

April 27, 2016

REGULAR MEETING OF THE COMMON COUNCIL

APRIL 27, 2016

Mayor Erin E. Stewart called the Regular Meeting of the Common Council to order at 8:03 p.m. on Wednesday, the 27th day April 2016 in the Common Council Chambers, City Hall.

Fifteen members were present at roll call: Ald. Giantonio, Smedley, Carlozzi, Black, Collins, Davis, Hargraves, Naples, Pabon, Polkowski, Rosado, Salvio, Sanchez, Sanders, and Salerno.

The invocation was given by City Clerk, Mark H. Bernacki: O God, our Heavenly Father, we thank you for providing us with great weather last weekend. The New Britain Bees opened their season to great success, the little leagues and fishermen – young and old - took advantage of your glorious days, and the Little Poland Festival drew the largest crowd ever. Father we thank You for the spirit to come alive in our community, the harmony and civic pride everyone felt, and for the volunteers and leaders that truly make New Britain the place to be. We ask this in Thy name. Amen.

The pledge to the flag was led by Maryanne Farr.

Mayor Stewart called attention to the following events:

May 3, 2016 - The Grand opening of Central Park from 11:30 a.m. to 1:00 p.m.

April 30, 2016 - Spring clean-up of the Rose Garden at Walnut Hill Park 9:00 a.m. till noon.

April 30, 2016 - Hoops for the Homeless event downtown

April 30, 2016 - Youth Against Violence Day at Walnut Hill Park from 11:00 a.m.

Mayor Stewart sadly announced the passing of former Finance Director Chris Wolf.

A moment of personal privilege was granted to Ald. Carlozzi who spoke of the great success of the opening game of the New Britain Bees, and the tremendous success of the Little Poland Festival.

Mayor Stewart gave a shout-out to the Public Works Department for all the work they did in setting up for the Little Poland Festival.

A moment of personal privilege was also granted to Ald. Rosado who noted that National Day of Prayer will be held next Thursday, May 5, 2016.

Ald. Giantonio moved to accept and adopt the minutes of the Regular Meeting of March 9, 2016 and the Special Meeting of March 22, 2016, seconded by Ald. Pabon. So voted.

Ald. Giantonio moved to amend the Agenda by adding 33431-1(Q), 33474(2), 33475(3), and 33431-2(4), seconded by Ald. Salerno. Roll call vote – all members voted in favor.

PETITIONS

33476 RE: ALD. PABON AND ALD. ROSADO FOR A CHANGE OF ZONE ON CERTAIN ARCH ST. PROPERTIES FROM A-3, T AND B-1 TO B-3, ENCOMPASSING PROPERTIES ON ARCH ST., FROM THE INTERSECTION OF HART ST SOUTH TO THE INTERSECTION OF KENSINGTON AVE AND SHUTTLE MEADOW AVE INCLUDING PROPERTIES ALONG WHITING ST FROM ARCH ST EASTWARD AND SURROUNDING INTERSECTION WITH GLEN ST. REFERRED TO THE ZONING COMMITTEE AND THE CITY PLAN COMMISSION.

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Ald. Giantonio moved to accept and adopt the Consent Agenda, seconded by Ald. Collins. Roll call vote – all members voted in favor. Approved April 28, 2016 by Mayor Erin E. Stewart.

CONSENT AGENDA

CITY CLERK

33458 RE: CLAIMS FOR INJURIES AND/OR PROPERTY DAMAGE

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

CLAIMANTS NAME

- Kaczmarek, Jason
- Krzesinski, Angelika
- Viruet, Isabelino by Atty. Richard L. Zayas

Mark H. Bernacki
City Clerk

FINANCE DEPARTMENT

33459 RE: LINE ITEM TRANSFERS – 02/17/16 THRU 04/18/2016

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 the city of New Britain ordinance of Article VII – Finance, Section 2-494(3), the following departments have transferred monies from one line item to another within their departmental budget (total department budget has not changed). Each transfer will be continuously numbered from month to month throughout the fiscal year. This report represents the transfers executed by the mayor in accordance with the aforementioned ordinance for the period ending April 18, 2016

4. Department: City Plan
From: 001106001-5540 (Advertising)
To: 001106001-5810 (Dues/Fees/Memberships)
Amount: \$14.00
Brief Description: Additional funds needed for American Institute of Certified Planners membership dues
5. Department: Assessor
From: 001107001-5122 (Overtime)
To: 001107001-5810 (Dues/Fees/Memberships)
Amount: \$950.00
Brief Description: Funds needed for Annual Assessor's school attendance June 6-10, 2016 at UCONN
6. Department: Senior Center
From: 001523002-5621 (Heat and Gas)
To: 001523002-5440 \$1,469.00 (Rentals/Supplies Equip)
To: 001523002-5435 \$1,095.00 (Building, Gr. Main't and repairs)
Amount: \$2,564.00
Brief Description: Funds needed for copier rental expenses and emergency gutter system repairs

Rebecca Salerni
Deputy Finance Director

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PURCHASING DEPARTMENT

33460 RE: SALE OF SURPLUS AND UNREPAIRABLE VEHICLES

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

Per Resolution 33363-2, dated February 10, 2016, the Purchasing Agent reports that he and the City's Public Works Fleet Manager conducted an on-line auction for some of the City's Surplus and Unrepairable Vehicles. The on-line auction services were provided by Gov-Deals at no charge to the City. Gov-Deals provide on-line auction services for vehicles and equipment only to government agencies. They provide this service to over 5,900 municipalities and state governments in 48 states. They have over 315,000 registered buyers who receive e-mails from them regarding the items that they have on their website for auction.

By utilizing the on-line auction services for surplus vehicles and equipment that is valued under \$12,000.00 the City is able to save money on legal notices, postage, envelopes, and paper for sales notices that was sent out to 216 companies and individuals to conduct the sales of surplus vehicles and equipment in the past years. It also enables the City to sell the surplus vehicles sooner and get more individuals to bid on them. The money received for the sale of the Surplus Vehicles was deposited into the City's General Fund Account, 001624005-4481, General and Administrative, Sale of Property.

The highest bid for the auctioned surplus vehicles for the month of April 2016 is on file in Town Clerk's Office. It indicates the vehicle, buyer, number of bids received and the dollar amount received for each surplus vehicle sold.

The total dollar amount that the City received for the on-line auction sale of the surplus vehicles was \$18,183.00.

Jack Pieper
Purchasing Agent

33461 RE: COOPERATIVE PURCHASING, SHOTGUN AND PISTOL AMMUNITION FOR THE 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 standing purchase order was requested by the Police Department for the following under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Need Supplies</u>	<u>Total Price</u>
Jurek Brothers Inc., Greenfield, MA	Shotgun and Pistol Ammunition	\$18,743.70

The New Britain Police Department requested a purchase order for Shotgun and Pistol Ammunition utilizing the State of Connecticut's Contract Award #07PSX0219. This ammunition is used for training, State recertifications, and to be carried on duty. Funds are available within the Police Department's account number 001211015-5614, Ammunitions and Explosives.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$18,743.70 to Jurek Brothers, Inc. of Greenfield, MA for the purchase of Shotgun and Pistol Ammunition for the New Britain Police Department utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #07PSX0219.

Jack Pieper
Purchasing Agent

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33462 RE: CHEMICALS, FERTILIZERS, GRASSES AND PESTICIDES

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. 3858 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for required purchases of Chemicals, Fertilizers, Grasses and Pesticides for the Parks, Recreation and Community Services Department and the Stanley Golf Course. Funding is available for these purchases within the Parks, Recreation and Community Services Department's Account Number 001419003-5659, Horticulture, Operating Materials and Supplies and the Stanley Golf Course's account number 201420101-5616, Golf Course, Fertilizers and Chemicals.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to thirty-one (31) Chemical, Fertilizer, Grass and Pesticide Companies. The Purchasing Agent did not receive any letters from the Chemical, Fertilizer, Grass and Pesticide Companies on the mailing list indicating they could not provide a response to the bid request. The responses received are on file in Town Clerk's Office.

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

- In some instances two awards were made. Patents on the formulations of many previously purchased products have run out, and generic forms have emerged. In those cases a brand name and a generic product have been chosen. Generics, which do not have a proven track record, will be tested during the season.
- Ties were awarded in accordance with City of New Britain Code of Ordinance section 2-573.
- In some cases it appears that the low bidder was not selected; however, not all bidders submitted responses on the correct unit size. Conversions were made by Golf Course Administration for comparison.
- In some cases Bidders supplied the same prices because they are agency priced by the manufacturer so all distributors must sell at the same price for specific Pesticides. This will enable the Parks and Recreation Division and the Stanley Golf Course to obtain the needed items if one of the distributors cannot supply them in a timely manner.
- Two (2) Bidders, Valley Green, Inc. of Holyoke, MA., and Pennington Seed, Inc. of Madison GA., no longer has sales representatives to handle orders or address product issues or concerns.

Therefore, the Director of the Parks, Recreation and Community Services Department is recommending that the bid be awarded to following companies, Hart Seed of Wethersfield, CT., Tom Irwin, Inc. of Burlington, MA., D&S of Durham, CT., Harrell LLC of Stafford Springs, CT., Winding Brook Turf Farm of Wethersfield, CT., Saturated Solutions of Northford, CT., SiteOne Landscaping Supplies of Cleveland, OH., EH Turf Supply of Exeter, RI., Plant Food Company of Cranbury, NJ., Metro Turf of Brookfield, CT., Atlantic Golf and Turf of Turner Falls, MA., and Cardinals, Inc. of Unionville, CT.,

RESOLVED: That the Purchasing Agent is hereby authorized to issue purchase orders to Hart Seed of Wethersfield, CT., Tom Irwin, Inc. of Burlington, MA., D&S of Durham, CT., Harrell LLC of Stafford Springs, CT., Winding Brook Turf Farm of Wethersfield, CT., Saturated Solutions of Northford, CT., SiteOne Landscaping Supplies of Cleveland, OH., EH Turf Supply of Exeter, RI., Plant Food Company of Cranbury, NJ., Metro Turf of Brookfield, CT., Atlantic Golf and Turf of Turner Falls, MA., and Cardinals, Inc. of Unionville, CT., on an as-needed basis, from May 2, 2016 to April 30, 2017 as per the selected prices highlighted on the attachment as well as the specifications, terms and conditions of Public Bid No. 3858.

Jack Pieper
Purchasing Agent

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33463 RE: POOL CHEMICALS

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. 3859 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for required purchases of Pool Chemicals for the Parks, Recreation and Community Services Department. Funding is available for the purchase of the Pool Chemicals in the Parks, Recreation and Community Services Department's account number 001419004-5659, General Fund, Park Maintenance Operating Materials 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 Eighteen (18) Pool Chemical Companies. The Purchasing Agent did not receive any letters from the Pool Chemical Companies on the mailing list who indicated that they could not respond to the bid request. The Bid responses received are on file in Town Clerk's Office.

The bids were reviewed for conformance to specifications by 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 the following companies who submitted the lowest responsible bid and meet all of the bid specifications for the Pool Chemicals, H. Krevit & Company of New Haven, CT for the Sodium Hypochlorite in bulk delivery and Sodium Bicarbonate in 50lb bags and to Scarritt Spas & Pools of Bristol, CT for Calcium Chloride in 50lb bags and Calcium Hypochlorite in 50lb drums.

RESOLVED: That the Purchasing Agent is hereby authorized to issue standing purchase orders to H. Krevit & Company of New Haven, CT for the bulk delivery of Sodium Hypochlorite at \$2.35 per gallon and Sodium Bicarbonate at \$18.40 per 50lb bag and Scarritt Spas & Pools of Bristol, CT for Calcium Chloride at \$16.49 per 50lb bag and Calcium Hypochlorite at \$126.82 per 50lb drum for the purchase of Pool Chemicals on an as-needed basis from June 10, 2016 to September 30, 2016 for the Parks, Recreation and Community Services Department per the terms and specifications of Public Bid No 3859.

Jack Pieper
Purchasing Agent

33464 RE: DUCTILE IRON PIPES 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. 3863 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Ductile Iron Pipes of various sizes for the Public Works Department, Utilities Division. Funding is available for this purchase within the Public Works Department, Utilities Division's Account Number, 9303500204-5659, Water Maintenance Expense, 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 fourteen (14) Pipe Companies. The Purchasing Agent did not receive any letters from the Pipe Companies on the mailing list who indicated that they could not respond to the bid request. The Bid responses received are on file in Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department, Utilities Division's Administration and the Purchasing Agent. HD Supply Waterworks which is a New Britain based company has submitted a bid that met all the bid specifications and was the lowest bidder for all of the Ductile Iron Pipe. HD Supply Waterworks has been supplying Iron Pipe to the Public Works Department, Utilities Division. They were awarded the bid for the Iron Pipe last year. Therefore the Deputy Director of the Public Works Department, Utilities Division, is recommending that the bid be awarded to HD Supply Waterworks of New Britain, CT. The bid results were presented to the Water Commission at their April 12,

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2016 meeting. At this meeting they approved the Deputy Director of the Public Works Department, Utilities Division, recommendation for the purchase of the Ductile Iron Pipes from HD Supply Waterworks of New Britain, CT.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing purchase order to HD Supply Waterworks of New Britain, CT for the purchase of Ductile Iron Pipes as per the attached prices, terms and specifications of Public Bid No 3863.

Jack Pieper
Purchasing Agent

33465 RE: HIGHWAY CASTINGS 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. 3864 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of Highway Castings for the New Britain Public Works Department, Utilities Division. The funding for this purchase is in the Public Works Department Utilities Division's account number, 208315101-5659 Sewer Fund, 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 twelve (12) Highway Casting Companies. The Purchasing Agent did not receive any letters from the Highway Casting Companies on the mailing list who indicated that they could not respond to the bid request. Bid responses received are on file in Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department, Utilities Division's Administration and the Purchasing Agent. HD Supply Waterworks, who is a New Britain, based company, who was awarded the bid last year, has again submitted a bid that met the bid specifications but was not within 10% of the lowest bids submitted for the Manhole Covers, Riser Rings and Frames. Therefore, the Deputy Director of the Public Works Department, Utilities Division is recommending the bid be awarded to Everett J. Prescott, Inc. of Vernon, Ct for the Manhole Riser Ring items, Neenah Foundry of Heenah, WI for the Manhole Covers and Frames and to United Concrete of Yalesville, CT for the Catch Basin Items who were the lowest bidders and met all of the bid specifications for the Highway Castings items.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing Purchase Order to Everett J. Prescott Inc. of Vernon, CT for the Manhole Riser Ring items, Neenah Foundry of Heenah, WI for the Manhole Covers and Frames and to United Concrete of Yalesville, CT for the Catch Basin Items for the New Britain Public Works Department, Utilities Division per the attached pricing, terms and specifications of Public Bid No. 3864.

Jack Pieper
Purchasing Agent

33466 RE: RESILIENT WEDGES AND BUTTERFLY WATER VALVES 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. 3865 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Resilient Wedges and Butterfly Water Valves for the Public Works Department, Utilities Division. Funding is available for this purchase within the Public Works Department, Utilities Division's account number, 9303500204-5659, Water Maintenance Expense, 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 nine (9) Resilient Wedge and Butterfly Water Valve Companies. The Purchasing Agent did not receive any letters from the Resilient Wedge and Butterfly Water Valve Companies on the mailing list who indicated they could not provide a response to the bid request. The Bid responses received are on file in Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Utilities Division's Administration and the Purchasing Agent. HD Supply Waterworks, which is a New Britain, based company was awarded the bid last year and has been supplying the Resilient Wedges and Butterfly Water Valves to the Public Works Department, Utilities Division. The bid that they submitted this year, they were the lowest bidder only for the 8" and 12" Resilient Wedges. They were not the lowest bidder for the 4" and 6" Resilient Wedges but were within 10% of the lowest bid submitted by a company located within the State of Connecticut. Per City Ordinance Section 2-578 item 10, HD Supply Waterworks agreed to lower their bid to match the price submitted by the lowest bidder for the 4" and 6" Resilient Wedges. Ferguson Waterworks of Newington, CT was the lowest bidder for 14", 16", 20", 24", and 36" Butterfly Water Valves. Therefore the Deputy Director of the Public Works Department is recommending that the bid be awarded to HD Supply Waterworks of New Britain, CT who met all of the bid specifications for the 4", 6", 8" and 12" Resilient Wedges and to Ferguson Waterworks of Newington, CT who met all of the bid specifications for 14", 16", 20", 24", and 36" Butterfly Water Valves. The bid results were presented to the Water Commission at their April 12, 2016 meeting. At this meeting they approved the Deputy Director of the Public Works Department, Utilities Division recommendation for the purchase of the Resilient Wedges from HD Supply Waterworks of New Britain, CT and the Butterfly Water Valves from Ferguson Waterworks of Newington, CT.

RESOLVED: That the Purchasing Agent is authorized to issue a standing purchase order to HD Supply Waterworks of New Britain, CT for the purchase of the Resilient Wedges and to Ferguson Waterworks of Newington, CT for the purchase of the Butterfly Water Valves per the attached prices, specifications and terms of Public Bid No. 3865.

Jack Pieper
Purchasing Agent

33467 RE: WATER METERS 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. 3866 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for various size Water Meters for the Public Works Department, Utilities Division. Funding is available for this purchase within the Public Works Department, Utilities Division's account number 9303500204-5659, Water Maintenance Expense, 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 eight (8) Water Meter Companies. The Purchasing Agent did not receive any letters from the Water Meter Companies on the mailing list who indicated that they could not provide a response to the bid request. Only one (1) Bid response was received and is on file in Town Clerk's Office.

The bid was reviewed for conformance to specifications by the Public Works Department, Utilities Division's Administration and the Purchasing Agent. Ti-Sales, Inc. of Sudbury, MA has been supplying Water Meters to the Public Works Department, Utilities Division. They were awarded the bid for the Water Meters last year. The Water Meters that they have been supplying the Public Works Department, Utilities Division, has met all of the bid specifications. Therefore the Deputy Director of the Public Works Department, Utilities Division, is recommending that the bid be awarded again to Ti-Sales, Inc. of Sudbury, MA. who met all of the bid specifications for the Water Meters. The bid results have also been presented to the Water Commission at their April 12, 2016 meeting. At this meeting they approved the

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Deputy Director of the Public Works Department, Utilities Division, recommendation for the purchase of the Water Meters from Ti-Sales, Inc. of Sudbury, MA.

RESOLVED: That the Purchasing Agent is authorized to issue a standing purchase order to Ti-Sales, Inc. of Sudbury, MA for the purchase of various size Water Meters on and as need basis per the attached pricing, terms and specifications of Public Bid No. 3866.

Jack Pieper
Purchasing Agent

33468 RE: FIRE HYDRANTS 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. 3868 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Fire Hydrants for the Public Works Department, Utilities Division. Funding is available for this purchase within the Public Works Department, Utilities Division's account number, 9303500204-5659, Water Maintenance Expense, 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 seventeen (17) Fire Hydrant Companies. The Purchasing Agent did not receive any letters from the Fire Hydrant Companies on the mailing list who indicated they could not provide a response to the bid request. Bid responses received are on file in Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department, Utilities Division's Administration and the Purchasing Agent. HD Supply Waterworks which is a New Britain based company has submitted a bid that met all bid specifications and was within 10% of the lowest bid submitted by a company located within the State of Connecticut. Per City Ordinance Section 2-578 item 10, HD Supply Waterworks agreed to lower their bid to match the price submitted by the lowest bidder. HD Supply Waterworks has been supplying Fire Hydrants to the Public Works Department, Utilities Division. They were awarded the bid for Fire Hydrants last year. Therefore the Deputy Director, Public Works Department, Utilities Division, is recommending that the bid be awarded again to HD Supply Waterworks of New Britain, CT who met all of the bid specifications for the Fire Hydrants. The bid results were presented to the Water Commission at their April 12, 2016 meeting. At this meeting they approved the Deputy Director, of the Public Works Department, Utilities Division recommendation for the purchase of the Fire Hydrants from HD Supply Waterworks of New Britain, CT.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a standing purchase order to HD Supply Waterworks of New Britain, CT at the unit price of \$1,945.00 per Fire Hydrant per the terms and specifications of Public Bid No. 3868.

Jack Pieper
Purchasing Agent

33469 RE: SUMMER BUS TRANSPORTATION FOR THE PARKS & 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. 3870 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the 2016 Summer Bus Transportation for the Parks, Recreation and Community Services Department. Funding will be available for this purchase in the Park, Recreation and Community Services Department's Account Number 001420001-5440, Recreational Programs, Rental Supplies and Equipment.

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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 seven (7) Bus Transportation Companies. The Purchasing Agent did not receive any letters from the Bus Transportation Companies on the mailing list who indicated that they could not provide a response to the bid request. Bid responses received are on file in 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. Dattco, Inc., a New Britain based company, was within 10% of the lowest bidder's price who was not a New Britain based company for the daily rate per bus. Per City Ordinance Section 2-578 item 10, Dattco, Inc. agreed to lower their bid to match the prices submitted by the lowest bidder. Dattco, Inc. was awarded the bid last year and provided the Summer Bus Transportation to the Parks, Recreation and Community Services Department. They are a reputable Bus Company and also provide bus services during the school year to the New Britain Board of Education. Therefore the Director of the Parks, Recreation and Community Services Department is recommending that the bid be awarded again to Dattco, Inc. of New Britain CT to provide Summer Bus Transportation to the Parks, Recreation and Community Services Department.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a Purchase Order to Dattco, Inc. of New Britain, CT for the 2016 Summer Bus Transportation for the Parks, Recreation and Community Services Department at a daily rate of \$184.00 per bus and at a rate of \$50.00 per hour for any additional buses needed, per the terms and specifications of Public Bid No. 3870.

Jack Pieper
Purchasing Agent

33470 RE: ON-CALL ENGINEERING SERVICES VETERANS STADIUM ADA RENOVATIONS

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3806, approved at its Regular Meeting of January 14, 2015.

Project Name: Veterans Stadium ADA Renovations
Vendor: Kaestle Boos Associates, Inc.
Amount: \$41,000.00
Line Items: 0083237501-5331 City Wide Park ADA Improvements, Professional Services
Requested By: Parks, Recreation and Community Services Department

Scope: Kaestle Boos Associates, Inc. will provide engineering services for the of ADA renovations at Veterans Stadium. They will prepare architectural, plumbing, structural and site plans for handicapped accessibility for the public rest rooms, team rooms, grandstands, and concession areas of the stadium. They will conduct an on-site visit of the stadium. This will help Kaestel Boos Associates, Inc. develop specifications and engineering prints for the ADA Renovations so it can be put out to bid. Kaestle Boos Associates, Inc. will conduct a pre-bid meeting at the stadium and answer any questions from the bidders during the bidding process. Once the bids are received, Kaestle Boos Associates, Inc. review the bids submitted to ensure compliance with the bid specifications. Once the project has been awarded, they will conduct meetings with contractor awarded the bid in addition to on-site visits of the Stadium to assure the ADA renovations are being made correctly and to specifications.

Resolved: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$41,000.00 to Kaestle Boos Associates, Inc. of New Britain, CT for engineering services at Veterans Stadium for ADA Renovations.

Jack Pieper
Purchasing Agent

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33471 RE: ON-CALL ENGINEERING SERVICES 55 HARVARD ST MAINTENANCE BUILDING ROOF REPAIRS

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3806, approved at its Regular Meeting of January 14, 2015

Project Name: 55 Harvard Street Maintenance Building Roof Repairs
Vendor: Desman Associates
Amount: \$15,000.00
Line Items: 0083237301-5454 Citywide Facilities, Construction Contracts
Requested By: Public Works Department, Facilities Division.

Scope: Desman Associates will conduct an on-site inspection of the roof at the 55 Harvard Street Maintenance Building. This will enable them to determine the roof's conditions and why there are water leaks starting to happen. Desman Associates will prepare schematic plans depicting proposed repairs, renovations and costs. They will then meet with the Facilities Division to discuss their site inspection results. Desman Associates will then be able to develop specifications and engineering prints for this project so it can be out to bid. They will attend any meetings that may be held and answer questions from the bidders during the bidding process. Once the bids are received, Desman Associates will review the bids submitted to ensure compliance with the bid specifications. Once the project has been awarded Desman Associates will conduct meetings with the contractor awarded the bid in addition to on-site visits to assure that the repairs are being conducted to specifications.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a Purchase Order for \$15,000.00 to Desman Associates of Rocky Hill, CT for the 55 Harvard Street Maintenance Building Roof Repairs.

Jack Pieper
Purchasing Agent

DEPARTMENT OF PUBLIC WORKS

33457-1 RE: POTHoles AT INTERSECTION OF HALSEY AND KULPER ROADS

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

Potholes were repaired by Public Works on Tuesday, April 19, 2016.

Mark E. Moriarty,
Director Public Works

TAX COLLECTOR

33472 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

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CONSOLIDATED COMMITTEE

33431-1 RE: PROPOSED AMENDMENT TO THE ORDINANCES PROVIDING FOR THE PROHIBITION OF AGGRESSIVE PANHANDLING

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 held a special meeting on Tuesday, April 26, 2016, at 7:00 PM in the Council Chambers, to which was referred the matter of item 33431, Amend Code of Ordinances to prohibit aggressive panhandling. The Consolidated Subcommittee voted to accept and refer back to the Common Council with a neutral recommendation.

Alderman Tremell Collins
Chair

NEW BUSINESS

RESOLUTIONS

33473 RE: BUDGET TRANSFER - POLICE DEPT. \$355,500

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

WHEREAS, the New Britain Police Department is charged to protect and preserve life, safeguard property, enforce laws, and provide public safety services in a lawful, professional and humane manner, with respect for the dignity of all citizens, and

WHEREAS, a budget transfer within the Police budget is requested to cover current shortages in several salary, overtime and repair accounts, and

WHEREAS, there are sufficient budgeted funds available for transfer within the Police Department's annual budget, no additional City funds required, THEREFORE BE IT

RESOLVED, by the Common Council of the City of New Britain, that a budget transfer of \$355,500 be made within the Police Department budget to provide for salary, overtime and repair funds as outlined below:

Transfer from the following accounts:

001211003-5121	Police Chief – Full Time Salaries	\$80,000
001211005-5121	Patrol – Full Time Salaries	\$100,500
001211013-5121	Evidence – Full Time Salaries	\$65,000
001211017-5121	Records – Full Time Salaries	\$40,000
001211022-5811	Grants & Contributions	\$40,000
001211025-5122	Crime Lab – OT	<u>\$30,000</u>
	Total	\$355,500

Transfer to the following accounts:

001211002-5121	Administration – Full Time Salaries	\$25,000
001211002-5436	Administration – Equip Maintenance & Repair	\$20,000
001211003-5810	Police Chief – Dues/Fees/Memberships	\$1,000
001211009-5121	Investigations – Full Time Salaries	\$100,000
001211009-5331	Investigations – Professional Services	\$1,000
001211009-5335	Investigations – Investigations Expense	\$3,000
001211009-5659	Investigations – Operating Material & Supplies	\$8,000

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001211010-5121	Youth Bureau – Full Time Salaries	\$70,000
001211010-5122	Youth Bureau – Overtime	\$5,000
001211012-5121	Community Service – Full Time Salaries	\$80,000
001211014-5659	Training – Operating Material & Supplies	\$4,000
001211020-5436	Police Fleet – Equip Maintenance & Repair	\$27,000
001211021-5122	Downtown – Overtime	\$6,000
001211023-5122	School Resource Officer – Overtime	\$2,000
001211024-5122	Police Academy – Overtime	<u>\$3,500</u>
	Total	\$355,500

Ald. Carlo Carlozzi, Jr. - Police Liaison
Ald. Wilfredo Pabon - Police Liaison
Ald. Emmanuel Sanchez - Police Liaison
Ald. Jim Sanders, Jr. – Police Liaison
Ald. Robert Smedley - Police Liaison

Ald. Pabon moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved April 28, 2016 by Mayor Erin E. Stewart.

33474 RE: PROPOSED SALE OF 24 WASHINGTON ST. TO OPPORTUNITY REAL ESTATE EQUITIES LLC

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 vacant property for economic development.

WHEREAS, The City of New Britain is committed to business development and the economic revitalization of downtown New Britain; and

WHEREAS, The City of New Britain currently owns property known as the Hatch Building located on 24 Washington Street which has been vacant for a number of years; and

WHEREAS, Opportunity Real Estate Equities, LLC has offered to purchase the property for \$25,000.00 and will immediately rehabilitate the building for economic development; and

WHEREAS, this project will include an historic renovation of the property suitable for office space at an estimated cost of \$1,200,000.00; and

WHEREAS, Opportunity Real Estate Equities, LLC will agree to a clause that the property will automatically revert back to the City of New Britain if it does not obtain a Certificate of Occupancy within twelve months of the date that all City permits are issued; but in no event longer than two years from the purchase; and

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

RESOLVED, That Erin E. Stewart, Mayor is hereby authorized to negotiate and execute on behalf of the City of New Britain, a Purchase and Sale Agreement with Opportunity Real Estate Equities, LLC for property known as 24 Washington 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 sale price of Twenty-Five Thousand (\$25,000.00) Dollars.

Alderman Jamie Giantonio

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Ald. Giantonio moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Salerno. So voted. Approved April 28, 2016 by Mayor Erin E. Stewart.

33475 RE: CHARTER FOR COMPASSION

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 Charter for Compassion is a document which urges the people and religions of the world to embrace the core value of compassion; and

Whereas, the Compassion Action Network International and the Campaign for Compassionate Cities was created to promote the Charter for Compassion; and

Whereas, the U.S. Conference of Mayors passed a resolution in June 2013 to endorse the Campaign for Compassionate Cities; a compassionate city deepens the quality and the extent to which its citizens embrace compassionate action in caring for its own neighbors; and

Whereas, compassion is a purpose, principle, and unifying value that guides and compels persons of all backgrounds, perspectives, creeds, and cultures to treat all humans beings with justice, equity and respect; and

Whereas, we acknowledge our role and responsibility to make compassion a clear and empowering force for children, families and community to evolve as compassionate members of society; the Common Council, recognizes that compassion requires a continuing desire and determination to strive to live and act more compassionately; the City of New Britain has a culture of compassion through municipal departments and local non-profit organizations; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN, that the Council authorizes, Her Honor, Mayor Erin E. Stewart, of New Britain, to herby sign the International Charter for Compassion, working together to embrace and apply compassionate solutions and encourage community service to meet the needs of our families, friends and neighbors.

Alderman Jamie Giantonio
Alderman Carlo Carlozzi, Jr.
Alderman Robert Smedley

Ald. Smedley moved to accept and adopt, seconded by Ald. Rosado. So voted Approved April 28, 2016 by Mayor Erin E. Stewart.

33431-2 RE: AMENDMENT TO THE ORDINANCES ADDING SEC. 16-146 THRU 16-151 PROVIDING FOR THE PROHIBITION OF AGGRESSIVE PANHANDLING

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

Resolution Summary: PURPOSE. To amend the Code of Ordinance to prohibit aggressive panhandling.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Chapter 16 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.16-135 to 16-145 - Reserved

[NEW] ARTICLE IX PROHIBITION OF
AGGRESSIVE AND UNSAFE PANHANDLING.

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Sec. 16-146 - Purpose.

Generally, the purpose of this section is to preserve the public order, to protect the citizens of the City of New Britain and to ensure the safe and uninterrupted passage of both pedestrian and vehicular traffic, without unconstitutionally impinging upon protected speech, expression or conduct.

Sec. 16-147 – Definitions

Definitions

For purpose of this article, the following terms shall have the meanings indicated:

“Panhandling” means solicitation made in person requesting an immediate donation of money or the purchase of an item for an amount far exceeding its value, under circumstances where a reasonable person would understand that the purchase is, in substance, a donation. Except where the following activity is on private property without the written permission of the owner or tenant of such property, “Panhandling” does not include passively standing or sitting with a sign or other non-verbal indication that one is seeking donations, without addressing any solicitation to any specific person other than in response to an inquiry by that person;

Aggressive Manner

- (a) Approaching, speaking to or following a person in a manner as would cause a reasonable person to fear bodily harm or the commission of a criminal act upon the person, or upon property in the person’s immediate possession; or
- (b) Touching another person without that person’s consent in the course of asking for alms; or
- (c) Continuing to ask, beg, or solicit alms from a person after the person has made a negative response; or
- (d) Following the person solicited before, after or while asking, begging or soliciting alms; or
- (e) Intentionally blocking or interfering with the safe or free passage of a person or vehicle by any means, including unreasonably causing a person or driver of a vehicle to take evasive action to avoid physical contact; or
- (f) Directing abusive or profane language toward the person solicited, either while asking, begging or soliciting alms, or following a refusal by the person solicited.

Ask, Beg, Or Solicit Alms

Includes the spoken, written, or printed word or such other act conducted for the purpose of obtaining an immediate donation or money or thing of value.

False Or Misleading Manner

Includes, but is not limited to, the asking, begging, or soliciting of alms, including money and other things of value, through utilization of any of the following representations:

- (a) Stating or expressing that the donation is needed to meet a specific need, when the solicitor already has sufficient funds to meet that need and does not disclose the fact; or
- (b) Stating the fact that the solicitor is from out of town and stranded, when that is not true; or
- (c) Wearing or displaying an indication of physical disability, when the solicitor does not suffer the disability indicated; or
- (d) Use of any makeup or device to simulate deformity.

Recklessly Includes

When the person is aware of and consciously disregards a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that disregarding it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.

Sec. 16-148 - Unlawful Aggressive or Hazardous Activity

It shall be unlawful for any person to engage in one or more of the following activities:

- (a) Recklessly approaching, speaking to, or following a person in a manner which would cause a reasonable person to fear bodily harm.

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- (b) Recklessly approaching, speaking to, or following a person in a manner which would cause a reasonable person to fear the commission of a criminal act upon such person's property.
- (c) Touching another person without that person's consent.
- (d) Recklessly blocking or interfering with the safe passage of a person or vehicle in a way likely to cause bodily harm or property damage.
- (e) Directing abusive or profane language toward any person.

Sec. 16-149 - Prohibited Conduct

In addition to the conduct prescribed in Sec. 16-148,

- a. No person may ask, beg or solicit alms, including money and other things of value, in an aggressive manner in any place open to the general public, including, but not limited to, sidewalks, streets, alleys, driveways, parking lots, parks, plazas, buildings, doorways and entrances to buildings, and gasoline service stations, automated teller machines (ATM) and the grounds enclosing buildings.
- b. No person may ask, beg, or solicit alms, including money and other things of value, in a false or misleading manner.
- c. No person may solicit money or other things of value within any public transportation vehicle, or within twenty-five (25) feet of any bus stop, taxi stand, rapid transit stop, or the entrance to, or exit from, any public transit facility.
- d. No person may solicit money or other things of value on private property if the owner, tenant, or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not permitted on the property.
- e. No person may ask, beg, or solicit alms from any operator or occupant of a motor vehicle that is in traffic on a public street.

Sec. 16-150 – Interpretation of Provisions

No provision of this chapter shall be interpreted or construed to prohibit speech, expression or conduct protected by the laws or Constitution of the State of Connecticut.

Sec. 16-151 – Penalties for Violations

Upon a finding that a person is in violation of any provision of this ordinance, a fine of ninety-nine (\$99.00) dollars per offense shall be imposed.

Alderman Christopher Polkowski

Ald. Polkowski moved to accept and adopt, seconded by Ald. Salvio. Roll Call Vote – 10 in favor, 5 opposed. IN FAVOR: Ald. Giantonio, Smedley, Carlozzi, Collins, Naples, Pabon, Polkowski, Rosado, Salvio and Salerno. OPPOSED: Ald. Black, Davis, Hargraves, Sanchez and Sanders. Approved April 28, 2016 by Mayor Erin E. Stewart.

There being no further business to come before the Council, Ald. Giantonio moved to adjourn, seconded by Ald. Salerno. So voted. Meeting adjourned at 8:47 p.m.

ATTEST: Mark H. Bernacki, City Clerk