIONS

**32657 RE: AGREEMENT AUTHORIZATION – CELLULAR RADIO AND SHELTERING FACILITIES AT THE ELAM STREET WATER TANK**

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 Department in conjunction with the Utility Division of the Public Works Department developed a radio tower site adjacent to the Elam Street Water Tank as part of the City's communications improvement project; and

WHEREAS, The Elam Street facility was developed with the capacity to host cellular carriers; and

WHEREAS, AT&T has submitted a lease proposal to the City to install antennas and an equipment shelter on the Elam Street Tank and property; and

WHEREAS, Based on preliminary analysis, the lease proposal will provide \$36,000 in rent to the City on annual basis; and

WHEREAS, The Public Safety Telecommunications Department has also negotiated annual escalation increases of 3% and an initial term of five years, renewable in five year increments; and

WHEREAS, The revenues from this lease over a twenty year period will pay the entire cost, including bonding associated with the development of the municipal radio site facilities at Elam Street, Stanley Golf Course, and atop Police Headquarters.

NOW, THEREFORE BE IT RESOLVED that the City of New Britain Common Council does hereby authorize Mayor Erin E. Stewart to sign all necessary agreements and take all necessary actions to move this development forward. ; and

~~BE IT FURTHER RESOLVED that the Finance Director is hereby directed to create a Special Revenue Account for the purposes of accounting for cellular site lease revenues on municipal property; and~~

~~BE IT FURTHER RESOLVED that no funds from this Special Revenue Account may be allocated to any expenses other than the routine and direct maintenance and operation of the facilities and then only via an approved budget authorization presented by the Mayor and approved by the City Council.~~

Alderman Suzanne Bielinski  
Alderman Adam Platosz

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. Ald. Bielinski moved to amend by striking the last two paragraphs, seconded by Ald. Giantonio. So voted. RESOLUTION ADOPTED AS AMENDED. Approved March 13, 2014 by Mayor Erin E. Stewart.

### RESOLUTIONS BACK FROM COMMITTEE

**32472-5 RE: AMENDMENT TO THE ORDINANCES TO ALLOW PUBLIC PARTICIPATION DURING COMMON COUNCIL MEETINGS**

March 12, 2014

PURPOSE: To amend Section 2-22 of the Code of Ordinances to allow for public participation during any regularly scheduled meeting and/or special meeting of the Common Council.

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:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 2-22 of the Code of Ordinances, City of New Britain, be amended to read as follows (inserted text appears in underline; deleted text appears in strikethrough; new sections begin with the word [new]):

Sec. 2-22. Public Participation Sessions- and Conduct During Council Meetings.

- a. There shall be public participation sessions held prior to each Special and Regular ~~regularly scheduled~~ Common Council meeting commencing at the posted start time of a Special Meeting and 7:00 p.m. for a Regular Meeting. ~~from commencing at 7:00 p.m. to 7:30 p.m., and for thirty minutes prior to each special common council meeting~~ During public participation sessions, ~~at which time~~ members of the public shall be afforded the opportunity to address the members of the Common Council on any matters concerning the operations of city government as well as on matters on the agenda of the meeting. All The Presiding Officer shall call three times for any additional speakers prior to closing any public participation session. ~~Public Participation sessions shall last until the last member of the public has been afforded the opportunity to address members of the Common Council. Public comment shall be limited to no less than 3 minutes per speaker, per meeting.~~
- b. ~~Such sessions~~ Council Meetings, Special or Regular, must be attended by the respective department heads, or their designee, who will respond to any questions by members of the body concerning the operation of their respective department. Individuals who insist on making slanderous remarks, in engaging in or behaving in a disruptive, disorderly or discourteous manner will not be allowed to continue in attendance at such a meeting. If such behavior cannot be contained, the meeting for that date will be terminated. No placards, slogans or banners shall be allowed into the council chambers at such a meeting or public participation session.

(Code 1970, § 2-9(a); Ord. of 4-82; Ord. of 5-96; Ord. of 5-98; Ord. of 5-00)

Alderman Carlo Carozzi, Jr.  
Alderman Jamie Giantonio  
Alderman Willie Pabon  
Alderman Emmanuel Sanchez

Ald. Giantonio moved to accept and adopt, seconded by Ald. Carozzi. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**31989-8 RE: AMENDMENT TO THE ORDINANCES TO DELETE SEC. 14-400 THROUGH 14-406 CONCERNING LICENSURE FOR RESIDENTIAL RENTAL PROPERTY BUSINESSES**

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 delete Article XIX Sections 14-400 through 14-406 of the New Britain Code of Ordinances.

March 12, 2014

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Article XIX, Chapter 14 of the Code of Ordinances, City of New Britain, concerning licensure of residential property businesses be amended to read as follows (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

**ARTICLE XIX. LICENSE FOR RESIDENTIAL RENTAL REAL PROPERTY**

**Sec. 14-400. Purposes.**

~~(a) This article is enacted pursuant to the authority granted to the City of New Britain by section 7-148(c)(7) of the General Statutes. The City of New Britain is committed to protecting the safety, health and welfare of its residents and to eliminate housing blight. In order to implement its authority granted by the Connecticut General Statutes, the City of New Britain hereby adopts this article to insure that housing within the city is decent, safe, sanitary and in good repair in compliance with the same or substantially the same standards that apply to property regulated by the U.S. Department of Housing and Urban Development ("HUD"). Property owners of dwelling units described in this article must maintain such dwelling units in a manner that meets the HUD physical condition standards in order to be considered decent, safe, sanitary and in good repair. These standards address the major areas of the multi-family housing safety.~~

~~(b) This article is not intended to apply to:~~

~~(1) — A natural person or persons that are renting or leasing a residential rental property which:~~

~~a. — Is his or her primary residence (including owner-occupants who own the home through a limited liability corporation);~~

~~b. — Was his or her primary residence within the previous two (2) years, if he or she remains a resident of New Britain;~~

~~c. — He or she inherited from his or her deceased parent(s) within the previous (2) years, if he or she remains a resident of New Britain; or~~

~~d. — Is occupied only by tenants who are blood relatives.~~

~~(2) — A non-profit organization which primarily provides recreational and youth services and does not maintain an ownership Interest in a building that is primarily utilized for the renting or leasing of dwelling units.~~

~~(3) — An organization which operates a shelter for victims of domestic abuse and does not maintain an ownership Interest in a building that is primarily utilized for the renting or leasing of dwelling units.~~

**Sec. 14-401. Definitions.**

For the purposes of this article, the following definitions shall apply:

~~*Applicant* shall mean a person seeking or required to be licensed or have a license renewed under this section.~~

~~*Dwelling* shall mean any building located in the city, which is wholly or partly used or intended to be used for living or sleeping by human occupants. For purposes of this article, the term shall be synonymous with "residential rental property."~~

March 12, 2014

~~*Dwelling Unit* shall mean any room or group of rooms located within a dwelling, and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.~~

~~*Hearing Officer* shall mean one or more citation hearing officers, other than police officers or employees of the licenses and inspections division of the community services department appointed by the mayor to conduct the hearings authorized by this Article.~~

~~*License* shall mean a residential rental property business license issued and maintained according to the requirements of this section.~~

~~*Owner* shall mean any person holding an ownership interest in a property.~~

~~*Ownership interest* shall mean any or all of the following categories of ownership in any corporation, limited liability company, trust, partnership, incorporated or unincorporated association or other legal entity:~~

- ~~(1) Ownership of twenty-five (25) percent or more of a corporation;~~
- ~~(2) Ownership of a twenty-five (25) percent or greater interest in a limited liability company;~~
- ~~(3) Rights of a beneficial interest of a twenty-five (25) percent or more of a trust;~~
- ~~(4) Ownership as a partner in a partnership;~~
- ~~(5) Ownership or control of a twenty-five (25) percent or greater interest in a unincorporated association or other legal entity; or~~
- ~~(6) Holding a position as a director or officer of any corporation.~~

~~*Person* shall mean and includes any natural person, corporation, limited liability company, trust, partnership, incorporated or unincorporated association, and any other legal entity.~~

~~*Property Owner* shall mean any person who:~~

- ~~(1) — Holds legal title to any residential rental property, dwelling or dwelling unit; or~~
- ~~(2) — Has charge, care, or control of any residential rental property, dwelling or dwelling unit as an executor, executrix, administrator, administratrix, trustee, conservator, guardian, or general agent of the legal title holder.~~

~~*Residential rental property* shall mean any building or structure containing apartments or other space for human dwelling, regardless of whether such apartments or space are occupied. Residential rental property shall refer only to buildings within the city.~~

~~*Residential rental property trade* shall mean the trade or business of owning and renting or leasing residential rental properties.~~

~~*Residential rental property business* shall mean any person, organization or corporation of any kind engaged in the residential rental property trade.~~

~~In all references in this article to any “applicant,” “hearing officer,” “person” or “property owner”, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as circumstances may require.~~

March 12, 2014

~~Sec. 14-402. License required.~~

~~(a) — After April 1, 2013, it shall be unlawful for any property owner to engage in the residential rental property trade in the city without a valid license obtained and maintained in accordance with this section.~~

~~(b) — The licenses and inspections division of the community services department shall promulgate all of the necessary forms and policies to accept applications for, to issue and to revoke all licenses. The licenses and inspections division of the community services department shall determine the eligibility for licensure pursuant to this section and shall issue all licenses and renewals of the same. Any applicant aggrieved by a decision under this section may appeal said decision within thirty (30) days after notice of such decision is sent by informing the licenses and inspections division of the community services department, in writing, that applicant desires to appeal. Upon receipt of said appeal, the said division shall inform the chair of the housing board of appeals, who shall call a meeting of said board to hear said appeal. The housing board of appeals shall have the power to alter the determination of the licenses and inspections division of the community services department if it finds that the facts do not support the decision. Any license issued or renewed under order from the housing board of appeals shall include, in the text of the license, such caveats, restrictions and requirements as said board shall deem necessary and appropriate.—~~

~~(c) — To maintain a license, a person, must:~~

~~(1) — Not have an ownership interest in any property in the city classified as a blighted premises according to the Code of Ordinances with blighting conditions that have remained unremedied for more than six months.~~

~~(2) — Not have an ownership interest in any properties in the city with building, housing, health or fire code violations that have remained unremedied for more than six months.~~

~~(3) — Not have an ownership interest in any residential properties left abandoned for more than one year.~~

~~(4) — Disclose, to the licenses and inspections division of the community services department, all properties in the city he owns or in which he possesses an ownership interest.~~

~~(5) — Disclose to the licenses and inspections division of the community services department the names and addresses of all its owners.~~

~~(6) — Not have any owners who are ineligible for a residential property business license.~~

~~(7) — Comply with such other requirements as the licenses and inspections division of the community services department or the housing board of appeals shall provide, in writing, in the text of the license or license renewal.~~

~~(8) — Fully and truthfully answer all questions contained on any interrogatories sent by the licenses and inspections division of the community services department within thirty (30) days from the date they are issued.~~

~~(d) Each License shall be issued or renewed for a term of one (1) year, subject to the power of the city to revoke for cause. No license shall be issued or renewed until the applicant has paid a fee on a per unit basis calculated as follow:~~

~~(1) — Fifty dollars (\$50.00) per unit for the first three (3) dwelling units; plus~~

~~(2) — Forty dollars (\$40.00) per unit for the next ten (10) dwelling units; plus~~

March 12, 2014

~~(3) — Thirty-five dollars (\$35.00) per unit for each additional dwelling unit up to a maximum fee of twelve thousand dollars (\$12,000.00) per property owner.~~

~~—(e) Any dwelling unit subject to a mandatory annual inspection under the terms of 24 CFR Part 5, Subpart G, and 24 CFR Part 200 or other applicable regulations promulgated by the U.S. Department of Housing and Urban Development (“HUD”) shall not be included in the calculation of an application fee set forth in subsection(d) of this section provided the applicant shall submit with his application a copy of a HUD inspection report issued within the past three hundred and sixty-five (365) days that certifies that the dwelling unit is in compliance with all applicable HUD standards and inspection protocols.~~

~~—(f) If any property owner fails to conform to the requirements of subsection (e) of this section during the term of the license, the licenses and inspections division may revoke the license. Such license shall be deemed revoked when the licenses and inspections division mails notice to a property owner that said license is revoked and specifying the reasons for said revocation. If the property owner informs the licenses and inspections division, in writing, within thirty (30) days of the issuance of the notice that the property owner desires to appeal the revocation of its license, the licenses and inspection division shall inform the chair of the housing board of appeals, who shall call a meeting of the board to hear the property owner’s appeal. The housing board of appeals shall have the power to alter the determination of the licenses and inspections division if it finds that the facts do not support a revocation of the license or the board may suspend the revocation upon such conditions as it may determine. If the property owner requests an appeal, it shall not incur any fines under this article until the appeal is determined by the housing board of appeals. Any person whose license has been revoked according to this section shall be deemed to not be licensed pursuant to this section.~~

#### ~~Sec. 14-403. Inspections.~~

~~—(a) The city is authorized and directed to make periodic inspections of dwelling units leased or rented in the course of the residential rental property trade to ensure compliance with the Code of Ordinances. The city may randomly select dwelling units for inspections or select dwelling units in response to complaints of violations of the Code of Ordinances. The city may conduct as many inspections, in its discretion, as the time and resources of the city may permit, but in no event shall any dwelling unit be randomly selected for an initial inspection more than once per calendar year.~~

~~—(b) All inspections will be performed according to standards and procedures to be established by the city. The city shall provide a property owner with no less than ten (10) days’ notice prior to an inspection. The property owner or his agent must provide any tenants residing in a dwelling unit with at least seven (7) days’ notice of the inspection. The city will provide the property owner with consent forms for each dwelling unit subject to inspection. If a tenant objects to such inspection, the city must obtain an administrative warrant from the Connecticut Superior Court prior to conducting an inspection.~~

~~(c) If a dwelling unit passes inspection, the city will promptly notify the property owner of the results in writing. If the city finds any defects during the inspection, the city will provide the property owner with written notice of such defects. If no life threatening health and safety defect is found, the property owner will be given thirty (30) days to repair the defect and provide the city with: (1) written confirmation that he has remedied all defects; and (2) a one hundred fifty dollar (\$150.00) fee for the city’s re-inspection of the dwelling unit. After the city receives both written confirmation that the property owner has repaired the defects at issue and the re-inspection fee, it will re-inspect the dwelling unit. If the property owner fails to provide the city with written confirmation that he has remedied all defects within thirty (30) days and a one hundred fifty dollar (\$150.00) re-inspection fee, or if the city finds that the defect has not been remedied upon its re-inspection of the dwelling unit, the property owner’s license will be immediately revoked.~~

March 12, 2014

~~Sec. 14-404. Notice to Unlicensed Property Owners; Citation Hearings.~~

~~(a) The licenses and inspections division of the community services department shall issue a notice to any property owner who engages in the residential rental property trade or residential rental property business without a license. This notice shall be sent to the property owner via certified mail to the property owner and shall include:~~

~~(1) The allegations against the property owner;~~

~~(2) The amount of the fines, penalties, costs or fees due;~~

~~(3) Notice that the property owner may contest his liability before a citation hearing officer by delivery in person or by mail written notice within ten (10) days of the date thereof;~~

~~(4) That if the property owner does not demand such a hearing, an assessment and judgment shall be entered against him; and~~

~~(5) That such judgment may issue without further notice.~~

~~(b) If the property owner that receives a notice described in subsection (a) wishes to admit liability for any alleged violation, he 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 licenses and inspections divisions of the community services department.~~

~~(c) Any property owner who does not deliver or mail written demand for a hearing within ten (10) days of the date of the first notice provided for in subsection (a) of this section shall be deemed to have admitted liability, and the licenses and inspections division of the community services department shall certify such property owner'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 this article.~~

~~(d) Any property owner who requests a hearing shall be given written notice of the date, time and place for the hearing. Such a hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of the notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interest party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official shall be filed and retained by the city, and shall be deemed to be a business record and evidence of the facts contained therein. The presence of the issuing official shall be required at the hearing if the property owner so requests. A property owner wishing to contest his liability shall appear at the hearing and may present evidence on his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the city. If the property owner fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under this article. The hearing officer may accept from a property owner copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such property owner is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If the hearing officer determines that the property owner is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If the hearing officer determines that the property owner is liable for the violation, he shall enter and assess the fines, penalties, costs or fees against such property owner as provided for by this article.~~

March 12, 2014

~~(e) If a property owner fails to pay any fine assessed by the hearing officer upon the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the property owner found liable and shall file, not less than thirty (30) days or more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the appropriate clerk of the Connecticut Superior Court.~~

~~(f) A property owner against whom an assessment has been entered pursuant to this section is entitled judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen the assessment pursuant to the requirements set forth in section 7-152c(g) of the General Statutes. Sec. 14-405. Fines.~~

~~Any Person not in compliance with Section 14-402 of this Article shall be fined two hundred fifty dollars (\$250.00) for each violation or the maximum authorized by section 7-148(c)(10)(A) of the General Statutes. Each separate day a property owner engages in the residential rental property trade in the city without a valid license shall constitute a separate and distinct violation of section 14-402.~~

#### ~~Section 14-406. Regulations~~

~~The mayor may promulgate regulations concerning the implementation of this article, which regulations shall remain in effect until and unless rejected by the Common Council. The Common Council may rescind its rejection of such regulations.~~

Alderman Carlo Carozzi, Jr.  
Alderman David DeFronzo  
Alderman Jamie Giantonio  
Alderwoman Eva Magnuszewski  
Alderman Don Naples  
Alderman Wilfredo Pabon  
Alderman Daniel Salerno  
Alderman Louis Salvio  
Alderman Emmanuel Sanchez  
Alderman Robert Smedley

Ald. Carozzi moved to accept and adopt, seconded by Ald. DeFronzo. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

#### **32631-2 RE: CONVEYANCE OF 246 BEAVER STREET FROM THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION**

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

WHEREAS, The State of Connecticut Department of Transportation under the terms of the Beaver Street Reconstruction Project No. 88-174 is required to convey 246 Beaver Street to the City of New Britain for Highway Purposes for no monetary consideration; and

WHEREAS, the property consists of approximately 18,939 square feet; and

WHEREAS, it is the intention of the City of New Britain to seriously consider any proposal or application filed by a third party to erect a monument on this property to honor the 65<sup>th</sup> Infantry known as The Borinqueneers; and

March 12, 2014

WHEREAS, the executed Quit-Claim Deed to the City of New Britain prepared by the State of Connecticut Department of Transportation is on file in the Town Clerk's Office as Exhibit A; now therefore, be it

RESOLVED, That Erin E. Stewart, Mayor, be and is hereby authorized to execute all documents related to the acquisition of 246 Beaver Street from the State of Connecticut Department of Transportation.

Alderman Michael Trueworthy  
Alderman Wilfredo Pabon  
Alderman Emmanuel Sanchez

Ald. Pabon moved to accept and adopt, seconded by Ald. Sanchez. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

## NEW BUSINESS

### RESOLUTIONS

**32649 RE: BUDGET TRANSFER - \$5,585 FROM CONTINGENCY TO COMMON COUNCIL ADVERTISING**

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 Common Council has certain requirements to place legal notices in a newspaper that circulates within the City of New Britain. The Common Council pays for these publications through its advertising expenditure account; and

WHEREAS, the advertising account is in need of replenishment and there are monies available within the General Fund contingency account that can be transferred for this specific purpose,

THEREFORE, BE IT RESOLVED, that monies be transferred within the FY 2013-2014 General Fund budget for the purpose as follows:

<u>Account #</u>	<u>Description</u>	<u>Current Budget</u>	<u>Increase/ (Decrease)</u>	<u>Amended Budget</u>
From:				
001625101-5871	Contingency	\$336,135	(\$3,500)	\$332,635
To:				
001101001-5540	Common Council Advertising	\$2,085	\$3,500	\$5,585

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Roll call vote. All members present voted yes. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32650 RE: PROFESSIONAL SERVICES FROM UCONN CENTER OF PUBLIC HEALTH AND HEALTH POLICY FOR PUBLIC HEALTH RESEARCH DATA ANALYSIS – NEW BRITAIN HEALTH DEPT.**

March 12, 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:

WHEREAS; in May, 2013, a budget within special revenue fund #234 Preventative Health Services, was established with a grant from the Connecticut Department of Public Health to assess the prevalence and variables associated with obesity in school children at preschool, kindergarten, 6<sup>th</sup> and 9<sup>th</sup> grades in the City of New Britain. The grant includes available funding for data analysis services;

WHEREAS; the scope of the project has increased dramatically from previous years, and the previous contractor could not provide the expanded services. Public Health research data analysis services are highly specific and UCONN Center for Public Health and Health Policy has agreed to take on the project;

WHEREAS; the Health Department has received a professional services proposal from UCONN Center for Public Health and Health Policy, to provide the following services at a cost for the services of \$125/hr. for up to 80 hours of service;

- Data management
- Descriptive, correlational and longitudinal analysis of the data
- Compile a detailed report of study findings

THEREFORE, BE IT RESOLVED that the Purchasing Agent, or his designee, is hereby authorized to execute an agreement for services with the UCONN Center for Public Health and Health Policy, for the above services at the stated compensation.

BE IT FURTHER RESOLVED, that the compensation come from special revenue fund #234, Preventative Health Services.

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32651 RE: SACRED HEART CHURCH ANNUAL PARISH FESTIVAL – “ODPUST”  
6/27/2014 & 6/28/2014**

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 Sacred Heart Church said license as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for Friday, June 27, 2014, and Saturday, June 28, 2014, for the purpose of conducting their annual parish festival “Odpust” on the Sacred Heart Church grounds, Broad Street and Gold Street, New Britain, Connecticut.

Alderman David DeFronzo

Ald. DeFronzo moved to accept and refer to the Licensing Sub-Committee, seconded by Ald. Black. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32652 RE: DOZYNKI FESTIVAL – 8/23/2014 & 8/24/2014**

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:

March 12, 2014

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Polish Council of Greater New Britain, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for Saturday, August 23, 2014, and Sunday, August 24, 2014, for the purpose of conducting the Annual "Dozynki" Festival at the Polish Falcon "Polanka" Field on Farmington Avenue, New Britain, Connecticut.

Alderman David DeFronzo

Ald. DeFronzo moved to accept and refer to the Licensing Sub-Committee, seconded by Ald. Black. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32653 RE: PULASKI CLUB BAZAAR/CARNIVAL – APRIL 25,26, & 27, 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 Pulaski Club, Inc., said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for Friday, April 25, 2014, Saturday, April 26, 2014, from 5:00 PM to 10:00 PM, and Sunday, April 27, 2014, from 12:00 PM until 6:00 PM, for the purpose of conducting a bazaar/carnival in the Pulaski Club parking lot at 89 Grove Street, New Britain, Connecticut. The organization is also requesting that the police department allow the closure of Grove Street between Broad Street and Orange Street to vehicular traffic during the times of the bazaar/carnival.

Alderman David DeFronzo

Ald. DeFronzo moved to accept and refer to the Licensing Sub-Committee and Board of Police Commissioners, seconded by Ald. Black. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32654 RE: ACQUISITION OF A PORTION OF EVERETT STREET FROM THE STATE OF CONNECTICUT DEPT. OF TRANSPORTATION**

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

WHEREAS, The State of Connecticut Department of Transportation has prepared a Quit-Claim Deed to convey a portion of Everett Street which was created as a result of the construction of Route 72 to the City of New Britain for highway purposes; and

WHEREAS, this conveyance should have occurred years ago once the Route 72 project was completed; and

WHEREAS, the State of Connecticut Department of Transportation is prepared to convey said portion of Everett Street at this time; and

WHEREAS, the property consists of approximately 3,953 square feet of vacant land; and

WHEREAS, the executed Quit-Claim Deed to the City of New Britain prepared by the State of Connecticut Department of Transportation is on file in the Town Clerk's Office as Exhibit A; now therefore, be it

March 12, 2014

RESOLVED, that Erin E. Stewart, Mayor, be and is hereby authorized to execute all documents related to the acquisition of Everett Street from the State of Connecticut Department of Transportation.

Alderman Wilfredo Pabon  
Alderman Jamie Giantonio

Ald. Giantonio moved to accept and refer to the Committee on Planning, Zoning & Housing, seconded by Ald. Pabon. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32536-2 RE: CHANGES TO APPOINTMENTS OF LIAISONS TO BOARDS AND COMMISSIONS**

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:

BE IT RESOLVED; that the following members of the Common Council of the City of New Britain are hereby appointed liaisons to the Boards and Commissions as follows:

**COUNCIL APPOINTMENTS**  
Liaisons to Boards and Commissions

Arts

Don Naples  
Adam Platosz

Board of Education

Jamie Giantonio  
Wilfredo Pabon  
Daniel Salerno  
Emmanuel Sanchez

Building Commission

Wilfredo Pabon

CCSU

Eva Magnuszewski  
Michael Trueworthy

City Plan

Carlo Carlozzi, Jr.  
Daniel Salerno

Civil Service

Suzanne Bielinski

Commission on Persons with Disabilities

Adam Platosz

Hospital of Central Connecticut

Eva Magnuszewski  
Emmanuel Sanchez

Housing Authority

Tonilynn Collins  
Emmanuel Sanchez  
Jamie Giantonio

Department of Property Management

Michael Trueworthy

Emergency Medical Services

Suzanne Bielinski

Fair Rent Commission

Emmanuel Sanchez

Finance

Adam Platosz  
Daniel Salerno

Fire

Suzanne Bielinski  
Jamie Giantonio

Health

Adam Platosz

Historic Preservation Commission

Don Naples

Homeless Commission

Tonilynn Collins

Parks and Recreation

Shirley Black  
David DeFronzo  
Jamie Giantonio  
Eva Magnuszewski  
Daniel Salerno

Police

Suzanne Bielinski

March 12, 2014

Human Rights  
Tonilynn Collins

Humane Commission  
Eva Magnuszewski

Library/New Britain Institute  
Tonilynn Collins  
Don Naples

Mattabassett District  
Adam Platosz  
Michael Trueworthy  
Jamie Giantonio

Municipal Development  
Carlo Carozzi, Jr.  
Emmanuel Sanchez  
Jamie Giantonio

New Britain Chamber of Commerce  
Carlo Carozzi, Jr.  
Eva Magnuszewski  
Don Naples

Parking Commission  
Tonilynn Collins

Carlo Carozzi, Jr.  
Wilfredo Pabon  
Emmanuel Sanchez  
Robert Smedley  
Public Works  
Carlo Carozzi, Jr.  
Eva Magnuszewski  
Emmanuel Sanchez  
Don Naples

School Building Committee  
Adam Platosz  
Daniel Salerno  
Robert Smedley

Senior Citizens  
Shirley Black  
Adam Platosz

Veterans Commission  
Don Naples  
Adam Platosz  
Michael Trueworthy

Water  
Adam Platosz

Youth Services  
Emmanuel Sanchez

Alderman Michael Trueworthy  
Council President

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted.  
Approved March 13, 2014 by Mayor Erin E. Stewart.

**32535-1 RE: CHANGES TO APPOINTMENTS OF COMMITTEE MEMBERS AND CHAIRPERSONS**

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:

**Council Subject Matter Committees**

Section 2-41 of the Code of City Ordinances: Each such committee shall have up to nine (9) members.

**COMMITTEE ON ADMINISTRATION, FINANCE AND LAW**

David DeFronzo, Chair  
**Carlo Carozzi, Jr., Vice Chair**  
Suzanne Bielinski  
**Tonilynn Collins**  
Jamie Giantonio  
**Don Naples**

March 12, 2014

Adam Platosz  
**Robert Smedley**  
Michael Trueworthy

Names in bold are also members of the Claims Sub-Committee (others may be appointed as necessary via appointment of the Chairperson).

All members of the committee are also members of the Capital Equipment Reserve Sub-Committee.

All members are also members of the Bonding Sub-Committee along with two members of the Board of Finance appointed by the BOF.

COMMITTEE ON PLANNING, ZONING AND HOUSING

Carlo Carlozzi, Jr., Chair  
David DeFronzo  
Eva Magnuszewski  
Don Naples  
Wilfredo Pabon  
Daniel Salerno  
Louis Salvio  
Emmanuel Sanchez  
Michael Trueworthy

All 15 members of the Common Council are members of the Zoning Subcommittee and will be notified of meetings where zoning matters will be discussed.

CONSOLIDATED COMMITTEE

Emmanuel Sanchez, Chair  
Suzanne Bielinski  
Shirley Black  
Tonilynn Collins  
Jamie Giantonio  
Adam Platosz  
Daniel Salerno  
Robert Smedley

Ad Hoc Council Committees

Audit

Michael Trueworthy, Chair  
Tonilynn Collins  
Adam Platosz

School Building Committee

Must be appointed upon construction authorization.

Telecommunications

Suzanne Bielinski  
Adam Platosz

License

Adam Platosz, Chair  
Shirley Black  
Emmanuel Sanchez

March 12, 2014

Police Building Committee  
Suzanne Bielinski

Alderman Michael Trueworthy  
Council President

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32655 RE: INCREASING THE MINIMUM WAGE FOR CITY EMPLOYEES AND CONTRACTORS OF THE CITY TO \$10.10 PER HOUR BY THE END OF 2015-2016 FISCAL YEAR**

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, Leaders across the Country and State of Connecticut, including the President of the United States and Governor Malloy have called for an increase to the minimum wage; AND

WHEREAS, The City of New Britain has a commitment to its residents to offer the opportunity to afford a livable wage; AND

WHEREAS, Other municipalities in the State of Connecticut have passed such measures; THEREFORE BE IT

RESOLVED; By the end of the Fiscal Year 2015-2016, The City of New Britain shall pay all employees, independent contractors regardless of full time or part-time status, no less than \$10.10 per hour; AND BE IT FURTHER

RESOLVED; By the end of the Fiscal Year 2015-2016, The City of New Britain shall not enter into contracts with contractors whose employees, independent contractors, regardless of full time or part-time status, receive payments of less than \$10.10 per hour.

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and refer to the Committee on Administration, Finance & Law, seconded by Ald. Bielinski. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

**32656 RE: APPOINTMENT OF MEMBERS TO THE SCHOOL BUILDING COMMITTEE FOR CONSTRUCTION PROJECT AT GAFFNEY ELEMENTARY SCHOOL**

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 Code of Ordinances Section 2-306 as amended in August 2007 now has one School Building Committee rather than a committee for each project; however, the State Department of Education requires that the City still designate a committee for each project; now,

THEREFORE, BE IT RESOLVED that the School Building Committee designated as the following members, be appointed and also serve as the School Building Committee for the Gaffney Elementary School Construction Projects.

March 12, 2014

<u>Name</u>	<u>Address</u>
1. Ms. Sheila Smith, Chair	300 Steele Street, New Britain, CT 06052
2. Mr. Peter Smulski	47 Oakwood Drive, New Britain, CT 06052
3. Mr. Timothy Stewart	60 Wightman Road, New Britain, CT 06052
4. Mrs. Frances Wolski	22 Kenwood Drive, New Britain, CT 06052
5. Mr. Carmen D'Agostino	99 Forest Street, New Britain, CT 06052
6. Mr. Robert Pleines	2162 Stanley Street, New Britain, CT 06053
7. Mr. Rha-Sheen Brown	214 Hart Street, New Britain, CT 06052
8. Alderman Adam Platosz, Common Council Liaison, Ex-Officio	
9. Alderman Daniel Salerno, Common Council Liaison, Ex-Officio	
10. Alderman Robert Smedley, Common Council Liaison, Ex-Officio	

Ex-Officio:  
Kelt Cooper, Superintendent of Schools or Designee

Alderman Michael Trueworthy  
Council President

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted.  
RETURNED MARCH 18, 2014 WITHOUT THE APPROVAL OR DISAPPROVAL OF MAYOR STEWART.

**32658 RE: PROPOSED AMENDMENT TO THE ORDINANCES TO PROVIDE THAT ALL REVENUE GENERATED FROM LEASES WITH CELLULAR COMPANIES BE DEPOSITED IN A SPECIAL REVENUE ACCOUNT**

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

Alderwoman Suzanne Bielinski  
Alderman Adam Platosz

Ald. Bielinski moved to accept and refer to the Committee on Administration, Finance & Law, seconded by Ald. Trueworthy. So voted. Approved March 13, 2014 by Mayor Erin E. Stewart.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Giantonio. So voted. Meeting adjourned at 12:10 a.m.

ATTEST: Mark H. Bernacki, City Clerk