

January 27, 2016

## REGULAR MEETING OF THE COMMON COUNCIL

**JANUARY 27, 2016**

The Regular Meeting of the Common Council was called to order by Mayor Erin E. Stewart at 7:36 p.m. on Wednesday, the 27th day of January 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, at the start of this New Year, when thoughts turn again to new beginnings, give us the patience to await the rebirth of Your harvest. Soon the snow will disappear, the snow blowers put away, buds will populate our trees, seedlings will grow, Bees from New Britain will pollinate New Britain Stadium, and we will realize the hopes, dreams and opportunities for starting afresh, strong in our resolve to face the challenges and uncertainties of our future. Turn these challenges into strengths and empower our faith to serve others through Your presence. We ask this in Thy name. Amen.

The pledge to the flag was led by Catherine Cheney.

A point of personal privilege was granted to Ald. Davis who gave a "shout out" to Mr. Carey's 6th Grade Social Studies Class.

A point of personal privilege was also granted to Ald. Giantonio who noted that there will be a New Britain High School Baseball Social at the VFW on Friday, Jan. 29th at 6:00 p.m. – he urged everyone to attend.

Ald. Giantonio moved to amend the Agenda by adding 33377(4), and 33376-1(5), seconded by Ald. Salerno. Roll call vote – all members voted in favor.

## PETITIONS

**33376 RE: ALD. SALERNO FOR ADOPTING A ZONING MORATORIUM ON THE PERMITTING OF MOTOR VEHICLE DEALERS AND REPAIRERS IN ALL ZONING DISTRICTS FOR ONE YEAR. REFERRED TO CITY PLAN, DEPT. OF LICENSE, PERMITS & INSPECTIONS AND ZONING SUBCOMMITTEE.**

**33378 RE: ALD. SMEDLEY FOR ADDITIONAL STREET LIGHTING ON COMMONWEALTH AVE BETWEEN #11 – 29. REFERRED TO THE DEPT. OF PUBLIC WORKS.**

Ald. Giantonio moved to Accept and Adopt the Consent Agenda, seconded by Ald. Salerno. Roll call vote – all members voted in favor. Approved January 28, 2016 by Mayor Erin E. Stewart.

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## CONSENT AGENDA

### CITY CLERK

**33368 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

- Casanova, Michael by Atty. Kenworthy
- Currea, Lillian

Mark H. Bernacki  
City Clerk

### OFFICE OF THE CORPORATION COUNSEL

**33369 RE: AMADA VILLANUEVA V. CITY OF NEW BRITAIN**

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

RESOLVED, By the Common Council of the City of New Britain that the sum of FIVE THOUSAND DOLLARS (\$5,000.00) be paid to Amada Villanueva and the Law Firm of Spinella & Associates, her attorneys, in full settlement of her suit against the City of New Britain, et al, now pending in the New Britain Superior Court, New Britain, Connecticut. The plaintiff had alleged that on August 28, 2009, at approximately 3:00 pm, the plaintiff was crossing Corbin Avenue, north of its intersection with Clinton Street. The plaintiff-pedestrian was struck by an automobile while attempting to cross the street. Plaintiff alleged that the incident occurred because of the City of New Britain's negligence and carelessness of improper maintenance of the intersection, signals and crosswalks and also as a result of the City violating its statutory requirements. As a result of the incident, plaintiff alleged to have suffered physical injuries including leg fractures, loss of vision and hearing, cranial and spinal injury, traumatic brain injury, multiple contusions, sprains and other injuries confining the plaintiff to the hospital, rehabilitation center and then to her home. In medical specials, the plaintiff has incurred \$145,253.55. The majority of the medical specials are for St. Francis Hospital (\$94,832) and for Mount Sinai Rehabilitation Center (\$47,006). The current settlement recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after settlement negotiations between City Attorney Irena J. Urbaniak and Attorney Paul Spinella and the Honorable Judge Abrams, with the approval and consent of Gennaro Bizzarro, Esq.

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

Irena J. Urbaniak  
City Attorney

### PURCHSING DEPARTMENT

**33370 RE: MISCELLANEOUS RENOVATIONS AND FINISH UPGRADES AT NEW BRITAIN STADIUM**

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. 3851 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Miscellaneous Renovations and Finish Upgrades at New Britain Stadium for the Parks, Recreation and Community Services Department. Funding for this purchase was approved by the

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Common Council, Resolution #33146-1, on June 10, 2015. Funding is available for this purchase within the Parks, Recreation and Community Services Department's, account number,0083314601-5454, New Britain Stadium Renovations, Construction 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 thirty-one (31) Building Contractors. The Purchasing Agent did not receive any letters from the Building Contractors on the mailing list indicating that 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 to specifications by the Director of the Parks, Recreation and Community Services Department, the City's On-call Engineering Company associated with this project and the Purchasing Agent. Therefore the Director of the Parks, Recreation and Community Services Department is recommending that the bid be awarded for the base bid and bid Alternate 1 and bid Alternate 2 to Scholar Painting, LLC of Seymour, CT who submitted the lowest responsible bid and met all of the bid specifications for the Miscellaneous Renovations and Finish Upgrades at New Britain Stadium.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a purchase order for the base bid and bid Alternate 1 and bid Alternate 2 for a total price of \$268,000.00 and enter into a contract for the Miscellaneous Renovations and Finish Upgrades at New Britain Stadium with Scholar Painting, LLC of Seymour, CT per the terms and specifications of Public Bid No. 3851.

Jack Pieper  
Purchasing Agent

**33371 RE: TASERS AND TASER CARTRIDGES FOR THE POLICE DEPARTMENT**

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested by the New Britain Police Department for the purchase of Tasers and Taser Cartridges.

<u>Supplier</u>	<u>Need Supplies</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Taser International	Tasers w/Warranty	20	\$1,230.31	\$24,606.20
Scottsdale, AZ.	Taser Cartridges	250	\$28.65	\$7,162.50
			Total Cost:	\$31,768.70

The New Britain Police Department has requested the purchase of twenty (20) Tasers, each with an extended 4 year warranty, and Taser Cartridges. Taser International is the manufacturer of the Tasers and Taser Cartridges. They no longer have a dealer in the State of Connecticut where their products can be purchased. All purchases for the Tasers and Taser Cartridges must be made directly from Taser International. The Purchasing Agent verified this and has been in contact with Taser International. Therefore bid solicitation for the purchase of the Tasers and Taser Cartridges would not be beneficial to the City. Funding is available for this purchase in the Police Department's account numbers 001211015-5614, Ammunitions and Explosives.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$31,768.70 to Taser International of Scottsdale, AZ for the purchase of Tasers and Taser Cartridges for the New Britain Police Department.

Jack Pieper  
Purchasing Agent

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**TAX DEPARTMENT**

**33372 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

**NEW BUSINESS**

**RESOLUTIONS**

**33373 RE: SMART CITY INITIATIVE**

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, Mayor Erin E. Stewart, has launched a SMART City initiative where the city uses information and communication technologies to enhance quality, performance, and interaction with urban services to reduce costs and resource consumption and to improve contact between citizens and government; and

WHEREAS, the City of New Britain will endeavor to achieve its goals with the help of the Mayor's Energy and Innovation Committee; and

WHEREAS, the City of New Britain will seek to utilize the ideas such as conservation of energy in municipal buildings, the utilization of SMART technology to manage and control energy usage including the retrofitting of street light systems, and utilizing fuel cell technology among many other initiatives that will be set by the committee.

NOW THEREFORE BE IT RESOLVED, that Mayor Erin E. Stewart and the Common Council of the City of New Britain are committed to creating a new and improved "Hardware City" that will seek to reduce the city's carbon footprint and enable citizens to be energy conscious for generations to come.

Alderman Jamie Giantonio  
Alderman Robert Smedley  
Alderman Daniel Salerno  
Alderman Christopher Polkowski

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

**33374 RE: BUDGET TRANSFER - \$13,455 – MEMORIAL DAY PARADE 2016**

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:

Overview: Every year the City of New Britain has a Memorial Day Parade and money is budgeted in the Parks, Recreation and Community Services Department to fund this festivity. In the FY 16, due to the current economic situation of the City, this line item was not funded. This resolution is to fund the FY 16 Memorial Day Parade for the City of New Britain.

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Whereas, the Parks, Recreation and Community Services Department at the City of New Britain is responsible for making all the arrangements for the Memorial Day Parade. The Department is requesting \$13,455 in order to pay for the Memorial Day Parade bands and entertainment, and

Whereas, there are monies available for this purpose under the City's Contingency account, Therefore, Be it

Resolved, that the FY 2015-2016 General Fund Budget be transferred for this purpose as follows:

Decrease

Expenditure:

001625101-5871	Admin & Contingency - Contingency	\$	13,455
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Increase

Expenditure:

001420001-5124	Recreation Programs – Part Time Staff	\$	600
001420001-5440	Recreation Programs – Rentals/Supplies	\$	7,855
001420001-5550	Recreation Programs – Advertising	\$	1,000
001420001-5659	Recreation Programs – Operating Materials & Supplies	\$	4,000
	Total	\$	13,455

Alderman Daniel Salerno  
Alderman Shirley Black  
Alderman Don Naples  
Alderman Jerrell Hargraves  
Alderman Lou Salvio

Ald. Salerno moved to accept and adopt, seconded by Ald. Salvio. Roll call vote – all members voted in favor. Approved January 28, 2016 by Mayor Erin E. Stewart.

**33375 RE: EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) – AUTHORIZING THE MAYOR TO ACCEPT CONDITIONS OF ELIGIBILITY**

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 seeking to maintain a uniform policy for the Emergency Management Performance Grant (EMPG) payment; and

WHEREAS; the City of New Britain recognizes that federal constraints will determine funding allocation and such allocations are calculated based on the City's population as a percentage of the total population participating in the program; and

WHEREAS; the City of New Britain recognizes that the purpose of the EMPG program is to provide financial assistance to develop and to staff a comprehensive, all-hazard emergency management program; and

WHEREAS; the City of New Britain recognizes that it is required to meet the program's performance requirements which includes NIMS compliance to maintain eligibility within the program; and

WHEREAS; the City of New Britain recognizes that the program is performance oriented and acknowledges its requirement to demonstrate its commitment to building and improving the City's ability to respond to all-hazard emergencies and coordinating multi-agency emergency responses; and

WHEREAS; the City of New Britain recognizes that acceptance of an award under this program constitutes a legally binding agreement to comply with all relevant and applicable Federal and State regulations and conditions; NOW, THEREFORE, BE IT

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RESOLVED: that Mayor Erin E. Stewart, is hereby authorized on behalf of the City of New Britain to accept the EMPG program conditions of eligibility for Federal Fiscal Year (FFY) 2015 beginning October 1<sup>st</sup> 2015 and to execute any and all documents necessary for the City to receive such grant funds.

Alderman Jamie Giantonio  
Alderman Carlo Carlozzi, Jr.  
Alderman Tremell Collins  
Alderman Daniel Salerno

Ald. Collins moved to accept and adopt, seconded by Ald. Giantonio. So voted. Approved January 28, 2016 by Mayor Erin E. Stewart.

**33377 RE: FEASIBILITY STUDY FOR REDUCING THE NUMBER OF POLLING PLACES IN THE CITY OF 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, New Britain has seventeen polling places; and,

WHEREAS, the cost of running these seventeen polling places is approximately \$60,000 per election; and,

WHEREAS, the number of poll workers needing to be hired is at or near 210 per election; and,

WHEREAS, some polling places have under-utilized capacity due to consistent low voter turnout; and,

WHEREAS, during the post-census redistricting in 2012 many towns in Connecticut reduced their number of polling places with minimal voter disruption; and,

WHEREAS, New Britain might derive fiscal savings from a careful review of the number of polling places and personnel needed to run elections;

NOW, THEREFORE, BE IT RESOLVED, the Common Council requests the Registrars of Voters office to complete a feasibility study, within 60 days, for responsibly reducing the number of polling places in the city, so as to promote greater efficiencies in the operations of running elections, with a focus on maximizing polling place utilization where possible and with a minimum of voter disruption.

Alderman Jamie Giantonio  
Alderman Daniel Salerno

Ald. Giantonio moved to accept and adopt, seconded by Ald. Davis. Resolution adopted with Ald. Black opposed. Approved January 28, 2016 by Mayor Erin E. Stewart.

**33376-1 RE: ZONING MORATORIUM: MOTOR VEHICLE REPAIRER/DEALER LICENSES**

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

WHEREAS, in recent years there has been a proliferation of motor vehicle dealers' and motor vehicle repairers' licenses being sought for various locations throughout the City, and

WHEREAS, in a number of situations, the operations of motor vehicle dealers and repairers have resulted in adverse impacts to surrounding neighborhoods and business areas, including negative effects

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to the visual appearance and character of the area, to traffic safety, parking availability, noise levels, property values and compatibility with residential land uses, and

WHEREAS, under Article IV, Sec. 4.3 of the City Charter, the Common Council is entrusted with the duty to serve as the Zoning Authority of the City of New Britain and to exercise all the powers and duties pertaining to zoning enumerated under the Connecticut General Statutes, including the consideration and granting of Department of Motor Vehicle certificates of location approval for motor vehicle dealers and repairers, and

WHEREAS, a sufficient period of time is needed in order to conduct a thorough study of these businesses and their effects and to develop and adopt new zoning controls, City ordinances, regulations and procedures as may be found appropriate to minimize and mitigate the adverse effects noted, and

WHEREAS, a zoning moratorium is a legally recognized and commonly employed measure for municipalities to use in affording themselves time to study and assess the various issues related to these types of land uses and to develop and adopt the zoning controls, City ordinances, regulations and procedures, etc., deemed appropriate;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of New Britain does hereby adopt Petition #33376, and enact a zoning moratorium on the permitting of motor vehicle dealers and repairers in all zoning districts, for a period of one year from the effective date of adoption, subject to the exemptions enumerated therein.

Alderman Daniel Salerno  
Common Council Liaison  
City Plan Commission

Ald. Salerno moved to accept and refer to the Zoning Committee, seconded by Ald. Giantonio. So voted. Approved January 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. Collins. So voted. Meeting adjourned at 7:58 p.m.

ATTEST: Mark H. Bernacki, City Clerk