

February 25, 2015

REGULAR MEETING OF THE COMMON COUNCIL

FEBRUARY 25, 2015

Mayor Erin E. Stewart called the Regular Meeting of the Common Council to order at 7:33 p.m. on Wednesday, the 25th of February 2015 in the Common Council Chambers, City Hall.

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

Two members were absent: Ald. Black who is out of town due to the illness of a family member, and Ald. Pabon who is out of the country.

The invocation was given by City Clerk, Mark H. Bernacki: O God, our Heavenly Father, at the December 10th Common Council Meeting, we thanked You for delaying the white stuff. None of us realized You had a sense of humor. The only person here who is truly grateful for the amount of snow is Water Department Director, Gil Bligh. So, with that, we give You thanks for providing New Britain with an overabundance of snow so our reservoirs will be full for the spring and summer – which we all pray will be here sooner, rather than later. We ask this in Thy name. Amen.

The pledge to the flag was led by Sharon Baretta.

The Council stood at ease as Mayor Stewart called Police Chief James Wardwell to the podium. Chief Wardwell spoke about Kristen Perugini, his Executive Assistant who is dealing with a very serious illness and urged everyone to support Kristen and her husband, Jonathan by purchasing a ticket and attending a fund raiser for Kristen on March 29, 2015.

Ald. Bielinski thanked Chief Wardwell, the Police Department, Fire Department and the entire public safety network for their skill and professionalism not only in dealing with the high profile cases we have had of late, but each and every day.

Ald. Trueworthy, Ald. Smedley and Ald. Salerno also thanked Chief Wardwell for his commitment and dedication to the Community.

Ald. Collins moved to amend the Agenda by adding 33023(F1), seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

Ald. Collins moved to accept and adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members present voted in favor. Approved February 27, 2015 by Erin E. Stewart, Mayor.

CONSENT AGENDA

CITY CLERK

33015 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:

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CLAIMANTS NAME

- Rivera, Chloe
- Tomlinson, Brandon A.

Mark H. Bernacki
City Clerk

PURCHASING DEPARTMENT

33016 RE: COOPERATIVE PURCHASING - ANNUAL FIRE ALARM SYSTEM TESTING, INSPECTION AND FULL SERVICE CONTRACT

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 Public Works Department, Utilities Division for the following under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Description</u>	<u>Price</u>
SimplexGrinnell East Berlin, CT.	Annual Fire Alarm System Testing Inspection and Full Service Contract	\$16,736.12

The Public Works Department, Utilities Division requested a purchase order for the Annual Fire Alarm System Testing, Inspection and Full Service Contract for their Filter Plant, Administration Building and Pump Station. The Full Services Contract includes component, parts, battery replacement and service calls. SimplexGrinnell has been providing maintenance on this system for the Public Works Department, Utilities Division in the past. SimplexGrinnell is the manufacturer of the Fire Alarm System and has one hundred and eighty-five (185) offices that make up one of the largest service networks in the Fire Alarm and Sprinkler Industry. SimplexGrinnell has no dealers and to go out to bid for these services would not be beneficial to the City. SimplexGrinnell also has a State of Connecticut Contract, 11PSX0055, for these Services. SimplexGrinnell has once again agreed to charge the Public Works Department, Utilities Division the State of Connecticut Contract pricing for these services. The price that SimplexGrinnell is charging the Public Works Department, Utilities Division is at a discounted rate of 6% below their normal pricing for these services. This expense was also presented to the Water Commission at their February 10, 2015 meeting in which they approved this expenditure. Funding for this purchase of the Annual Fire Alarm System Testing, Inspection and Full Services Contract is available within the Public Works Department, Utilities Division's account number 9303500103-5659, Water Operating Expenses, Treatment, Operating Material and Supplies.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$16,736.12 to SimplexGrinnell of East Berlin, CT for the Annual Fire Alarm System Testing, Inspection and Full Services Contract for the Public Works Department, Utilities Division at their Filter Plant, Administration Building and Pump Station utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award # 11PSX0055.

Jack Pieper
Purchasing Agent

33017 RE: COOPERATIVE PURCHASING - 2015 FORD F1 PICKUP TRUCK, 2015 FORD TRANSIT CONNECT CARGO VAN AND 2015 FORD ESCAPE 4 X 4 SUV FOR PUBLIC WORKS, UTILITIES DIVISION

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested for the following under the State of Connecticut's Cooperative Purchasing Plan for the Public Works Department, Utilities Division.

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
Crowley Ford, LLC	2015 Ford F150 Pickup Truck	\$25,237.23
Plainville, CT	2015 Ford Transit Connect Cargo Van	\$24,831.60
	2015 Ford Escape 4 x 4 SUV	<u>\$23,302.50</u>
		\$73,371.33

The Public Works Department, Utilities Division requested the purchase of a new 2015 Ford F150 Pickup Truck, 2015 Ford Transit Connect Cargo Van and a 2015 Ford Escape 4x4 SUV utilizing the State of Connecticut's contract Award 10PSX0239. The new Ford vehicles will replace a 2002 Chevy 1500 Pickup truck with 146,031 miles, a 2006 Chevy Cargo Van with 118,371 miles and a 1994 GMC Sonoma Pickup Truck with 101,068 miles. Because of the age of these trucks, parts are becoming obsolete making it hard to obtain and make the needed repairs. This expense was also presented to the Water Commission at their February 10, 2015 meeting in which they approved this expenditure. Funding for this purchase is available within the Public Works Department, Utilities Division's account number, 9303501000-5436, Water Capital Equipment Expense, Equipment Maintenance and Repairs.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$73,371.33 to Crowley Ford, LLC of Plainville, CT for the purchase of a 2015 Ford F150 Pick Truck, 2015 Ford Transit Connect cargo Van and a 2015 Ford escape 4x4 SUV for the New Britain Public Works Department, Utilities Division utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #10PSX0239.

Jack Pieper
Purchasing Agent

33018 RE: EMERGENCY PURCHASE ORDER REPLACEMENT OF BOILER AT 55 HARVARD STREET PUBLIC WORKS DEPT.- PROPERTY DIV.

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division V, Section 2-606a, an emergency purchase order was authorized by the Mayor and issued to the vendor listed below on February 10, 2015

<u>Supplier</u>	<u>Item</u>	<u>Unit Price</u>
Perfectemp Plantsville, CT.	Replacement of a Boiler at 55 Harvard Street	\$22,795.00

The Purchasing Agent reports that no formal bid solicitation and advertisement as outlined in the Purchasing Ordinances were made for this item. In accordance with Section 2-606b of the City Code of Ordinances, the Purchasing Agent reports:

An emergency purchase order was requested by the Public Works Department, Property Division, to replace the boiler at 55 Harvard Street. The boiler is no longer operational and with the winter season here, repairs were needed immediately to prevent water pipes in the building from freezing and breaking. The facility houses the Public Works Department's storage and maintenance welding shop and is also used for winter storage of equipment that can't be left out in the winter months. There are two maintenance bays and a welding shop in the facility. Due to the urgency of replacing the boiler, it is recommended that the purchase order be issued to Perfectemp of Plantsville, CT., a vendor that has

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done work for the City in the past. Funding for these repairs came from the Public Works Department's account number 0083237301-5454, Citywide Facilities, Construction Contracts.

Jack Pieper
Purchasing Agent

33020 RE: PREVENTIVE MAINTENANCE & REPAIRS OF THE HVAC SYSTEMS AT VARIOUS CITY PARK FACILITIES

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. 3802 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Preventative Maintenance & Repairs of the HVAC Systems at Various City Park Facilities for the Parks, Recreation and Community Services Department. Funding is available for this purchase within the Parks, Recreation and Community Services Department's account number, 001419006-5435, General Fund, Building and Garage Maintenance and Repairs.

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 thirty-four (34) Heating and Air Conditioning Repair and Maintenance Companies. The Purchasing Agent did not receive any letters from the Heating and Air Conditioning Repair and Maintenance Companies on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Parks, Recreation and Community Services Department's Administration and the Purchasing Agent. Therefore the Director of the Parks, Recreation and Community Services Department is recommending that the bid be awarded to SAV-MOR Cooling and Heating, Inc. of Southington, CT. who was the lowest bidder for these services and met all bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract from March 2, 2015 to March 1, 2018 and issue a purchase order to SAV-MOR Cooling and Heating, Inc. of Southington, CT. to provide Preventative Maintenance & Repairs of the HVAC Systems at Various City Park Facilities at a price of \$6,800.00 per year, \$105.00 per hour for any scheduled repairs services and \$157.50 per the hour for emergency repair services per the terms and specifications of Public Bid No. 3802.

Jack Pieper
Purchasing Agent

33023 RE: BACKUP SOFTWARE FOR PUBLIC SAFETY TELECOMMUNICATIONS 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. 3814 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Backup Software for the Public Safety Telecommunications Department. Funding is available for this purchase from the Public Safety Telecommunications Department's account number 001213001-5434, Maintenance Contracts.

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 Five (5) Software Providers. The Purchasing Agent did not receive any letters from the Software Providers 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.

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The bid was reviewed for conformance to specifications by the Public Safety Telecommunications Director and the Purchasing Agent. Two vendors were disqualified because their proposals were incomplete and omitted critical items. Therefore the Director of the Public Safety Telecommunications Department is recommending that the bid be awarded to CDW Government LLC of Vernon Hills, Illinois who was the lowest bidder and met all of the bid specifications for the Backup Software.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a purchase order to CDW Government LLC of Vernon Hills, Illinois in the amount of \$9,632.52 for the purchase of Backup Software with option of renewing the software license for another year at the amount of \$6,500.00 per the terms and specifications of Public Bid No. 3814.

Jack Pieper
Purchasing Agent

TAX COLLECTOR

33021 RE: TAX ABATEMENTS, CORRECTIONS AND REFUNDS

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

The Collector of Taxes has referred a list of tax abatements, corrections and refunds. Acceptance and adoption is respectfully recommended.

Cheryl S. Blogoslawski
Tax Collector

CONSOLIDATED COMMITTEE

32991-1 RE: INCREASE IN FEES FOR MOBILE FOOD ESTABLISHMENTS, PLANS REVIEWS, ROOMING HOUSE PERMITS ET AL

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

The Consolidated Subcommittee of the Common Council at a regular meeting and public hearing held on Thursday evening, February 19, 2015, at 7:00 PM in the Council Chambers, to which was referred the matter of resolution #32991 – increase in fees for mobile food establishments, plans reviews, rooming house permits, day care inspections, barbershop/cosmetology licensure, public swimming pool licensure, re-inspections and to add a late charge for delinquent fees, voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Emmanuel Sanchez
Chair

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

PURCHASING DEPARTMENT

33019 RE: DOWNTOWN STREETScape IMPROVEMENTS - PHASE III 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:

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Public Bid No. 3762 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Downtown Streetscape Improvements, Phase III project for the Public Works Department. The Downtown Streetscape Improvements, Phase III project is along West Main Street, Main Street just north of Chestnut Street to Columbus Boulevard and Central Park. The improvements include installation of brick paver sidewalks, planters, street trees, traffic control signal replacement, curb line adjustments and sidewalk bump outs. The City has received STP Urban and Transportation Community and System Preservation Grants totaling \$4,130,500 with a 20% City Match. Funding is available for the Downtown Streetscape Improvements Phase III project in the Public Works Department's account number 0083238401-5454, Streetscape Improvement Projects, Construction Contracts.

Invitations to bid were solicited and the bid was duly advertised in the Hartford Courant and New Britain Herald Newspapers, the City and State of Connecticut's Department of Administration Services websites and mailed to fifty (50) Construction Companies. The Purchasing Agent did not receive any letters from the Construction Companies on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department, Engineering Division and the Purchasing Agent. Therefore the Director of the Public Works Department is recommending that the bid be awarded to Martin Laviero Contractor, Inc. of Bristol, CT. who submitted the lowest responsible bid and met all of the Bid Specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$4,211,475.10 and enter into a contract with Martin Laviero Contractor, Inc. of Bristol, CT for the Downtown Streetscape Improvements, Phase III project, for the Public Works Department per the terms and specifications of Public Bid No. 3762.

Jack Pieper
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved February 26, 2015 by Mayor Erin E. Stewart.

RESOLUTIONS RETURNED FROM COMMITTEE

32991-2 RE: AMENDMENT TO SEC. 10-37, 13-194, 14-256 AND 14-407 OF THE ORDINANCES PROVIDING FOR AN INCREASE IN FEES - FOOD ESTABLISHMENTS ET AL

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

Resolution Summary: INTENT AND PURPOSE:

To revise Sections 10-37, 13-194, 14-256 and 14-407 of the Code of Ordinances to provide for an increase in fees for mobile food establishments, plans reviews, rooming house permit, day care inspections, barbershop/cosmetology licensure, public swimming pool licensure, re-inspections, and to add a late charge for delinquent fees. The City of New Britain Board of Health approved the increased fees to be consistent with permit fees in other municipalities

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that SECTIONS 10-37, 13-194, 14-256, and 14-407 of the Code of Ordinances, City of New Britain, be amended as follows: (inserted text appears in underline; deleted text appears in strikethrough; new sections begin with the word [new]).

Sec. 10-37. Classifications of food establishments; fees for issuance of licenses; duration; inspection intervals; re-inspection fees; late charge.

(a) All licenses to conduct, operate or maintain any food establishment shall be issued for a period of one (1) year beginning July 1 and ending June 30 of the following year, except that any license issued after July 1 of any year shall expire as of the June 30 following the date of issuance of such license.

(b) Food establishments shall be classified as follows:

(1) Class I establishment -- Food service establishment with commercially prepackaged food and/or hot or cold beverages only. No preparation, cooking or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours; e.g., cold commercially packaged sandwiches and sandwich meat and cheeses, pastries, confectioneries, snacks, popcorn, pretzels, donuts, coffee, tea, soft drinks, etc.

(2) Class II establishment -- Food service establishment using cold or ready to eat commercially processed food requiring no further heat treatment and/or hot or cold beverages. No cooking, heating or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours, and commercially precooked hot dogs, kielbasa and soup may be heated if transferred directly out of the original package and served within four (4) hours; e.g., cold deli sandwiches, salads, commercially prepared, processed and packaged sandwiches, hot dogs, kielbasa, soups, coffee, tea, soft drinks, etc.

(3) Class III establishment -- Food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and consumed by the public within four (4) hours of preparation; e.g., hot meat sandwiches, pizza, soups, seafood, etc.

(4) Class IV establishment -- Food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and held for more than four (4) hours prior to consumption by the public; e.g., meats, poultry, eggs, seafood, dairy, etc.

(c) Food establishments shall be inspected at the following intervals:

(1) Class I establishment -- 360 days;

(2) Class II establishment -- 180 days;

(3) Class III establishment -- 120 days;

(4) Class IV establishment -- 90 days;

(5) Temporary food service establishment -- At intervals based on the applicable class of the establishment.

(d) Every applicant for a license to conduct, operate or maintain a food establishment shall pay a fee or fees for such establishment in accordance with the following schedule:

(1) Class I establishment:

a. Fixed establishment -- 110.00 per year, or part thereof.

b. Mobile establishment -- ~~50.00~~ 75.00 per year, or part thereof.

(2) Class II establishment:

a. Fixed establishment -- \$145.00 per year, or part thereof.

b. Mobile establishment -- ~~85.00~~ 100.00 per year, or part thereof.

(3) Class III establishment:

a. Fixed establishment -- \$180.00 per year, or part thereof, plus \$2.00 per seat for each seat in excess of 35.

b. Mobile establishment -- ~~145.00~~ 140.00 per year, or part thereof.

(4) Class IV establishment -- \$215.00 per year, or part thereof, plus \$2.00 per seat for each seat in excess of 35.

(5) Temporary food service establishment -- ~~\$20.00~~ \$35.00 per day up to a maximum of ~~\$100.00~~ \$175.00 per year.

(e) Late charge for food establishment licensing fee. There shall be a thirty dollar (\$30.00) late charge for any food establishment licensing fee not received by June 30. In addition, there shall be an additional thirty dollars (\$30.00) charge for each additional thirty-day period that the fee remains delinquent.

(f) Re-inspection fee. In the event that a food establishment shall require a re-inspection as a result of having failed to attain a passing grade on the initial inspection (4 pt. item(s) not corrected or previous grade below 80), such food establishment shall be required to pay a re-inspection fee of ~~one hundred dollars (\$100.00)~~ one hundred twenty-five dollars (\$125.00) for each required re-inspection.

(g) All new or extensively remodeled food establishments must undergo a plan review before beginning operation. A fee of ~~one hundred twenty-five dollars (\$125.00)~~ one hundred fifty dollars (\$150.00) is to be paid for each plan review.

(Code 1970, § 11-3; Ord. of 9-95; Ord. No. 27823, 4-28-04; Res. No. 28693-2, 8-18-05; Res. No. 30847-2, 1-27-10)

Sec. 13-194. Same--Issuance; fees.

No permit to operate a rooming house shall be issued unless the rooming house for which the permit is sought is found after inspection to meet the applicable requirements of this article and any rules and regulations adopted pursuant thereto. The annual fee for any such permit shall be a minimum of ~~seventy-five dollars (\$75.00)~~ one hundred twenty-five dollars (\$125.00) or two dollars (\$2.00) per year per room.

(Code 1970, § 13-9.05; Ord. of 4-82; Ord. of 4-90, § 6)

ARTICLE XIV. PUBLIC SWIMMING POOLS, WADING POOLS, WHIRLPOOLS, SPAS, DAYCARE CENTERS AND NONPUBLIC SCHOOLS

Sec. 14-256. License required; fee.

(a) No person shall operate a public swimming pool, a public wading pool or a public whirlpool or spa as defined in section 10-B-33b of the Regulations of the State of Connecticut Department of Health Services without first obtaining a license therefor issued by the director of health. Such license shall remain in effect for one (1) year from the date of issuance. The fee for such license shall be ~~sixty dollars (\$60.00)~~ one hundred dollars (\$100.00) for each such pool or spa.

(b) The health department shall charge a fee for the following inspections:

- (1) Day care centers -- ~~\$60.00~~ \$80.00;
- (2) Nonpublic schools inspections -- \$15.00 per structure.
- (3) Well permits – A \$50 fee shall accompany each application.

(Ord of 4-90 § 10; Res. No. 28693-2, 8-18-05)

Secs. 14-257--14-259. Reserved.

Sec. 14-407. New Britain Environmental Health Department ~~Proposed Fee Schedule 2010~~ 2015

Barbershop, Hairdressing and Cosmetology Salons	Fee
Establishment Permit	\$75.00 <u>\$90.00</u>
With 1 – 5 work stations:	100.00 <u>115.00</u>
With 6 – 10 work stations:	150.00 <u>170.00</u>
With 11 + work stations:	
1 st /2 nd Re-inspection Fee	50.00 <u>60.00</u> /Inspection

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Renewal Permit Application Late	25.00 <u>40.00</u>
Returned Check Fee	20.00

**Plan Review Fee: \$50.00
(Res. No. 32485-2, 10-23-13)

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. Roll Call Vote – 11 in favor, 2 opposed. IN FAVOR: Ald. Magnuszewski, Platosz, Sanchez, Carlozzi, DeFronzo, Salvio, Giantonio, Smedley, Salerno, Naples and Bielinski. OPPOSED: Ald. Trueworthy and Collins. RESOLUTION ADOPTED. Approved February 26, 2015 by Mayor Erin E. Stewart.

NEW BUSINESS

RESOLUTIONS

33022 RE: PROPOSED AMENDMENT TO SEC. 11-6 OF THE ORDINANCES INCREASING THE TIME ALLOWED FOR CONTAINER REMOVAL - CURBSIDE COLLECTION

Proposed Amendment on File in the Town Clerk's Office

Ald. Nales moved to accept and refer to the Consolidated Committee, seconded by Ald. Smedley. So voted. Approved February 25, 2015 by Mayor Erin E. Stewart.

There being no further business to come before the Council, Ald. Bielinski moved to adjourn, seconded by Ald. Giantonio. So voted. Meeting adjourned at 7:54 p.m.

ATTEST: Mark H. Bernacki, City Clerk