

September 23, 2015

REGULAR MEETING OF THE COMMON COUNCIL

SEPTEMBER 23, 2015

Mayor Erin E. Stewart called the Regular Meeting of the Common Council to order at 7:43 p.m. on Wednesday, the 23rd day of September 2015 in the Common Council Chambers, City Hall.

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

The invocation was given by Audrey Malkemus, Asst. City Clerk: O God, our Heavenly Father,

The changing of the leaf colors, the shortening of days and the cool misty mornings signal your harvest bounty is now available at Roger's Orchards. On this first day of autumn we thank You that the seeds You provided have grown and matured, the summer heat has subsided, the harvests picked and the pies made. As we plan for the fall pickup we ask for Your support in keeping this winter mild and calm and look for an early spring. We ask this in Thy name. Amen.

The pledge to the flag was led by Mallory Deprey.

Mayor Stewart called Francisco O. Quinn forward to present him with a proclamation honoring him – he has been involved in a number of Latino organizations, including the Spanish Speaking Center, Parent Network of New Britain, the Latino and Puerto Rican Affairs Commission and the New Britain Latino Coalition and is now retiring to Florida.

A moment of silence was observed in memory of Mr. Angelo Tomasso, Jr. who passed away on September 18, 2015. Mayor Stewart said that Mr. Tomasso was a beautiful man who did so incredibly much for our community and thanked the Tomasso family for their givingness.

Several Alderpersons spoke of Mr. Tomasso's generosity and his humbleness.

Ald. Smedley commented on the fabulous "Main Street U.S.A." celebrated on Saturday, Sept. 19th at Walnut Hill Park and thanked the Parks and Recreation Dept., the Police Dept., the Fire Dept., the Public Works Dept. for their work and said he looks forward to next year's celebration.

Mayor Stewart called upon representatives from the Coalition for New Britain's Youth to give a brief presentation. The Mayor was presented with a certificate honoring New Britain as a 2014 Pacesetter for making measurable progress and improving student outcomes in attendance.

Ald. Collins moved to amend the agenda by adding 33253(4), 33254(5), and 33255(6) and that 33255 be moved to the front of the agenda, seconded by Ald. Bielinski. Roll call vote – all members voted in favor.

PETITIONS

33256 RE: ALD. NAPLES AND SMEDLEY FOR INVESTIGATING ILLEGAL DUMPING ON CITY OWNED PROPERTY IN WOODED AREA OF HAZELMERE ROAD. REFERRED TO THE DEPT. OF PUBLIC WORKS.

33257 RE: ALD. SALVIO FOR STUDYING THE FREQUENCY OF LARGE CAPACITY DUMP TRUCKS TRAVELING ON BLACK ROCK AVE FROM THE PLAINVILLE QUARRY. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

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33258 RE: ALD. GIANTONIO AND DEFRONZO FOR CONDUCTING A TRAFFIC STUDY ON KENSINGTON AVE NEAR BUELL STREET, CLINIC DRIVE AND WALSH STREET. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

Ald. Collins moved to accept and adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Approved September 24, 2015 by Mayor Erin E. Stewart.

CONSENT AGENDA

PURCHASING DEPARTMENT

33248 RE: COOPERATIVE PURCHASING - HEAVY DUTY TRUCK WITH HIGH PRESSURE SEWER CLEANER 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:

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>
Freightliner of Hartford East Hartford, CT.	2015 Freightliner Heavy Duty Truck with a High Pressure Sewer Cleaner	\$228,402.50

The Public Works Department, Utilities Division requested the purchase of a new 2015 Freightliner Heavy Duty Truck with a High Pressure Sewer Cleaner utilizing the State of Connecticut's contract Award 14PSX0239. The new 2015 Freightliner Heavy Duty Truck with a High Pressure Sewer Cleaner will be utilized to clean sewer lines when they become backed up with sewerage and stop flowing. This new High Pressure Sewer Cleaning Truck will be a vital part of the day to day operation of the Public Works Department, Utilities Division. Funding for this purchase is available within the Public Works Department, Utilities Division's account number, 208315101-5740, Sewer Fund, Other Miscellaneous Equipment.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$228,402.50 to Freightliner of Hartford of East Hartford, CT for the purchase of a new 2015 Freightliner Heavy Duty Truck with a High Pressure Sewer Cleaner for the New Britain Public Works Department, Utilities Division utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #14PSX0239.

Jack Pieper
Purchasing Agent

33249 RE: DISPOSAL OF CONTAMINATED SOIL 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:

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-531 a purchase order was requested by the Public Works Department, Utilities Division for the Disposal of Contaminated Soil.

<u>Supplier</u>	<u>Item</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Phoenix Soil, LLC Plainville, CT.	Disposal of Contaminate Soil	1,000 Tons	\$48.00	\$48,000.00

The Public Works Department, Utilities Division has one thousand (1,000) tons of contaminated soil that needs to be disposed of in accordance with the State of Connecticut's regulations governing disposal of contaminated solid waste. The contaminated soil that the Public Works Department, Utilities Division

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has is from City street catch basins that they have cleaned and from sweeping of City streets during 2015. The contaminated soil is being stored in the Public Works Department, Utilities Division's Deming Road facility in Berlin, CT. Phoenix Soil, LLC is the sole source vendor in the State of Connecticut for the disposal and treatment of the Contaminated Soil and is regulated by the State of Connecticut's Department of Energy and Environmental Protection, (DEEP). They treat the Contaminated Soil into a certified clean product. Phoenix Soil, LLC charges a disposal fee of \$48.00 per ton for the Contaminated Soil. Funding is available for the Disposal of Contaminated Soil in the Public Works Department, Utilities Division's account, 208315101-533, Sewer Fund, Professional Services.

RESOLVED: The Purchasing Agent is hereby authorized to issue a purchase order for \$48,000.00 to Phoenix Soil, LLC of Plainville, CT. for the Disposal of Contaminated Soil for the Public Works Department, Utilities Division.

Jack Pieper
Purchasing Agent

TAX COLLECTOR

33250 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

HUD GRANTS COMMITTEE

33244-1 RE: 2015 CONSOLIDATED PLAN SUBSTANTIAL AMENDMENT

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

The HUD Grants Committee of the Common Council at a special meeting held on Wednesday evening, September 9, 2015, at 8:00 PM in the Council Chambers, to which was referred the matter of resolution #33244 – 2015 Consolidated Plan Substantial Amendment, voted to accept and referred back to the Common Council with a favorable recommendation.

Alderman Suzanne Bielinski
President Pro Tempore

NEW BUSINESS

RESOLUTION

33255 RE: APPROVAL OF TENTATIVE AGREEMENT TO BRING AN ATLANTIC LEAGUE BASEBALL TEAM TO NEW BRITAIN

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

WHEREAS, the City of New Britain is the owner of New Britain Stadium, located at Willow Brook Park in said City, and

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WHEREAS, it is in the interest of the City of New Britain to promote the highest and best use of this stadium as one of our premier recreational facilities, and

WHEREAS, there is a tremendous amount of support within the City of New Britain and the surrounding area for the continuation of high-quality professional baseball and a family-friendly atmosphere at New Britain Stadium, and

WHEREAS, the Atlantic League of Professional Baseball is desirous of locating an Atlantic League baseball team in the City of New Britain, and

WHEREAS, the City of New Britain and representatives from the Atlantic League have engaged in a series of discussions over the past several months and have reached a tentative agreement on a lease of New Britain Stadium from January 1, 2016 through December 31, 2030, which contains two five-year options at the election of the Lessee, and

WHEREAS, the Common Council of the City of New Britain supports these efforts to keep the highest quality professional baseball at New Britain Stadium , NOW, THEREFORE BE IT

RESOLVED, by the Common Council of the City of New Britain that Mayor Erin E. Stewart is hereby authorized to enter into all contract agreements and arrangements with representatives of the Atlantic League for the purpose of maintaining professional baseball in New Britain and, therefore, the tentative agreement between the City of New Britain and representatives of the Atlantic League which was entered into on September 21, 2015 is hereby ratified.

Alderwoman Suzanne Bielinski
President Pro Tempore

Alderwoman Tonilynn Collins
Majority Leader

Alderman Wilfredo Pabon
Minority Leader

Alderman Jamie Giantonio
Assistant Minority Leader

Ald. Bielinski moved to accept and adopt, seconded by Ald. Giantonio. Ald. Bielinski moved the Council enter into Executive Session to discuss contract negotiations and that they be accompanied by the Mayor, the Corporation Counsel, Chief of Staff, John Healey, and Joseph Klein, Executive Director of the Atlantic League. Motion seconded by Ald. Giantonio. Roll call vote – all members voted in favor. Executive Session began at 8:18 p.m.

The Council voted to return to order at 8:43 p.m. on motion of Ald. Bielinski, seconded by Ald. Salvio.

Resolution accepted and adopted by roll call vote – all members voted in favor. Approved September 24, 2015 by Mayor Erin E. Stewart

RESOLUTIONS RETURNED FROM COMMITTEE

Ald. Smedley recused himself due to a possible conflict of interest regarding the following resolution – he is the author and application founder of one of the proposals.

33244-2 RE: 2015 CONSOLIDATED PLAN SUBSTANTIAL AMENDMENT

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, at its meeting of July 9, 2015, the Commission on Community and Neighborhood Development approved Substantial Amendment No. 1 to the 2015 Annual Consolidated Plan to transfer

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funds from stalled, cancelled, or completed Community Development Block Grant projects to new “shovel ready” projects as follows:

Consolidated Plan Substantial Amendment No. 1

Transfer Out

FY 2006 Neighborhood Preservation Program	\$1,719.89
FY 2007 Neighborhood Preservation Program	\$33,602.57
FY 2009 Housing Code Enforcement	\$406.50
FY 2010 Neighborhood Preservation Program	\$5,732.52
FY 2011 Neighborhood Preservation Program	\$12,886.15
FY 2011 Contingency	\$168,434.33
FY 2012 Big Brothers/Big Sisters	\$5,000.00
FY 2012 Fire Code Enforcement	\$205.00
FY 2013 East Side NRZ	\$8,000.00
FY 2013 Habitat for Humanity	\$50,000.00
FY 2013 Business Assistance Program	\$193,251.44
FY 2014 Clean & Lien Program - Public Works	\$22,560.56
FY 2014 Business Assistance Program	\$90,000.00
FY 2014 Property Rehabilitation Program	\$110,984.04
FY 2015 Property Rehabilitation Program	<u>\$187,117.00</u>
	\$889,900.00

Transfer In

Senior Center HVAC Improvements	\$315,900.00
Trinity on Main HVAC Improvements	\$397,000.00
Arch Street Parking Lot	\$87,000.00
School Auditorium Upgrades	<u>\$90,000.00</u>
	\$889,900.00

WHEREAS, a public notice of the Substantial Amendment was issued on July 31, 2015, to allow for public review and comment;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of New Britain approves Substantial Amendment No. 1 to the City of New Britain’s 2015 Annual Consolidated Plan and authorizes Mayor Erin E. Stewart to submit it to the U. S. Department of Housing and Urban Development.

Alderman Carlo Carlozzi, Jr.
Alderman Jamie Giantonio
Alderman Emmanuel Sanchez

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved September 24, 2015 by Mayor Erin E. Stewart.

Ald. Smedley returned to the Chambers.

NEW BUSINESS

RESOLUTIONS

33251 RE: ITALIAN AMERICAN HERITAGE MONTH AND COLUMBUS DAY

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 United States Congress, by joint resolution on April 30, 1934 and modified in 1968 (36 U.S.C. 107), as amended, proclaimed the second Monday of October of each year as “Columbus Day”; and

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WHEREAS, Columbus Day has become a celebration of not only memorializing the man and his crew who journeyed to America 523 years ago, but also a day to reflect on the professional and social accomplishments of all Americans of Italian descent and their impact on American Society; and

WHEREAS, the City of New Britain is proud to be home to such a distinguished population and recognizes the accomplishments Italian American men and woman have made in fields including business, education, government, law, medicine and public safety; and

WHEREAS, in addition to a strong professional presence, Italian American fraternal organizations, including Angelo Tomasso Sr. Lodge Order Sons of Italy in America, Calabria Mia, Generale Ameglio Society, Angelo Custode Society, Campodipietra Society and Italian Heritage Foundation, Inc., have long been pillars in the New Britain community and have contributed to the rich, diverse culture of our City; NOW, THEREFORE, BE IT

RESOLVED, that the City of New Britain proclaim October 12, 2015 as Columbus Day and call upon all residents to observe this day with appropriate ceremonies and activities; AND BE IT FURTHER

RESOLVED, that the City of New Britain designates October as Italian American Heritage Month.

Alderman Carlo Carlozzi, Jr.
Alderman Louis G. Salvio

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved September 24, 2015 by Mayor Erin E. Stewart.

Ald. Giantonio moved to accept and adopt resolution 33252, seconded by Ald. Pabon. Ald. Trueworthy moved to amend by adding a strike-all amendment, seconded by Ald. Bielinski. Amendment carried by voice vote.

33252 RE: FISCAL YEAR 2014-2015 BUDGET TRANSFER AND AMENDMENT - GENERAL FUND AND CAPITAL NON-CURRING FUND

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, revenue, expenditure, encumbrance and accrual activities for fiscal year 2014-2015 have concluded,

Whereas, the fiscal year 2014-2015 General Fund results from operations (unaudited) are in a surplus position as summarized below:

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenue	\$ 221,099,064	\$ 221,720,359	\$ 621,295
Expenditures	\$ 221,099,064	\$ 214,347,519	<u>6,751,545</u>
FY14 Deficit from Operations (unaudited)			\$ 7,372,840

Whereas, the following schedule depicts the General Fund operating results (audited) for the previous six (6) years:

FY 2014:	\$ (7,630,000)
FY 2013:	\$ 395,000
FY 2012:	\$ 153,000
FY 2011:	\$ 3,011,000
FY 2010:	\$ (988,000)
FY 2009:	\$ (3,125,000)

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Whereas, revenues budgeted for the MBR offset (a revenue offset to the minimum budget requirement (MBR) for BOE) was not realized while revenues from police specials, tax collections, state aid, debt premium and miscellaneous collections were higher than anticipated;

Whereas, in addition, expenditures for employee pension and medical insurance, municipal insurance, sanitation and debt service were lower than anticipated,

Whereas, the FY15 operating surplus will be absorbed within the cumulative fund balance, (\$4,965,000, audited, as of June 30, 2014), leaving an increased (unaudited) cumulative fund balance of \$12,337,840, 5.58% of the FY15 operating expenditure budget,

Whereas, through the FY 2015 audit process, it is the recommendation of the Common Council that \$3m be reserved in fund balance for repayment of the City's debt obligations. A resolution for approval of this transaction will be forthcoming prior to the issuance of the City's annual audit at the end of December,

Whereas, to more accurately reflect fiscal year 2014-2015 operating results, a budget transfer is proposed to adjust both revenue and expenditure budgets to more accurately reflect actual funds received / disbursed; therefore, be it

Resolved, that the line item transfers within the General Fund, as outlined in the attachment, for the fiscal year ending June 30, 2015 be made and put on file in the Town Clerk's Office. And be it further

Resolved, that a budget amendment be made within the Capital Non-Recurring Fund as follows:

Revenue Increase:

Transfer from GF	003092015-6001	\$500,000
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Expenditure Increase:

Elderly Tax Relief	0032400615-50833	\$500,000
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Alderman Michael Trueworthy

Resolution as amended carried by voice vote. Approved September 24, 2015 by Mayor Erin E. Stewart.

33253 RE: PROPOSED AMENDMENT TO SEC. 11-6 OF THE ORDINANCES TO ENSURE CLEAN CARTS ARE PLACED IN FRONT OF THE OWNERS/RESIDENTS PROPERTY

Proposed Amendment On File In Town Clerk's Office.

Ald. Giantonio moved to accept and refer to the Consolidated Committee, seconded by Ald. Pabon. So voted. Approved September 24, 2015 by Mayor Erin E. Stewart.

33254 RE: BUDGET TRANSFER - DEMOCRATIC REGISTRAR OF VOTERS - \$54,600

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 Registrars of Voters office is responsible for handling all the election services that pertain to the citizens of New Britain, and;

Whereas, a Democratic primary was held on September 16, 2015 that was not budgeted for. This required extra staff time, voting machine maintenance and memory card programming that the State used to pick up.

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Whereas, the Registrars of Voters office must provide these services to ensure proper adherence to State statutes and procedures, and;

WHEREAS, the FY 2015-2016 General Fund Contingency includes monies within its account, THEREFORE, BE IT,

RESOLVED, that monies be transferred within the FY 2015-2016 General Fund budget for this purpose as follows:

FROM:		
001625101-5871	Contingency	\$54,600
TO:		
001104001-5124	Voters Democrat – Part Time Salaries	15,000
001104001-5125	Voters Democrat – Temporary Salaries	20,000
001104001-5331	Voters Democrat – Professional Services	11,100
001104001-5412	Voters Democrat – Telecommunications	5,000
001104001-5436	Voters Democrat – Equipment, Main't & Repairs	3,000
001104001-5610	Voters Democrat – Postage	<u>500</u>
	TOTAL:	\$54,600

Alderman David DeFronzo

Ald. DeFronzo moved to accept and adopt, seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Approved September 24, 2015 by Mayor Erin E. Stewart.

There being no further business to come before the Council, Ald. Giantonio moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 8:43 p.m.

ATTEST: Audrey Malkemus, Asst. City Clerk

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