

October 8, 2014

## REGULAR MEETING OF THE COMMON COUNCIL

**OCTOBER 8, 2014**

Mayor Erin E. Stewart called the Regular Meeting of the Common Council to order at 7:59 p.m. on Wednesday, the 8th day of October 2014 in the Common Council Chambers, City Hall.

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

One member was absent: Ald. Magnuszewski.

The invocation was given by Mark H. Bernacki, City Clerk: O God, our Heavenly Father, we pay homage and remembrance to two brave men – Christopher Columbus and Casimir Pulaski.

Both men had a burning desire for freedom and they both risked their lives to better mankind. Columbus in searching for a speedy route to make available the far east spices for meat preservation for the European masses and Pulaski who left his privileged lifestyle to fight and die for his belief that liberty and freedom from heavy handed government was a tenet of your divine wishes. Let us be inspired by these men to leave our comfort zones and work for the betterment of all. We ask this in Thy name. Amen.

The pledge to the flag was led by Patricia Watson.

A moment of silence was observed to honor Domestic Violence Awareness Month and also for the Hartford fallen firefighter, Kevin Bell, and three other firefighters who were injured in a recent fire in Hartford.

Points of Personal privilege were extended to the following:

Ald. Smedley who said that Oct. 8th was International Walk to School Day – promoting a healthy lifestyle and to celebrate neighborhood schools and safe routes.

Ald. Carlozzi who spoke about October as Italian American Heritage month and reminded everyone of the ceremonies to be held on Columbus Day.

Ald. Naples who said “When Christopher Columbus set out on his journey; he didn’t know where he was going. When he got there, he didn’t know where he was. When he got home, he didn’t know where he had been - and he did it all on someone else’s money.”

Ald. Collins moved to accept and adopt the minutes of the Regular Meeting of July 9, 2014, the two Special Meetings of August 7, 2014, and the Special and Regular Meetings of August 13, 2014, seconded by Ald. Bielinski. So voted.

Ald. Collins moved to amend the agenda by adding 32840-1(G1), 32819-1(J), 32840-2(K) 32819-2(1A), 32891(6), 32840-3(7), by substituting 32873-2, and by moving 32887(2) and 32891(6) to the front of the agenda. Motion seconded by Ald. Trueworthy. Roll call vote - all members present voted in favor.

### PETITIONS

**32892 RE: ALD. PABON FOR INSTALLING “NO PARKING” SIGNS AROUND THE AREA OF 222 HILLHURST STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**

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**32893 RE: ALD. SANCHEZ FOR REMOVING THE “NO PARKING” SIGNS IN FRONT OF 46-64 ROXBURY ROAD. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**

Ald. Collins moved to adopt the Consent Agenda, seconded by Ald. Giantonio. Roll call vote – all members present voted in favor. Approved October 9, 2014 by Mayor Erin E. Stewart.

## **CONSENT AGENDA**

### **PURCHASING DEPARTMENT**

**32879 RE: REMOVAL OF UNDERGROUND FUEL TANKS AND INSTALLATION OF NEW ABOVE GROUND FUEL TANKS AT STANLEY GOLF COURSE - PARKS AND RECREATION 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. 3801 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the removal of existing underground gasoline and diesel fuel tanks and the installation of new above ground ones at the Stanley Golf Course for the Parks and Recreation Department. The existing underground fuel tanks which are located at the Maintenance facility are metal and are over twenty-nine (29) years old. They are becoming rusted and could start to leak causing contamination of the soil around them. Funding is available for the Removal of Existing Under Ground Fuel Tanks and the Installation of New Above Ground Fuel Tanks within the Park and Recreation Department's, Stanley Golf Course, account numbers 201420101-5740, Other Miscellaneous Equipment and 201420101-5746, Miscellaneous Capital Projects.

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 twelve (12) fuel tank contractors. The Purchasing Agent did not receive any letters from the fuel tank contractors on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Park and Recreation Department's administration and the Purchasing Agent. Therefore the Director of the Parks and Recreation Department is recommending the bid be awarded to Environmental Services, Inc. of South Windsor, CT who submitted the lowest responsible bid and met all of the bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a purchase order with Environmental Services, Inc. of South Windsor, CT in the amount of \$60,600.00 for the removal of the existing underground fuel tanks and the installation of new above ground fuel tanks at the Stanley Golf Course for the Parks and Recreation Department, per the terms and specifications of Public Bid No. 3801.

Jack Pieper  
Purchasing Agent

**32881 RE: SAND FOR SNOW AND ICE CONTROL FOR 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. 3804 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Purchase of Sand used for Snow and Ice Control for the Public Works Department. Funding is available for this purchase from the Public Works Department's account, 001315007-5659, Street Snow Removal, Operating Material and Supplies.

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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-seven (27) Sand Companies. The Purchasing Agent did not receive any letters from the Sand Companies on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerks Office.

The bids and samples of sand submitted by the bidders were reviewed for conformance to specifications by the Public Works Department Administration and the Purchasing Agent. Therefore the Director of the Public Works Department is recommending that the bid be awarded to Herb Holden Trucking, Inc. of Broad Brook, CT who was the lowest bidder and met all bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing purchase order for \$15.48 per Cubic Yard of Sand delivered to the City Yard for Snow and Ice Control for the 2014-2015 winter season to Herb Holden Trucking, Inc. of Broad Brook, CT per the terms and specifications of Public Bid No. 3804.

Jack Pieper  
Purchasing Agent

**32882 RE: PROFESSIONAL SERVICES – TECHNICAL SUPPORT AND MAINTENANCE – INFORMATION TECHNOLOGY 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 2-531 a purchase order was requested by the Information Technology Department for the Annual Technical Support and Maintenance for the City's Property Maintenance and Code Enforcement and Mobile Inspection Modules.

<u>Supplier</u>	<u>Services</u>	<u>Amount</u>
ViewPoint Government Solutions, Inc. Belmont, MA.	ViewNforce and ViewInspection Annual Software Maintenance and Technical Support	\$14,850.00

The Information Technology Department has requested a purchase order for the Annual Technical Support and Maintenance for the City's Property Maintenance and Code Enforcement and Mobile Inspection Modules. The software will help the City to manage, route and track citizen requests, complaints and violations. The system includes a full code of enforcement mechanisms that provides a set of intelligent tools to guide the software's maintenance workflow and effectively manage time and resources. It will also streamline and speed the code enforcement of the City while greatly improving the interdepartmental communications and ensure more timely, transparent and accurate processing of complaints and requests by businesses and residents. Funding for this Annual Software Maintenance and Technical Support is available in the Information Technology Department's account number, 001107006-5434, Maintenance Contracts.

RESOLVED: The Purchasing Agent is hereby authorized to issue a purchase order for \$14,850.00 to ViewPoint Government Solutions, Inc. of Belmont, MA for the Annual Technical Support and Maintenance for the City's Property Maintenance and Code Enforcement and Mobile Inspection Modules.

Jack Pieper  
Purchasing Agent

**32883 RE: TRACKLESS MUNICIPAL TRACTOR WITH PLOW, SNOW BLOWER AND SANDER FOR 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:

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In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-541, a purchase order was requested by the Public Works Department, Property Management Division for the purchase of a new Trackless Municipal Tractor with Plow, Snow Blower and Sander.

<u>Supplier</u>	<u>Quantity</u>	<u>Item</u>	<u>Price</u>
C.N. Wood of Connecticut, LLC North Haven, CT.	1	Trackless MT6 Municipal Tractor with Plow, Snow Blower and Sander	\$136,360.00

The Public Works Department, Property Management Division, requested the purchase of a Trackless MT6 Municipal Tractor with Plow, Snow Blower and Sander. The new Municipal Sidewalk Tractor will be used to remove snow and then sand about twenty-four (24) miles of City sidewalks during the winter season. The existing Tractor that is utilized to remove snow and sand the City sidewalks is fifteen (15) years old and is having mechanical problems. Parts to make the needed repairs are becoming harder to find. C.N. Wood of Connecticut, LLC is the only authorized dealer for Trackless Vehicles Limited the manufacturer of this Tractor in the State of Connecticut and Massachusetts. This fact has been verified by the Purchasing Agent who has documentation from Trackless Vehicles Limited indicating this. Bid solicitation for this purchase of the new Municipal Sidewalk tractor would not be beneficial to the City. Funding for this purchase was approved by the Standing Bonding Subcommittee, Resolution #31127-5 on August 13, 2014. Funds are available within the Public Works Department's account number, 0041500111-56120, Capital Equipment Bond, Snow Removal Equipment, Field Services/Property Management.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$136,360.00 to C.N. Wood of Connecticut, LLC of North Haven, CT for the purchase of a Trackless MT6 Municipal Tractor with Plow, Snow Blower and Sander for the Public Works Department, Property Management Division.

Jack Pieper  
Purchasing Agent

**32884 RE: POLYGRAPH INSTRUMENT FOR THE NEW BRITAIN POLICE DEPT.**

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 Police Department for the purchase of a new Polygraph Instrument.

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
Lafayette Instruments Lafayette, IN.	Polygraph Instrument	\$3,741.13

The New Britain Police Department requested a purchase order for the purchase of a new Polygraph Instrument. Their present Polygraph Instrument is over nine (9) years old. The old Polygraph Instrument does not have all of the functions that the new Polygraph Instrument has and all of the required programs for the Police Department to conduct their investigations properly. If the present Polygraph Instrument fails to operate properly, parts and programs to make the required repairs are becoming harder to find. Lafayette Instruments is the manufacturer of the Polygraph Instrument which is utilized by most municipalities and state agencies throughout the United States. They have no dealers in New England and are the sole source supplier of their Polygraph Instrument. The Purchasing Agent has verified this. Bid solicitation for the purchase of the new Polygraph Instrument would not be beneficial to the City. The cost of the new Polygraph Instrument is being paid for by funds that the Police Department received from the Federal Government for this purchase. Funds are available within the New Britain Police Department's special revenue account number, 289211128-5740, Asset Forfeiture Federal, Other Miscellaneous Equipment.

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RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$3,741.13 to Lafayette Instruments of Lafayette, IN for the purchase of a new Polygraph Instrument for the New Britain Police Department.

Jack Pieper  
Purchasing Agent

### **CITY PLAN COMMISSION**

#### **32840-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES ADDING SEC. 50-10-40 AND SEC. 175**

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

[To amend the Zoning Ordinances by adding Section 50-10-40 and Section 175 creating a new "floating" zone, the ARUD, Adaptive Re-Use of Non-Used or Underutilized Industrial Buildings District, in order to create the opportunity for creative redevelopment and adaptive reuse of vacant and underutilized manufacturing properties.]

The City Plan Commission, at its special meeting held on October 6, 2014, voted 6 to 0 to approve the following report, and recommend adoption of this text amendment, subject to minor revisions to clarify that the Common Council acts as the zoning authority in approving the Master Plan and adopting an ARUD district; and secondly, clarification regarding the process for modifying the Master Plan of an already approved ARUD district.

**BACKGROUND:** This amendment is based on similar ordinances that have been adopted in a number of other municipalities in Connecticut and throughout the country. This text would establish the ARUD as a "floating zone", a zoning district which would be described and regulated in the zoning ordinance, but would not be "sited" (i.e. affixed to a specific property or group of properties), until such time as a petitioner comes with a detailed master plan that is approved and adopted by the Common Council acting in its capacity as zoning authority for the City of New Britain. This floating zone concept is commonly utilized to encourage greater flexibility and innovative approaches in the rehabilitation and re-use of older buildings in a community, while still affording the municipality reasonable oversight and safeguards to assure that the resulting development is compatible with the surrounding neighborhood and consistent with established planning goals and policies.

The proponent of this current zoning petition is the owner and prospective developer interested in the rehabilitation and re-use of the southern portion of the "Harris property", a 10-acre site with a large, multi-story, manufacturing building, that is over 90 years old and, at present, mostly vacant. He would ultimately like to gain approval for rehabilitation and conversion of the facility to a mixed-use, mostly residential complex. However, this current petition would only serve to establish the text for the ARUD zone.

It would not have the effect of changing the zoning or uses permitted on this property or any other.

**FINDINGS:** The intent of an ARUD floating zone would be to encourage the rehabilitation and adaptive re-use, as appropriate, of some of the city's vacant and underutilized manufacturing properties and other large underutilized facilities. The ARUD text, rather than specifying what particular land uses are permitted in the zone, requires the prospective developer to prepare a detailed master plan, laying out the mix of proposed uses, which may include any reasonable type or combination of uses - from residential units, artists' studios and live/work spaces, restaurants, art galleries and performance space, retail sales, etc. to light manufacturing and assembly.

The burden would be on the developer to demonstrate to the satisfaction of the Council, that the master plan and the mix of uses proposed is suited to the location and the characteristics of the property, that it is compatible with the neighborhood, consistent with the City's planning goals and policies, and that it would be a development that is in the best interest of the City. The process of approving the master

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plan and “landing” or affixing the ARUD zone to a specific location would follow the same process and have the same safeguards as a standard petition to change the zoning map, including a review and advisory report by the City Plan Commission and a public hearing held before the Zoning Committee of the Common Council, with legal notices published in the newspaper, mailed notice to property owners within 500 feet and notice signs placed on all public street frontages.

The basic dimensional regulations for applying the zone to a site would be that the property is at least 100,000 square feet in area (2.3 acres) and at least 100 feet in width. Recognizing that the ARUD zoning is intended to encourage re-use of existing historical or architectural significant buildings, the minimum required yard setbacks are set as either “existing” or 10 feet for front and side yards and 25 feet for rear yards.

The master plan that would be required for implementing an ARUD district would entail the developer performing a much higher level of planning analysis and design than is normally required for a standard zone change. The ordinance proposed would require a class “A-2” survey plan of the site; depiction of buildings, parking layout, landscaping and buffers; complete detailed listing of all planned uses, specifying the floor areas of each and, for residential units, the number of bedrooms and floor area of each type of unit and calculation of the residential density; a detailed parking plan and a comprehensive traffic study.

**CONCLUSION:** The concept of a floating zone with the requirement for the review and adoption of a very specific and detailed site master plan by Council prior to siting the zone is a substantive change from traditional zoning as has been practiced here in the past. It is, however, a legally accepted and increasingly common method used in other cities to address the problems of large, vacant, and underutilized properties that do not lend themselves to redevelopment and re-use under current conventional zoning. This approach is especially useful in the rehabilitation of former manufacturing complexes, large, multi-story structures that are often important in terms of a community’s historic character and are significant visual landmarks, but are usually viewed as being obsolete and unsuited to modern manufacturing processes. In many locations, these facilities are located in or near downtown areas or residential neighborhoods where reintroduction of heavy industrial processes would result in undesirable impacts in terms of noise and traffic and effects to neighboring homes.

This floating zone concept gives the developer broad flexibility to formulate a master development plan with a mix of different types of uses, most often leaning heavily toward rental housing marketed to young professionals and recent graduates and artistic types. Redevelopment of these properties would add value to the City’s tax base and help spur economic activity in the community. The alternative of allowing these former mill buildings to remain vacant and underutilized can have a blighting effect on an area and result in lowered property values in the surrounding neighborhood.

Aside from giving a prospective developer greater flexibility in drafting his development plan, the ARUD zone would give the City Council and City Plan Commission greater control and more opportunity for oversight and input into a plan than would be possible under traditional zoning. Under conventional zoning, once a zone change is approved, a developer can construct any of the broad range of uses permitted under that zoning. With the ARUD zone proposal, a very detailed and specific master plan for development is developed and approved as an integral part of the zone change process. Once approved, the specific uses, floor areas, number of units, parking layout, circulation plan, etc. are approved and dictate precisely what can be developed on the site.

**RECOMMENDATION:** The City Plan Commission is of the opinion that the proposed zoning amendment offers a desirable opportunity to encourage and facilitate the redevelopment and adaptive re-use of some manufacturing sites in certain select locations in the City, properties which are vacant or underutilized and in danger of becoming derelict and having a blighting influence on their surroundings. The Commission believes that this would help improve the City’s tax base and economic vitality. The requirement for a master development plan to be reviewed and approved prior to the implementation of the zone in any location gives the developer flexibility to consider a number of different types of uses in putting together an economically viable plan, while affording the City ample oversight and control to ensure that the uses are reasonable and desirable, compatible with each other and with the surrounding neighborhood, and in keeping with the City’s planning goals and policies.

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While the City Plan Commission supports the general concept and approach of this amendment, it would suggest that some minor text revision is needed for clarity. First, in Section 175-10-10, where the text refers to “the Commission, in its sole legislative discretion...” and twice later refers to “the Commission”. It is recommended that this be altered to specify “Common Council, acting in its capacity as zoning authority of the City of New Britain”, rather “the Commission”. Secondly, the City Plan Commission feels that it is necessary to specify that any substantive change to the master plan must be subjected to the same full review and approval treatment as a new zone change, including a submission of a zone change petition, review and advisory recommendation from the City Plan Commission, legal notice and public hearing before the Zoning Committee of the Common Council preceding formal approval and adoption of the modifications to the originally approved master plan for a specific ARUD zoned location. To that end, it is recommended that a second paragraph be added under Section 175-10-20, stating:

“Once adopted, the Master Plan for a newly established ARUD zone shall establish the zoning standards and govern all the development within the specific ARUD district. Any modification in the planned development, that is deemed by the City Planner to be a substantive change from the approved Master Plan, is not permissible, unless the Master Plan is revised to depict and explain the proposed changes and modifications and unless the modified Master Plan is submitted and subjected to the standard zone change process and reapproved by the Common Council, acting in its capacity as zoning authority of the City of New Britain.”

With these minor modifications to the proposed text, the City Plan Commission recommends adoption of this zoning amendment.

Louis G. Amodio, Chairman  
City Plan Commission

### **COMMITTEE ON ADMINISTRATION, FINANCE AND LAW**

#### **32873-1 RE: PROPOSED AMENDMENT TO SEC. 15-73 AND 15-122 REVISING FINES FOR VIOLATIONS OF THE PARKING SECTIONS**

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, October 1, 2014, at 7:00 PM in the Council Chambers, to which was referred the matter of resolution #32873 – proposed amendment to Sec. 15-73 and 15-122 of the Code of Ordinances revising fines for violations of the parking sections, 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

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

#### **32819-1 RE: THE PROPOSED SALE OF 56 HOWARD 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 Committee on Planning, Zoning and Housing held a regular meeting and public hearing on Tuesday, October 7, 2014, at 7:00 pm in the Council Chambers, to which was referred the matter of item #32819, purchase and sales agreement for 56 Howard Street, voted to accept and refer back to the Common Council with a favorable recommendation.

Alderman Carlo Carlozzi, Jr.  
Chair

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## COMMITTEE ON ZONING

### **32840-2 RE: AMENDMENT TO THE ZONING ORDINANCES ADDING SEC. 50-10-40, FLOATING DISTRICT AND SEC. 175, ADAPTIVE REUSE OF NON-USED OR UNDER-UTILIZED INDUSTRIAL BUILDINGS DISTRICT**

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

The Zoning Subcommittee of the Committee on Planning, Zoning and Housing held a regular meeting and public hearing on Tuesday, October 7, 2014, at 7:00 pm in the Council Chambers, to which was referred the matter of item #32840, to amend the Zoning Ordinances of the City of New Britain by adding Sec. 50-10-40, Floating Districts, and Sec. 175, Adaptive Reuse of Non-Used or Under-Utilized Industrial Buildings district, voted to accept as amended and refer back to the Common Council with a favorable recommendation.

Alderman Carlo Carlozzi, Jr.  
Chair

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

### PURCHASING DEPARTMENT

#### **32880 RE: ROLL-OUT TRASH CARTS, SPARE WHEELS AND LIDS ETC. – 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. 3803 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for new Roll-Out Trash Carts, Spare Wheels and Lids and Automated Curbside Litter Containers needed by the Public Works Department. Funding for this purchase is available in the Public Works Department's account number 001315004-5659, Sanitation, Operating Material and Supplies.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to nine (9) Trash Cart companies. The Purchasing Agent received three (3) letters from the Trash Cart companies on the mailing list who indicated that they could not submit a bid. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department Administration and the Purchasing Agent. It was determined after reviewing the bid documents submitted by the lowest bidder, IPL, Inc. of St-Danien Canada, that they did not meet all of the bid specifications and could not submit a bid for the Automated Curbside Litter Containers. Otto Environmental Systems, the next lowest bidder met all bid specifications for the Roll-Out Trash Carts. They were awarded the bid the last time the City went out to bid for the Roll-Out Trash Carts in 2010. They were also the only company who submitted a bid for the Automated Curbside Litter Containers. The Automated Curbside Litter Containers currently being used on the curbs were also purchased from Otto Environmental Systems. Therefore the Director of the Public Works Department is recommending the bid be awarded to Otto Environmental Systems of Charlotte, NC.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order to Otto Environmental Systems of Charlotte, NC for the purchase of three hundred (300) new Roll-Out Carts at a price of \$56.33 each, one hundred (100) Spare Wheels at \$6.00 each, fifty (50) Spare Lids at \$13.00 each and twenty-five (25) new Automated Curbside Litter Containers at a price of \$563.40 each for the Public Works Department, per the terms and conditions of Public Bid No. 3803.

Jack Pieper  
Purchasing Agent



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Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

## **BLUE RIBBON COMMITTEE**

### **32885 RE: BLUE RIBBON COMMITTEE FINAL REPORT**

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

On Tuesday, September 30, 2014, the Blue Ribbon Committee held its final meeting and voted to accept and issue its final report which is attached hereto.

Enclosure: Blue Ribbon Committee Final Report

### **CITY OF NEW BRITAIN BLUE RIBBON COMMITTEE REPORT OCTOBER 1, 2014**

#### **BACKGROUND**

On Friday, May 2, 2014, in accordance with Sec. 9-4(c) of the City Charter, Mayor Erin E. Stewart announced the formation of the 2014 Blue Ribbon Committee ("BRC"). It was a product of this year's budget process, where the City faced a current-year deficit of \$19 million and an out-year deficit of approximately \$33 million. A comprehensive review and reorganization of all City departments was able to yield \$16 million in savings between the FY 13-14 and FY 14-15 budgets. As the single largest annual expenditure (\$124,404,673 in FY 14-15), no quest for savings would be complete without a similar review of the Board of Education ("BoE"). However, it has been acknowledged that the BoE exercises a certain degree of autonomy in how they manage their funds, thus the BRC was created out of a spirit of mutual cooperation between the City and the BoE to analyze areas where substantial savings could be achieved through the elimination of duplicative services, the implementation of best practices, and the sharing of certain core functions.

The BRC was comprised of a bipartisan group of elected officials, and was presided over jointly by Mayor Stewart and Kelt Cooper, the Superintendent of Schools. The membership included: Ald. Tonilynn Collins, Ald. Daniel Salerno, Ald. Carlo Carozzi, Ald. Don Naples, Ald. Emmanuel Sanchez, Ald. Robert Smedley, BoE President Sharon Beloin-Saavedra, BoE Vice President Carlos Pina, BoE Secretary Daniel Davis, and BoE member Nicholas Mercier.

The BRC met, in whole or in part, seven times over the course of three months. There were distinct topics of discussion at each meeting, where City and BoE staffers were invited to answer questions and provide background in their particular areas of cognizance. The topics were finance/payroll, purchasing, health care, and facilities.

It was universally understood that the final work product of the BRC would come in the form of recommendations to the Mayor, Common Council and BoE, and would not be otherwise binding. This report seeks to memorialize those recommendations.

#### **FINANCE/PAYROLL**

Acting City Finance Director Chris Wolf, and BoE Finance Director Kevin Kane were the primary staff participants in this meeting. Both the City and BoE manage their financial systems through proprietary software, with the City using IFAS and the BoE using SUNGARD. While the decision creating this duplication was unfortunate and inefficient at the outset, the two systems are almost 98% interfaced and

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now have the ability to “talk” with each other. The discussion then turned to the issue of the medical self-insurance fund. In past years, the City’s and BoE’s claims were pooled into the same account, causing a bookkeeping nightmare and a lack of accountability. In the FY 14-15 budget there are now two separate accounts, which will increase transparency and streamline the reimbursement process.

On the payroll side, the discussion centered around the transition from paper to electronic checks, as well as moving the City to a biweekly rather than weekly payroll system. On the City side, only 6% of employees receive a live check, compared to 17% on the BoE side. But even for those employees who avail themselves of direct deposit, all are still issued a paper pay stub. The Committee was in agreement that the City and BoE should begin moving toward a completely paperless, electronic payroll system with pay stubs available online. Going to a biweekly payroll will also create greater efficiency and reduce weekly processing costs. These changes will require the cooperation of the labor unions.

There was also discussion about centralizing the payroll functions for both entities.

### PURCHASING

City Purchasing Agent Jack Pieper was the primary staff participant in this meeting. The first area of discussion was the dual bid thresholds: for the City, it is \$3,000, for the BoE, it is \$7,500. Increasing the threshold on the City side would remove a layer of red tape and delay, making it more agile in its purchasing. It also makes little sense for the two entities to have different thresholds.

The BRC identified several areas where consolidations and centralized purchasing would make sense, and it was suggested that, rather than try to do it all in one fell swoop, it would be more palatable to begin a pilot program that can gradually be expanded to cover more and more services. Presently, every school orders their own supplies through their own vendors, which hinders us from availing ourselves of bulk purchasing discounts and leveraging economies of scale to our mutual advantage. The same is true with janitorial supplies and technology licenses. City departments have similar needs for these items. If these orders could be done centrally, we could get better pricing while enhancing uniformity among City departments and our 13 school facilities.

The Mayor was also asked to investigate the potential of creating a central warehouse so that inventories can be more closely maintained and tracked, while enhancing our ability to control costs. This would also help to mitigate the issue of supply hoarding.

### HEALTH CARE

In light of the fact that any changes to employee health care must be the product of negotiation with our unions, the BRC conducted these discussions in the confines of executive session. Thus no minutes were taken and the majority of those discussions will remain confidential for the time being. Suffice to say, it was a long meeting and heavy on substance. One positive that was discussed is that the City and BoE share the same health care consultant – this makes reaching our common goals much easier. The committee strongly recommends staying with a shared consultant moving forward. Please note: during the timeframe that the BRC met on this topic, an agreement was reached between the BoE and the teachers’ union on their successor contract. The most notable change was the institution of a mandatory HSA, with the option to “buy up” to a PPO plan. \$500,000 in savings is projected for the BoE in each of the deal’s 3 years.

### FACILITIES

The City’s Director of Fleet & Facilities, Denis Pelegrino, and the BoE’s Facilities Manager, Raymond Moore, were the primary staff participants in this meeting. The City’s Fleet & Facilities Division has a staff of 29, including: a foreman, 7 building maintainers, 3 laborers, 5 security staff, 7 custodians, 4 cashiers, and 2 parking monitors. They have responsibility for maintaining City Hall, park buildings, the Senior Center, NBPD, the Health Department, the parking garages, the PAL building, City-owned/foreclosed properties, various substations, and the Quonset hut. The BoE’s facilities division has a staff of 77

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charged with maintaining the 16 school buildings and associated facilities. They have had success creating appreciable savings through the employment of energy conservation practices centered on behavior modification. To date, the BoE has approximately 200 outstanding work orders.

Mr. Pelegrino and Mr. Moore both agreed that slowly transitioning from two separate departments to one large department would be ideal, but would have to be done over time and with a lot of planning. Centralizing the work-order system would provide for more efficient deployment of resources across the City. They also agreed that outsourcing some of their current workload is worth exploring, although it would still likely require union assent. The City expressed a sincere interest in incorporating the BoE's energy management/conservation program to make it citywide.

### RECOMMENDATIONS

1. Require direct deposit for all City and BoE employees, and encourage the Mayor and Superintendent to speak with union leadership and City attorneys to institute a policy for a completely paperless/electronic payroll system.
2. Adopt a citywide requirement that all departments submit timesheets (including OT) online.
3. Create an online portal where employees can easily access their payroll and health care information.
4. Increase the City's bid threshold to \$7,500, mirroring the BoE's threshold, which will allow us to engage in joint purchasing.
5. Create a central warehouse to maintain supply inventory for City & BoE.
6. Use the health care language of the newly-ratified (2014) teachers' contract as the model for future labor negotiations citywide (mandatory HSA/high deductible plan, with the option of "buying up" to a PPO plan).
7. Explore the potential to outsource some of our facilities responsibilities, provided it would benefit both the City and BoE.
8. Bid for janitorial services jointly.
9. Mirror the BoE's energy management/conservation program for City Hall.
10. Continue efforts with the labor unions to discuss cost-saving changes and areas where services may be shared.
11. Hold quarterly meetings of the Blue Ribbon Committee to discuss progress, and continue the dialogue.

*Message from the Mayor:*

*"I would like to offer my sincere thanks to all who volunteered to serve on this Committee and for the time they gave in seriously looking at ways we can create efficiencies and save taxpayer dollars by enhancing communication and cooperation between the City and the Board of Education. I look forward to continuing this spirit as we strive to implement some of these excellent recommendations."*

*~Mayor Erin E. Stewart*

Ald. Smedley moved to accept and adopt, seconded by Ald. Giantonio. Approved October 9, 2014 by Mayor Erin E. Stewart.

### **CLAIMS COMMITTEE**

**32886 RE: SETTLEMENT OF CLAIM: EMILIA RORIE**

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 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, October 1, 2014, at 6:30 PM, having held public hearings and made investigations of said claims, respectfully beg leave to recommend the following:

RESOLVED; that the sum of \$3,000.00 be paid to Emilia Rorie of 211 Queen Street, Bristol, Conn., in full settlement of her claim of property damages sustained on March 1, 2013.

Alderman Carlo Carlozzi, Jr.  
Chair

Ald. Carlozzi moved to accept, seconded by Ald. Trueworthy. Defeated by voice vote.

## NEW BUSINESS

### RESOLUTIONS

#### **32887 RE: OCTOBER 2014 DESIGNATED AS DOMESTIC VIOLENCE AWARENESS MONTH.**

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, 1 in every 4 women will experience domestic violence during her lifetime;

Whereas, approximately 15.5 million children are exposed to domestic violence every year;

Whereas, when a family member is abused, it can have long-term damaging effects on the victim that also leave a mark on family, friends, co-workers and the community at large;

Whereas domestic violence is widespread and is devastating to society as a whole: women, men and children;

Whereas, the problem of domestic violence is not confined to any group or groups of people, but crosses all economic, racial, gender, educational, religious, and societal barriers, and is sustained by societal indifference;

Whereas, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity due to the systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse;

Whereas, victims of violence should have access to medical and legal services, counseling, transitional housing, and other supportive services so that they can escape the cycle of abuse;

Whereas, it is important to recognize the compassion and dedication of the individuals who provide services to victims of domestic violence and work to increase public understanding of this significant problem;

Now Therefore Be It RESOLVED, in recognition of the important work done by the Prudence Crandall Center and the nine Central Connecticut towns it serves, the Mayor and Common Council of the City of New Britain do hereby proclaim the month of October 2014 as Domestic Violence Awareness Month and urge all citizens to work towards the elimination of personal and institutional domestic violence.

Alderman Suzanne Bielinski  
Alderman Wilfredo Pabon  
Alderman Tonilynn Collins  
Alderman Jamie Giantonio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

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**32891 RE: THE APPOINTMENT OF PATRICIA WATSON TO THE HONORARY POSITION OF CITY HISTORIAN**

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, For the past 19 years, Arlene Palmer has ably served as our City Historian and has tendered her resignation from that position, effective October 1, 2014; and

WHEREAS, Patricia Watson, a 16-year employee of the New Britain Public Library, has served as the curator of the Local History Room; and

WHEREAS, Patricia has extensive knowledge and credentials in her chosen field including a Master's degree and years of work in both Reference and Local history at the Library; and

WHEREAS, Patricia has devoted her time to assisting both patrons of the New Britain Public Library and City Employees with various projects regarding New Britain and its history ; and

WHEREAS, the statutes of the State of Connecticut recommend the appointment of a municipal historian to maintain local historical records; NOW, THEREFORE, BE IT

RESOLVED; that Mayor Erin E. Stewart, with the authorization of the Common Council, and in recognition of the outstanding job Ms. Watson continues to do, does hereby appoint Patricia Watson, present curator of the Local History Room within the New Britain Public Library, to the honorary position of City Historian.

Alderwoman Suzanne Bielinski  
Alderman Wilfredo Pabon  
Alderwoman Tonilynn Collins  
Alderman Jamie Giantonio

Ald. Giantonio moved to accept and adopt, seconded by Ald. Pabon. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

**RESOLUTIONS RETURNED FROM COMMITTEE**

**32873-2 RE: AMENDMENT TO SEC. 15-73 AND 15-122 OF THE ORDINANCES REVISING FINES FOR VIOLATIONS OF THE PARKING SECTIONS**

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 revise the fines for violations of the Parking Sections set forth in Chapter 15 of the Code of Ordinances consistent with recommendations made by the Parking Commission on September 11, 2014.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Sections 15-73 and 15-122 of the Code of Ordinances, City of New Britain, be amended to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

**Sec. 15-73. Street and restricted area parking violations; penalties and enforcement.**

- (a) Parking in any of the following ways on any street or in any city-owned garage or off-street parking facility within the city's territorial limits is prohibited and a penalty of ~~ten~~ thirty dollars (~~\$10.00~~ \$30.00) shall be imposed for each of the following violations:

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(1) *Overtime parking.* In excess of the time posted by official sign. Each separate period of time equal to the original permitted parking time which occurs after the original permitted parking time shall constitute a separate offense and shall carry a separate fine.

(2) *Meters.* In violation of any parking meter regulation.

(3) *In opposite direction of traffic.* Facing against oncoming traffic on the side of the street on which the vehicle is parked.

(4) *Close to curb.* More than twelve (12) inches from a curb.

(b) Parking, in any of the following ways on any street or in any city-owned garage or off-street parking facility within the city's territorial limits is prohibited and a penalty of ~~twenty sixty~~ dollars (~~\$20.00~~ \$60.00) shall be imposed by the city's police department or its designee for each of the following violations:

~~(1) *Fire hydrant.* Within ten (10) feet of a fire hydrant.~~

(1) ~~(2)~~ *Crosswalk.* Within ten (10) feet of a marked crosswalk.

(2) ~~(3)~~ *Intersection.* Within fifteen (15) feet of an intersection.

(3) ~~(4)~~ *Stop sign.* Within twenty-five (25) feet of a stop sign.

(4) ~~(5)~~ *Restricted area.* In a restricted area including restricted areas designated and posted as restricted or reserved on city-owned property.

~~(6) *Bus stop.* Within a bus stop.~~

(5) ~~(7)~~ *Loading zone.* Within a loading and reloading zone.

(6) ~~(8)~~ *Traffic hazard zone.* In such a manner as to constitute a traffic hazard or to obstruct the free movement of traffic.

~~(9) *Double parking.* Upon a traveled portion of the highway adjacent to parked cars.~~

(7) ~~(10)~~ *Driveway.* In such a manner as to obstruct a driveway.

(8) ~~(11)~~ *Curb and sidewalk.* Within the area between the curb and the sidewalk and on the sidewalk.

~~(12) *Fire lane.* Within a fire lane.~~

(c) Parking, in any of the following ways on any street or in any city-owned garage or off-street parking facility within the city's territorial limits is prohibited and a penalty of ninety dollars (\$90.00) shall be imposed by the city's police department or its designee for each of the following violations:

(1) *Fire hydrant.* Within ten (10) feet of a fire hydrant.

(2) *Bus stop.* Within a bus stop.

(3) *Double parking.* Upon a traveled portion of the highway adjacent to parked cars.

(4) *Fire lane.* Within a fire lane.

(d) ~~(e)~~ Parking in any area that is a temporary "No Parking" area so as to permit the removal of snow or ice is prohibited and a penalty of twenty dollars (\$20.00) shall be imposed for each such violation.

(e) ~~(d)~~ Parking by trespassing on private property is prohibited. The penalty for violation of this paragraph ~~(d)~~ of this section is ~~thirty~~ ninety dollars (~~\$30.00~~ \$90.00).

(f) ~~(e)~~ Parking a vehicle on a front lawn or in any front or side yard of a building or dwelling unless such area is properly designed therefor and has proper access to a street or roadway shall carry a penalty of ~~sixty~~ ninety-nine dollars (~~\$60.00~~ \$99.00).

**Sec. 15-122. Fines and storage charges for parking on snow emergency routes and secondary streets.**

(a) Parking in violation of any section of this division shall be punishable by a fine of ~~one hundred~~ ninety-nine dollars (~~\$400.00~~ \$99.00) for each violation. Under no condition shall such snow fine double.

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- (b) If the vehicle of any violator of this division is towed, and if the city has the duty and responsibility to watch and protect such illegally parked vehicle, the operator shall be subject to a twenty dollar (\$20.00) a day storage charge if he fails to claim his vehicle within twenty-four (24) hours after the vehicle has been towed.
- (c) The owner or operator of any vehicle parked in violation of this division shall be liable to the city for the payment of such fines and storage charges that accrue.

Majority Leader Tonilynn Collins

Ald. Collins moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

**32819-2 RE: THE SALE OF 56 HOWARD STREET TO JALLDYZE SHYQERIU AND NDRICIM DALANI**

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, Jalldyze 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, Jalldyze 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 Jalldyze 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

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

**NEW BUSINESS**

**RESOLUTIONS**

**32888 RE: AMENDMENT TO EXISTING CONTRACT WITH THE STATE DEPT. OF PUBLIC HEALTH TO PROVIDE SERVICES UNDER THE SEXUALLY TRANSMITTED DISEASE CONTROL 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:

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Program Objective: minimizing the risk of spreading sexually transmitted diseases through awareness, identification, treatment and intervention. Grant funded personnel perform services within the Health Department and throughout the City of New Britain in order to promulgate the program plan. The initial year of grant funding was July 1980.

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

WHEREAS, the control of sexually transmitted diseases remains a core public health function in the City of New Britain and

WHEREAS; the New Britain Health Department has an existing contract with the State Department of Public Health to provide services under their Sexually Transmitted Disease Control Program

WHEREAS; the State Department of Public Health has issued a contract amendment to reduce funding based on the State's adopted budget for fiscal year 2014-2015.

WHEREAS; the State of Connecticut, Department of Public Health has notified the City that it is reducing the grant to \$12,565 from \$13,092 for fiscal year 2014-2015.

THEREFORE BE IT RESOLVED, that The Mayor be authorized to the contract amendment agreement for this program and

THEREFORE BE IT FURTHER RESOLVED, that the Special Revenue Fund, STD Control Program #2015-0004, be amended at this time for the purpose of recording all income and expenditure activity and reflect an authorized expenditure budget of \$12,565 and an anticipated income from the State of Connecticut of \$12,565 for fiscal year 07/01/14 through 06/30/15.

Revenues:		<u>FY 2014/15</u>
280522129-4222	St of CT	\$ 12,565.00
Expenditures:		
280522143-5124	P/T Salaries	\$ 11,771.00
280522143-5231	Medicare	\$ 174.00
280522143-5876	Administration	\$ 500.00
280522143-5810	Fees & Membership	\$ 120.00
	Total Expenditures	\$ 12,565.00

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

**32889 RE: PROFESSIONAL SERVICES AGREEMENT WITH PMA MANAGEMENT CORP. OF NEW ENGLAND FOR THE ADMINISTRATION OF WORKERS' COMPENSATION CLAIMS**

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 incurs substantial cost each year in the administration of its Workers' Compensation Claims; and

WHEREAS, Greater efficiencies of scale and technology are available through companies that specialize in the administration of Workers' Compensation Claims known as third party administrators (TPA) that can substantially reduce those costs; and

WHEREAS, PMA Management Corp. of New England of Meriden, Connecticut is a TPA with extensive experience as risk manager and TPA for Connecticut municipalities, particularly those that are self-insured. Current client communities include Bristol and Waterbury; and



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WHEREAS, PMA has done a thorough review of the City's claims experience and believes that third party claims management will yield significant cost savings to the City on an annual basis; and

WHEREAS, Local 818 has signed a Memorandum of Understanding with the City of New Britain so that the administration of Workers' Compensation Claims may be outsourced; NOW THEREFORE BE IT

RESOLVED, that Erin E. Stewart, Mayor of the City of New Britain is hereby authorized to execute on behalf of the City of New Britain a professional services agreement with PMA Management Corp. of New England for the administration of City and Board of Education Workers' Compensation Claims and to execute any and all documents necessary for this transaction.

Alderman Jamie Giantonio

Ald. Giantonio moved to accept and adopt, seconded by Ald. Carlozzi. Resolution adopted with Ald. Platosz and Trueworthy opposed. Approved October 9, 2014 by Mayor Erin E. Stewart.

**32890 RE: FUNDING FOR THE HEALTH DEPARTMENT'S ZUMBA GOLD EXERCISE PROGRAM FOR SENIORS**

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:

Program Objective: To provide a community based exercise program to seniors in New Britain, whom otherwise may not receive these services. Funds will be used for a certified exercise instructor to conduct Zumba Gold for Seniors on a weekly basis at the New Britain Senior Center from October 1, 2014 - through September 30, 2015.

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

WHEREAS; The New Britain Health Department is committed to providing education and prevention activities for City seniors

WHEREAS; The North Central Area Agency on Aging (NCAAA) has made available \$4,000 of Title III-D funds for the Health Department's Zumba Gold for Seniors.

THEREFORE, BE IT RESOLVED, that The Director of Health is authorized to sign any necessary and appropriate agreements in order to secure the use of such funds for said program and

BE IT FURTHER RESOLVED, that the monies in the amount be appropriated within a special revenue fund as follows:

Revenues:		
234522160-4512	NCAAA Revenue - Donation	<u>\$4,000</u>
	Total Revenue	\$4,000
Expenditures:		
234522160-5331	Professional Services	<u>\$4,000</u>
	Total Expenditures	\$4,000

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Collins. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

**32840-3 RE: 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**

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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Whereas, the Common Council as the Zoning Authority of the City of New Britain is authorized to establish building districts and restrictions;

Therefore, Be It Resolved, that the Common Council of the City of New Britain amend the Zoning Ordinances of the City of New Britain, Connecticut in the following respects:

**Add:**

**SECTION 50-10-40** Floating Districts.

Adaptive Reuse of Non-Used or Under-Utilized Industrial Buildings District.

**Add:**

**Section 175 Adaptive Reuse of Non-Used or Under-Utilized Industrial Buildings District.**

The purpose of the adaptive reuse provisions of these regulations is to foster the renovation and reuse of structures which have historic, architectural, economic or other value to the City of New Britain and are vacant or at risk of becoming vacant or at risk of becoming under-utilized, vacant or demolished; to establish reasonable standards of performance for existing and new buildings within the District; and to encourage adaptive reuse development of appropriate buildings and lands within the City of New Britain as a conditional use. It is the intent of this Section 175 to:

1. Provide regulations specifically tailored to encourage and promote the rehabilitation of older non-used or under-utilized industrial buildings.
2. Provide for a mix of uses within said adaptive reuse developments which promote the economic revitalization of the City of New Britain.
3. Promote the retention of older buildings and lands which enhance the image and preserve the heritage of the City of New Britain.
4. Provide reasonable standards for the blending of new construction with existing buildings, so as to allow quality development of older structures within contemporary development and building standards.

**175-10** The Adaptive Reuse of Non-Used or Under-Utilized Industrial Buildings District ("ARUD") is a mixed use zoning district that functions like a floating zone. The ARUD is available only to property wholly located in an existing Industrial Zone.

The provisions of the ARUD will apply only to specific properties that are rezoned to an ARUD designation by the Zoning Subcommittee. Upon rezoning to ARUD designation, a unique, numbered zoning district classification (ARUD # \_) will be created on the Zoning Map of the City of New Britain, and the Master Plan approved in conjunction with the map amendment shall become an integral part of the zoning for the land included within that ARUD and shall establish the zoning standards for that ARUD.

The zoning district only exists within the text of these Regulations and is not placed on the New Britain Zoning Map until approval of an application to create a particular ARUD and to affix that zoning district to a specific property. The creation of an ARUD can only be accomplished by approval of a zoning map change, which requires a concurrent master plan. Subsequent to the approval of a zoning map change and master plan, a building permit application and accompanying Site Plan must be approved before site development can begin. Such detailed Site Plan shall be submitted and reviewed pursuant to Section 280-60 and any other applicable provisions of these Regulations.

**175-10-10** Unless provided otherwise in this Section 175, uses within the ARUD shall be subject to all provisions and definitions of these Regulations. However, because the intent of the ARUD is to provide flexibility in design standards in order to achieve important design objectives as described herein, in cases of conflict with other provisions of these Regulations including the zoning definitions, the provisions of this Section 175 shall prevail. Unless expressly prescribed by this section 175, all uses, dimensional, architectural, bulk, location, landscaping, parking, and lighting requirements for a ARUD shall be

established by the Common Council, acting in its capacity as zoning authority of the City of New Britain in its sole legislative discretion as part of approved Master Plan for that zone, and the Common Council, acting in its capacity as zoning authority of the City of New Britain may apply as written or may vary to meet the purposes of the ARUD all particular requirements of these Regulations pertaining thereto. The Common Council, acting in its capacity as zoning authority of the City of New Britain shall have the final authority to evaluate and make a determination on all such matters.

**175-10-20 Application Requirements.** Petitions to amend the Zoning Map to create an ARUD District shall provide the following information. All maps shall be of a size that complies with the requirements for filing with the New Britain Town Clerk.

1. **Master Plan** for the area to be rezoned, including the following elements:
  - a. Boundary survey of the land to be included in the district at a scale no smaller than 1" = 50 feet, and prepared at the A-2 standard of accuracy by a Connecticut Licensed Land Surveyor;
  - b. Existing topography with 2' contours to T-2 or T-3 level of accuracy show the general gradient of the site, existing structures, existing roads and rights-of-way, major topographic features, and limits of inland wetlands, watercourses and floodplains as mapped in the field by a qualified Soils Scientist and plotted by a Connecticut Licensed Land Surveyor;
  - c. existing land uses and zoning within five hundred (500) feet of the area to be rezoned;
  - d. names of all property owners located within five hundred (500) feet of the boundary of the property to be rezoned, as listed on the Town Assessor's records;
  - e. location of proposed land uses within the area to be rezoned; the number of residences, and the allocation among various types of residences; the aggregate square footage of each type of dwelling unit; the aggregate maximum number of bedrooms for each type of residential use; the residential density and the method used to calculate it;
  - f. proposed contours with intervals adequate to indicate drainage and grades;
  - g. location and size of proposed buildings and structures, including:
    - the square footage of each proposed building
    - the allocation of uses for each type of building
    - the height of each building or structure
    - the location and use of existing buildings or structures, and the intended use thereof
    - and the architectural and site Design Guidelines
  - h. public and private streets and circulation patterns and potential traffic improvements proposed by the applicant;
  - i. general locations of on and off-street parking, loading and delivery areas;
  - j. existing and proposed pedestrian facilities and circulation routes;
  - k. potential location of public transit connections or stops;
  - l. public and private open spaces, both improved and natural, and the square footage or acreage thereof;
  - m. general locations of utilities and drainage facilities to serve the area to be rezoned;

- n. general landscaping plans, including existing vegetation to be preserved and general location of landscape buffers, including general type of landscaping proposed (e.g., evergreen tree, shade tree, flowering tree, evergreen shrub or hedge, flowering shrub, ground cover, existing vegetation to remain) and general location of landscaping (buffers, street trees, parking lot islands, foundation plantings); provided that details such as the species, number, size, and exact location of such landscaping may be deferred to the subsequent review;
  - o. proposed project phasing of improvements and provisions to address construction traffic; and
  - p. the location of all inland wetlands and watercourses as delineated by a certified soil scientist in Connecticut.
2. **Comprehensive Parking Study** (“Master Parking Study”) for the area to be rezoned. The following information should be included in the Master Parking Study:
- a. Overall analysis of parking demand for the area to be rezoned, including shared use analysis if applicable;
  - b. Types, approximate locations and number of parking spaces to be provided; and,
  - c. Comparison of parking demand and parking to be provided.
3. **Comprehensive Traffic Study** (“Master Traffic Study”) for the area to be rezoned. The following information should be included:
- a. Existing and projected background traffic counts on major streets located in and adjacent to the area to be rezoned;
  - b. Analysis of anticipated traffic to be generated by the land uses proposed for the area to be rezoned, including projected levels of service and queuing at key intersections;
  - c. Description of traffic improvements, including pedestrian; public transit improvements, to mitigate traffic impacts;
  - d. Anticipated phasing of traffic improvements within project area, and
  - e. The Study shall be prepared by a licensed, State of Connecticut Professional Engineer. Said document shall be signed and sealed by the licensed preparer.

Once adopted, the Master Plan for a newly established ARUD zone shall establish the zoning standards and govern all the development within the specific ARUD district. Any modification in the planned development, that is deemed by the City Planner to be a substantive change from the approved Master Plan, is not permissible, unless the Master Plan is revised to depict and explain the proposed changes and modifications and unless the modified Master Plan submitted and subjected to through the standard zone change process and reapproved by the Common Council, acting in its capacity as zoning authority of the City of New Britain.

**175-20 Dimensional Regulations:** Within any ARUD District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

- 175-20-10 Lot Area – Minimum (sq. ft.).....100,000 s.f.
- 175-20-20 Lot Area – Minimum per dwelling unit (sq. ft.)..... 1,000 s.f.

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<b>175-20-30</b> Open Space – Minimum per dwelling unit – (sq. ft.).....	500 s.f.
<b>175-20-40</b> Floor Area Ratio – Maximum.....	1.00
<b>175-20-50</b> Lot Coverage % of total lot area occupied by main and accessory buildings - Maximum.....	25%
<b>175-20-60</b> Lot width – Minimum (ft.).....	100 ft.
<b>175-20-70</b> Height – Maximum (ft.).....	unlimited
<b>175-20-80</b> Yard – Minimum – (ft.)	
<b>175-20-80.01</b> Front.....	Existing or 10 ft.
<b>175-20-80.02</b> Side.....	Existing or 10 ft.
<b>175-20-80.03</b> Rear.....	Existing or 25 ft.

**175-30 Off Street Parking Requirements:**

Parking Off street – Minimum (spaces)

Residential use –

One Bedroom Unit.....	1.25*/Unit
Efficiency.....	1*/Unit
Two or more Bedroom Unit.....	2*/Unit

\*Parking reduction of 10% of total required parking spaces can be taken if there is public transportation within ¼ mile of proximity of building(s).

\*Off-street Parking may be provided at another property located within ¼ mile of proximity of building(s) with other property owner’s consent.

\*Parking reduction can be taken if secure bicycle rack/parking is provided. Parking space can be substituted bicycle parking provision up to maximum 5% of required parking spaces.

Applicant:  
Weber and Carrier, LLP  
By: Michael A. Carrier  
Its Partner

Alderman Carlo Carlozzi

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved October 9, 2014 by Mayor Erin E. Stewart.

**UNFINISHED BUSINESS**

Ald. Giantonio moved to take from the tabled Resolution #32872, seconded by Ald. Bielinski. So voted.

**32872 RE: AGREEMENT WITH GO APE LLC FOR THE OPERATION OF A HIGH ROPES AERIAL ADVENTURE COURSE AT AW STANLEY PARK**

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 Purpose: To enter into an agreement with Go Ape LLC who will run a high ropes aerial adventure course in AW Stanley Park for a period beginning October 1, 2014 and ending September 30, 2024. Go Ape agrees to pay the City of New Britain a minimum of \$20,000.00/yr. with this payment potentially increasing based on Go Ape’s annual gross revenue. Go Ape will construct and break down the course with the highest priority being the protection of the natural features of AW Stanley Park while providing visitors with access and educational opportunities that are compatible with common resource protection goals. Go Ape currently has courses all across the country and world with all reference checks stating a very positive relationship with the vendor with minimal disruption to the natural habitat.

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Whereas, Go Ape LLC desires to build a high ropes aerial adventure course from tree top to tree top in AW Stanley Park, and

Whereas, Go Ape LLC is currently operating such courses all across the United States and Europe very successfully and with very little environmental impact, and

Whereas, Go Ape LLC will use all the appropriate safety measures and hire staff with certifications in the operation of a course of this type, and

Whereas, Go Ape LLC will provide all insurances and hold harmless policies as determined by the City of New Britain Corporation Council and insurance consultants, and

Whereas, a minimum annual fee of \$20,000.00 will be provided to the City of New Britain with the potential for an increase in this amount based on Go Ape LLC annual gross revenue, and

Whereas, this adventure course will bring tourism to the City of New Britain from all over the State of Connecticut and New England; NOW, THEREFORE BE IT

Resolved, that Mayor Erin E. Stewart is hereby authorized to enter into an agreement with Go Ape LLC for the operation of a high ropes aerial adventure course at AW Stanley Park.

Alderwoman Shirley A. Black  
Alderman David DeFronzo  
Alderman Jamie Giantonio  
Alderwoman Eva Magnuszewski  
Alderman Daniel Salerno

Ald. Giantonio moved to accept and adopt, seconded by Ald. Smedley. Resolution adopted with Ald. DeFronzo and Ald. Salvio opposed. Approved October 9, 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 10:29 p.m.

ATTEST: Mark H. Bernacki, City Clerk

October 8, 2014