

July 13, 2016

**REGULAR MEETING OF THE COMMON COUNCIL
JULY 13, 2016**

Mayor Erin E. Stewart called the Regular Meeting of the Common Council to order at 7:43 p.m. on Wednesday, the 13th day of July 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, you created us in your likeness. We are all one family – brothers and sisters. No one amongst us is better or placed above anyone. You are our true inspiration. You have taught us that all life is precious and meaningful. Throughout history you have helped us fight against evil and have inspired many to shield, serve and protect us as your guardian angels. New Britain is blessed with a compassionate community and a caring, dedicated police force. Instill in us love not hate; compassion not envy; hard work not sloth; understanding not animosity. Purge hatred from our souls and bring unity and serenity to our nation. Enrich our community with common goals. Give us purpose and enforce our values to follow your teachings. Look for the goodness in all and protect us from the temptations of darkness. We ask this in Thy name. Amen.

The pledge to the flag was led by Mayor Stewart.

Mayor Stewart announced that tonight the Annual Chairpersons Meeting was held and she recognized several chairpersons of City Commissions and thanked them for their service.

Mayor Stewart also recognized Ariel Lago, an employee of the Building Department, who recently was named Housing Inspector of the Year by the Connecticut Association of Housing Code Officials.

Ald. Giantonio moved to accept and adopt the minutes of the Special Meeting of June 2, 2016, seconded by Ald. Carlozzi. So voted.

Ald. Giantonio moved to amend the agenda by deleting items O and 3, by adding 33561(9), and by moving 33546(B) to the end of the agenda. Motion seconded by Ald. Sanders. Roll call vote – all members voted in favor.

PETITIONS

- 33562 RE: ALD. GIANTONIO FOR GRANTING A CERTIFICATE OF LOCATION APPROVAL TO JUSTIN ROSSITTO OF ROSSITTO WELDING INC. FOR PROPERTY AT 395 ALLEN ST. REFERRED TO CITY PLAN COMMISSION AND THE ZONING COMMITTEE.**
- 33563 RE: ALD. SALERNO FOR A TRAFFIC STUDY TO ADD A CROSSWALK AROUND THE CENTER OF VETERANS DRIVE. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**
- 33564 RE: ALD. POLKOWSKI FOR A TRAFFIC STUDY AT THE INTERSECTION OF GREENWOOD AND MONROE STREETS. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**

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Ald. Giantonio moved to accept and adopt the Consent Agenda, seconded by Ald. Sanders. Roll call vote- all members voted in favor. Approved July 15, 2016 by Mayor Erin E. Stewart.

CONSENT AGENDA

CITY CLERK

33545 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

- Palar, Maria by Atty. Adrian Mark Baron
- Rodriguez, Jaylani ppa Angel Rodriguez by Atty. Kerry Robair

Mark H. Bernacki
City Clerk

PURCHASING DEPARTMENT

33547 RE: BID THRESHOLD ITEMS

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 the New Britain Code of Ordinances, Section 2-566, a monthly report of purchases between \$500 and \$7,500 shall be provided to the Common Council. The report shall include a detailed description of items or services purchased, name of vendor, owner of business and dollar amount spent on each individual purchase as well as the aggregate total of spend to date for the fiscal year.

The Finance Department, Purchasing Division has provided an electronic list of monthly purchases. This document is available in the Council office for review by Council members.

Acceptance and adoption is respectfully requested.

Jack Pieper
Purchasing Agent

33548 RE: REPAIR OF DAMAGE TO LADDER 1 FIRE TRUCK

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 2-541(a), a purchase order was requested by the New Britain Fire Department for Body Repairs of the Department's Ladder 1 Fire Truck.

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
New England Fire Equipment and Apparatus North Haven, CT	Repair Body Damage	\$ 28,795.05

The New Britain Fire Department requested the Repair of Body Damage to their Ladder 1 Fire Truck. The Fire Truck was damaged on December 15, 2015. The damage was incurred at the Harvard Street fuel pumps. As Ladder 1 was pulling away from the fuel pumps after being refueling, the Fire Truck struck the protective bollard near the fuel pumps causing damage to the mid-point of the fire apparatus.

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The fire apparatus is functional with some minor limitations. The Fire Truck needs to be repaired to allow it to effectively respond to emergencies in order to provide protection to the residents of the City and to protect the City's asset. The repair work will be performed by New England Fire Equipment and Apparatus due to the nature and complexity of the type of body repairs needed. New England Fire Equipment and Apparatus is also the sole source vendor in the State of Connecticut for the Smeal fire apparatus on the Fire Truck. They were also the vendor the fire apparatus was purchased from. The total cost of the body repairs to fix the damage is \$28,795.05. Funding from appropriate budget accounts was not available until the new FY 2016-17 budget was in place. Funding is available for the body repairs in the General Liability and Risk Management's account number 704625102-5244, Property Damages, Fire.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$28,795.05 to New England Fire Equipment and Apparatus of North Haven, CT for the body repairs to Ladder 1 Fire Truck for the New Britain Fire Department.

Jack Pieper
Purchasing Agent

33550 RE: COOPERATIVE PURCHASING – NEW COMMERCIAL MOWER FOR THE PARKS AND RECREATION DEPT. – STANLEY GOLF COURSE

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 Parks, Recreation and Community Services Department, Stanley Golf Course.

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
Turf Products Corporation Enfield, CT.	Toro Greensmaster 4500-D Mower	\$55,010.00
	Trade in of an Existing Mower	(\$10,010.00)
	Total Price	\$45,000.00

The Parks, Recreation and Community Services Department, Stanley Golf Course requested the purchase of a new Toro Greensmaster Mower utilizing the State of Connecticut's Contract Award #13PSX0321. The new Toro Greensmaster Mower will replace an existing Commercial Mower that the Stanley Golf Course has been utilizing since 2008 to cut the grass on the golf course greens during the golfing season. The existing Commercial Mower has been breaking down often. Because this mower is old parts are now becoming harder to find and some are obsolete. The new Commercial Mower will have five (5) mower decks instead of three (3) mower decks that the old Commercial Mower has. This will enable the Golf Course personnel to cut the grass at the Golf Course quicker and use less fuel in the process saving them money. Funding is available for this purchase in the Parks, Recreation and Community Services Department, Stanley Golf Course's account number 201420101-5740, Stanley Golf Course, Other Miscellaneous Equipment.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$45,000.00 to Turf Products Corporation of Enfield, CT for the purchase of a new Toro Greensmaster 4500-D Mower for the Parks, Recreation and Community Services Department, Stanley Golf Course utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #13PSX0321.

Jack Pieper
Purchasing Agent

33551 RE: COOPERATIVE PURCHASING – SERVICES FOR MILLING AND PAVING OF VARIOUS CITY STREETS FOR THE PUBLIC WORKS DEPARTMENT

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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) and (b), purchase orders were requested by the Public Works Department for the following under the State of Connecticut's Cooperative Purchasing Plan:

<u>Supplier</u>	<u>Item</u>	<u>Price</u>
Garrity Asphalt Reclaiming Inc Bloomfield, CT	Milling of Bituminous Concrete	\$160,569.00
Tilcon Connecticut, Inc. New Britain, CT	Bituminous Concrete Materials and Installation of them	\$815,613.00
	Total Price	\$976,182.00

The Public Works Department has requested the purchase of services for the Milling and Paving of Various City Streets utilizing the State of Connecticut's Contract Awards #14PSX0218 for the Milling of Bituminous Concrete on various City Streets and #15PSX0228 for Bituminous Concrete Materials and the Installation of them. Garrity Asphalt Reclaiming Inc has provided the Milling of Bituminous Concrete and Tilcon Connecticut, Inc has provided the Bituminous Concrete Material and the installation of it in the past to the City under the State of Connecticut's Cooperative Purchasing Plans. Funding for these purchases are within the following Public Works Department's account numbers, 2131500117-52080, LOCIP FY 2017 Street Infrastructure for \$208,987.00 and 001315008-5454 Town Aid Road for \$767,195.00 for a total of \$976,182.00

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$160,569 to Garrity Asphalt Reclaiming, Inc. of Bloomfield, CT for the Milling of Bituminous Concrete of various City Streets utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #14PSX0218 and to issue a purchase order for \$815,613 to Tilcon Connecticut, Inc. of New Britain, CT for the purchase of Bituminous Concrete Materials and Installation of them onto various City Streets utilizing the State of Connecticut's Cooperative Purchasing Plan 15PSX0228.

Jack Pieper
Purchasing Agent

33552 RE: ANNUAL SOFTWARE LICENSE RENEWAL FOR NEW BRITAIN INFORMATION TECHNOLOGY DEPARTMENT

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-541, purchase orders were requested by the Information Technology Department for the annual renewal of their Environmental Systems Research Institute, Inc. (ESRI) Geographic Information System Software Enterprise Level Agreement for a three (3) year period.

<u>Supplier</u>	<u>Service</u>	<u>Annual Price</u>	<u>Years</u>	<u>Total Amount</u>
Environmental Systems Research Institute, Inc. Redlands, CA	Annual Software License Renewal	\$50,000.00	3	\$150,000.00

The Information Technology Department has requested a three (3) year license renewal of their ESRI, Geographic Information System Software (GIS). GIS is a system of hardware and software used for storage, retrieval, mapping and analysis of geographic data. ESRI Software is the mechanism to capture and store all geographical information utilized by the City Public Services and Safety Departments. It is the tool used to aid in analysis, assessment, routing, planning, and documenting all of geographic information as it pertains to the City of New Britain and its surrounding properties. ESRI is the premier defacto software company with no dealers or resellers. The initial data capture investment using the ESRI software was high in man hours and change to the software would negate years of work

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building the database to its current useable status. Therefore it would be impossible to find another source or supplier to provide a competitive bid for the annual license renewal. In addition, this Municipal Enterprise Level Agreement for populations 50,000 – 100,000 and other size municipalities is on State of Connecticut Contract 03ITZ0003MA. Funding for this Annual ESRI Software License Renewal is available in the Information Technology Department's account number 001107006-5434, Maintenance Contracts.

RESOLVED: The Purchasing Agent is hereby authorized to issue a purchase order for \$50,000.00 annually for the next three (3) years to Environmental Systems Research Institute, Inc. of Redlands, CA for the Annual GIS Software License Renewal for the Information Technology Department.

Jack Pieper
Purchasing Agent

33553 RE: CONSULTATION SERVICES FOR NEW BRITAIN 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 Policy and Procedure Management Consultation Service from Daigle Law Group, LLC.

<u>Supplier</u>	<u>Need Supplies</u>	<u>Total Price</u>
Daigle Law Group, LLC Southington, CT	Policy and Procedure Management Software And Technical Support	\$50,000.00

The New Britain Police Department has requested the purchase of Policy and Procedure Management Consultation Service and a technical support service package from Daigle Law Group, LLC (DLG), a sole source provider. This service specializes in police practices consultation with emphasis on policies, operations and investigations. DLG focuses on police best practices through policy development and training while working toward State accreditation. This service provides two (2) years of support. DLG is currently working with the Yale University PD, New Milford PD, Middletown PD and the Westport PD, all in Connecticut. Funding for this Policy and Procedure Management Consultation Service and technical support service package is available in the Police Department's Federal Asset Forfeiture account #289211128-5659.

BE IT RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$50,000.00 to Daigle Law Group, LLC, of Southington, CT, for the Policy and Procedure Management Consultation Service and a technical support service package for the New Britain Police Department.

Jack Pieper
Purchasing Agent

TAX DEPARTMENT

33554 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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COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

33517-1 RE: PROPOSED AMENDMENT TO SEC. 2-21(A) AND 2-22(A) OF THE ORDINANCES – COMMENCING OF REGULAR MEETINGS OF THE COMMON COUNCIL AND PUBLIC PARTICIPATION SESSIONS

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

The Committee on Administration, Finance and Law at a regular meeting and public hearing held on Tuesday evening, July 6, 2016, at 7:00 PM in Council Chambers, to which was referred the matter of resolution #33517 – proposed amendment to the Code of Ordinances Sec. 2-21(a) and 2-22(a), regarding the commencing of regular meetings of the Common Council and public participation sessions, voted to accept as amended and recommend that the following amended resolution be referred back to the Common Council with a favorable recommendation.

Alderman Robert Smedley
Chair

33538-1 RE: PROPOSED AMENDMENT TO THE RULES OF THE CIVIL SERVICE COMMISSION

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

The Committee on Administration, Finance and Law at a regular meeting and public hearing held on Tuesday evening, July 6, 2016, at 7:00 PM in Council Chambers, to which was referred the matter of resolution #33538 – proposed amendment to the rules of the Civil Service Commission, voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Robert Smedley
Chair

CLAIMS COMMITTEE

33555 RE: SETTLEMENT OF CLAIMS: PAUL S. CALAFIORE, NATIONWIDE PROPERTY & CASUALTY INSURANCE, LILLIAN ORTIZ

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

The Standing Claims Subcommittee of the Committee on Administration, Finance and Law at a meeting held on Wednesday evening, July 6, 2016, at 6:00 PM in Room 201, City Hall, having held public hearings and made investigations of said claims, respectfully begs leave to recommend the following:

RESOLVED; that the sum of \$20,000.00 be paid to Paul S. Calafiore of 5 Paper Chase Drive, Farmington, Conn., in full settlement of his claim of property damages sustained as a result of a sewer main collapse on November 24, 2015; and

BE IT FURTHER RESOLVED; that Nationwide Property & Casualty Insurance be given leave to withdraw its claim for subrogation for property damages as a result of a motor vehicle accident involving its insured Jessica Robert which occurred on December 5, 2015 at the intersection of Pinehurst Street and Slater Road; and

BE IT FURTHER RESOLVED; that Lillian Ortiz be given leave to withdraw her May 5, 2015 claim for personal injuries.

Alderman Don Naples
Chair

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REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

PURCHASING DEPARTMENT

33549 RE: SALE OF SURPLUS AND UNREPAIRABLE CITY 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 was provided by Gov-Deals at no charge to the City. Gov-Deals provides 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.

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 vehicle for the month of June 2016 is attached and 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 during June of 2016 was \$5,891.89.

Jack Pieper
Purchasing Agent

Ald. Carlozzi moved to accept, seconded by Ald. Giantonio. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

OFFICE OF THE MAYOR

33373-1 RE: SMART CITY – ENERGY INNOVATIONS REPORT

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

The City of New Britain is a SMART City. This initiative was launched in the winter of 2016 along with a Mayor's Energy and Innovation Committee. What is a SMART city? A Smart 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.

This report details current and future projects as well as a direction for the city to follow.

Mayor Erin E. Stewart

Ald. Giantonio moved to accept and adopt, seconded by Ald. Salerno.

Ald. Giantonio moved suspend the rules in order to allow the committee to present their Energy Innovations Report, seconded by Ald. Salerno. So voted.

Before presenting the report Mayor Stewart took a moment to introduce the members of the committee: Jodi Latina, Billy Carroll, Tim Stewart, Jim Adams, Kim Villanti, Ald. Smedley, Mark Moriarty, Mike Cassella and Adam Pokorski.

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At the conclusion of the presentation, Ald. Giantonio moved the Council return to regular order at 8:18 p.m., seconded by Ald. Salerno. So voted. Motion to accept and adopt carried by voice vote. Approved July 15, 2016 by Mayor Erin E. Stewart.

RESOLUTION RETURNED FROM COMMITTEE

33517-2 RE: AMENDMENT TO SEC. 2-21(A) AND 2-22(A) OF THE ORDINANCES – COMMENCING OF REGULAR MEETINGS OF THE COMMON COUNCIL AND PUBLIC PARTICIPATION SESSIONS

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:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Chapter 2, Section 2-21(a) and 2-22 (a) of the Code of Ordinances City of New Britain, be amended as follows: (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

Sec. 2-21. - Common council meetings.

- (a) Regular meetings of the eCommon eCouncil for the transaction of all legal business shall be held on the second and fourth Wednesday of each month, except in the months of July, August, November and December there shall be only one meeting held on the second Wednesday of the month. All stated regular meetings of the eCommon eCouncil shall commence at ~~7:30~~ ~~7:00~~ 7:05 p.m.
- (b) Notwithstanding subsection (a). In odd numbered years, the regular meeting of the eCommon eCouncil for the month of November shall be held on the first Wednesday following the date on which newly elected officials take office. At such meeting, before any other business is considered, the eCommon eCouncil shall elect a president pro tempore (who shall be sworn-in accordingly), announce the persons selected by each political caucus to be such caucus' leaders, appoint a clerk of committees (who shall be sworn-in accordingly), adopt the standing rules of the eCommon eCouncil, appoint eCommon eCouncil committees, and appoint eCommon eCouncil liaisons.

Sec. 2-22. - Public participation sessions and conduct during council meetings.

- (a) There shall be public participation sessions held ~~prior to~~ ~~at the beginning of~~ ~~prior to~~ each special and regular eCommon eCouncil meeting commencing at the posted start time of a special meeting and 7:00 p.m. for a regular meeting. During public participation sessions, members of the public shall be afforded the opportunity to address the members of the eCommon eCouncil on any matters concerning the operations of city government as well as on matters on the agenda of the meeting. The presiding officer shall call three (3) times for any additional speakers prior to closing any public participation session. Public comment shall be limited to no less than three (3) minutes per speaker, per meeting.
- (b) Council meetings, special or regular, must be attended by the respective department heads, or their designee, who will respond to any questions by members of the body concerning the operation of their respective department. Individuals who insist on making slanderous remarks, in engaging in or behaving in a disruptive, disorderly or discourteous manner will not be allowed to continue in attendance at such a meeting. If such behavior cannot be contained, the meeting for that date will be terminated. No placards, slogans or banners shall be allowed into the eCouncil chambers at such a meeting or public participation session.

Alderman Jamie Giantonio

Ald. Giantonio moved to accept and adopt, seconded by Ald.Salerno. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

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33538-2 RE: AMENDMENT TO RULES OF THE CIVIL SERVICE COMMISSION

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 approve amendments to the Rules of the Civil Service Commission.

WHEREAS, The Civil Service Commission of the City of New Britain has adopted Merit Rules, known as the Rules of the Civil Service Commission; and

WHEREAS, the Merit Rules have been updated on a number of occasions; and

WHEREAS, the Civil Service Commission has been working to update the Merit Rules to address issues which have arisen related to the hiring process; and

WHEREAS, Rule 1(B) of the Rules of the Civil Service Commission requires approval by the Common Council of any amendments to the Rules of the Civil Service Commission; and

WHEREAS, the Civil Service Commission held a Public Hearing on these changes and approved these amendments on May 2, 2016; and

BE IT RESOLVED that the Common Council of the City of New Britain approve the attached amendments to the Rules of the Civil Service Commission. Attachment on file in Town Clerk's Office.

Alderman Carlo Carlozzi, Jr.
Alderman Kristian Rosado
Alderman Louis Salvio
Alderman Emmanuel Sanchez

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Rosado. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

NEW BUSINESS

RESOLUTIONS

33556 RE: ADOPTING THE FORMER CENTRAL CONNECTICUT REGIONAL PLANNING AREA (CCRPA) MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, 2016-2021 UPDATE

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 has historically experienced damage from natural hazards and it continues to be vulnerable to the effects of those natural hazards profiled in the plan (i.e. dam failure, drought, earthquakes, flooding, hurricanes, ice jams, severe winter storms, thunderstorms, tornadoes, and wildfires) resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS the City of New Britain has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its hazard mitigation plan update entitled Hazard Mitigation Plan Update for the Former Central Connecticut Region, 2016-2021 Update under the requirements of 44 CFR 201.6; and

WHEREAS, public and committee meetings were held between September 2013 and July 2015 regarding the development and review of the Plan; and

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WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedures for the City of New Britain; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the City of New Britain, with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the City of New Britain eligible for funding to alleviate the impacts of future hazards; and

THEREFORE BE IT RESOLVED by the City of New Britain Common Council:

1. The Plan is hereby adopted as an official plan of the City of New Britain;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as part of this resolution for a period of five (5) years from the date of this resolution;
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Common Council by the City Engineer.

In accordance with Section 4-1 of the City Charter, the City of New Britain Common Council hereby adopts the Hazard Mitigation Plan Update for the Former Central Connecticut Region, 2016-2021 Update.

ADOPTED by a vote of _____ in favor, _____ against, and _____ abstaining this _____ day of _____, 2016.

Alderman Don Naples
Alderman Jim Sanders, Jr.

Ald. Naples moved to accept and adopt, seconded by Ald. Polkowski. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

33557 RE: BUDGET TRANSFER AND BUDGET AMENDMENT – PRESERVATION OF PLACE (POP) GRANT

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 has applied to CT Main Street Center for a Preservation of Place (POP) grant to determine the feasibility of creating a Tax Increment Financing (TIF) District in Downtown New Britain. The City has been awarded a \$10,000 grant to complete this project, and

Whereas, the \$10,000 will be used to hire outside consultants and attorneys to determine if the City is a candidate for this type of zone to attract developers to the Downtown, and

Whereas, the grant award period ends September 30, 2016, and

Whereas, the City will match this \$10,000 grant, of which, \$7,500 will come from the City and \$2,500 will come from the Downtown District, and

Therefore, Be It Resolved, that a budget transfer of \$7,500 be made within the FY 2016-2017 General Fund Budget as outlined below:

<u>Decrease Expenditures:</u>	<u>Account #</u>	<u>Original Budget</u>	<u>(Decrease)/ Increase</u>	<u>Amended Budget</u>
Town Aid Road – Construction Contracts	001315008-5454	\$770,020	(\$2,825)	\$767,195
Employee Benefits - Professional Services	001627001-5331	\$10,000	<u>(\$4,675)</u>	\$5,325
Total			<u>(\$7,500)</u>	

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Increase Expenditure:

Economic Development – Grants/Contributions	001105002-5811	\$	0	\$7,500	\$7,500
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Therefore, Be It Further Resolved, that a budget amendment occur within the FY 2016-2017 General Fund budget for the purpose as follows:

<u>Increase Revenue:</u>	<u>Account #</u>	<u>Original Budget</u>	<u>Increase</u>	<u>Amended Budget</u>
Economic Development Grants	001105002-4232	\$ 0	\$10,000	\$10,000
<u>Increase Expenditure:</u> Economic Development Consulting	001105002-5300	\$ 0	\$10,000	\$10,000

President Pro Tempore Jamie Giantonio

Ald. Giantonio moved to accept and adopt, seconded by Ald. Salerno. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

33558 RE: AMERICAN SAVINGS FOUNDATION GRANT - \$30,000 TO FUND “BECOME PALS” PROJECT – NEW BRITAIN POLICE DEPT.

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 American Savings Foundation is an independent charitable foundation, headquartered in New Britain, dedicated to strengthening the community by supporting education, human services, and the arts, with a special emphasis on the needs of children, youth and families, through grants to community organizations, and

WHEREAS, these funds will be used to provide youth in grades six and seven that attend Diloreto Magnet School, an after school program with increased opportunities to build trust in each other and police officers, through positive affirming interaction, thereby benefitting the community, and

WHEREAS, these funds, in the amount of \$30,000 will be used to fund the “Become Pals” project, as set forth in a budget developed by the Supervisor of the New Britain Police Department’s Police Athletic League (PAL), and requires no cash match from the City. The period of the grant is from September 26, 2016 through May 12, 2017, and

THEREFORE BE IT RESOLVED, that Mayor Erin Stewart is authorized to execute all grant documents with the American Savings Foundation on behalf of the City of New Britain for the Police Athletic League’s (PAL) “Become Pals” project in the sum of \$30,000.

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. Smedley moved to accept and adopt, seconded by Ald. Carlozzi. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

33559 RE: APPROVAL OF AMENDMENTS TO THE CHARTER SUBMITTED BY THE CHARTER REVISION COMMISSION

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

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WHEREAS, the Common Council of the City of New Britain passed Resolution 33385 which the creation of a Charter Revision Commission to make recommendations of changes to the City's Charter on February 10, 2016; and

WHEREAS, the Charter Revision Commission, after receiving the task at hand, worked tirelessly for four months doing research, holding public hearings, and making proposed changes to the Charter; and

WHEREAS, the Charter Revision Commission submitted report 33385-1 to the Common Council on June 2, 2016 which included recommendations for changes to the City's Charter; and

WHEREAS, on June 20, 2016 the Common Council of the City of New Britain held a public hearing on the proposed changes to the Charter, now therefore be it

RESOLVED that the amendments to the Charter that are shown in report 33385-1 submitted by the Charter Revision Commission on June 2, 2016 are approved.

Alderman Jamie Giantonio
President Pro-Tempore

Ald. Giantonio moved to accept and adopt, seconded by Ald. Salerno. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

33560 RE: AUTHORIZING THE MAYOR TO NEGOTIATE A SALE PRICE WITH POKO PARTNERS, LLC FOR 125 COLUMBUS BLVD

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, on December 1, 2015, the City of New Britain through its Department of Municipal Development issued a Request for Proposals for the purchase and redevelopment of the 2.26 acre of property located at 125 Columbus Boulevard, New Britain, Connecticut; AND

WHEREAS, this Project is a significant part of the Complete Streets Master Plan for Downtown New Britain, which is intended to create vibrant and attractive pedestrian-friendly communities; AND

WHEREAS, POKO Partners, LLC responded to the Request for Proposals on March 10, 2016 and intends to develop and create Columbus Commons, a two-phase, mixed-use development at 125 Columbus Boulevard; AND

WHEREAS, the anticipated development will include two five story L-shaped mixed-use buildings with approximately 168 residential units with an interior courtyard in addition to commercial, retail and/or office space on the first floor; AND

WHEREAS, the expected total cost of the development project is anticipated to be approximately \$58,000,000.00; AND

WHEREAS, POKO Partners, LLC has developed a number of properties in New York and Connecticut involving approximately one thousand (1000) new residential units; now therefore, be it

RESOLVED, that POKO Partners, LLC is hereby designated as the developer of the property located at 125 Columbus Boulevard and further that Erin E. Stewart, Mayor, is authorized to negotiate a sale price for the property and to execute any and all documents necessary for the development agreement and conveyance of the property.

Alderman Jamie Giantonio

Ald. Giantonio moved to accept and adopt, seconded by Ald. Salerno. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

July 13, 2016

33561 RE: DOZYNKI FESTIVAL 8/27/16 – 8/28/16

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and is hereby authorized to issue to the Polish Council of Greater New Britain, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22, of the Code of Ordinances for Saturday, August 27, 2016, and Sunday, August 28, 2016, for the purpose of conducting the Annual "Dozynki" Festival at the Polish Falcon "Polanka" Field on Farmington Avenue, New Britain, Connecticut.

Alderman Christopher Polkowski

Ald. Polkowski moved to accept and refer to the License Committee, seconded by Ald. Giantonio. So voted. Approved July 15, 2016 by Mayor Erin E. Stewart.

OFFICE OF THE CORPORATION COUNSEL

33546 RE: SPRINGWOOD GARDENS LLC 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 ONE HUNDRED FIFTY THREE THOUSAND DOLLARS (\$153,000.00) be paid to Springwood Gardens and the Law Firm of Biller, Sachs, Raio, & Zito its attorneys, in full settlement of its suit against the City of New Britain, now pending in the New Britain Superior Court, New Britain, Connecticut. The plaintiff had alleged that on June 14, 2013, Springwood Gardens property on Allen Street, New Britain suffered damage when water and sewage discharged onto, upon and in its property. On the date of the event, it is alleged that storm drains overflowed and water backed up into the complex effecting several apartments, main areas, and laundry room. The water had backed up through the toilets, sinks and bath tubs. It is alleged the sewage was several feet high. Plaintiff has claimed in total damage \$317,420.96. The United Cleaning & Restoration Building Damages total \$190,597.40 (This was for the replacement of drywalls, outlets, flooring, baseboards, doors, window sills, cabinets, garbage disposal, range, refrigerators, moldings, washing machines, sealing/priming/painting walls, etc.). The ServPro Invoice for water mitigation is \$53,572.57. (This included the cost for the dumpster, demolition, cleaning floors, toilets, tubs, etc.) Plaintiff also included in their demand \$73,250.99 for interest. It is our position that interest is not warranted in this matter. Plaintiff has installed a back flow valve which should prevent future sewage backups at his premises. 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 Jon Biller, and his associate Brianna Spinnato and the Honorable Judge Swenton, 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

Ald. Giantonio moved to accept and adopt, seconded by Ald. Sanders. Ald. Giantonio moved the Council enter into Executive Session to discuss the legal settlement, and that they be accompanied by Mayor Stewart, Corporation Counsel, Gennaro Bizzarro; Chief of Staff, Jodi Latina; and Deputy Chief of Staff, Justin Dorsey. Motion seconded by Ald. Sanders. Roll call vote – all members voted in favor.

Executive Session began at 8:33 p.m.

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The Council voted to return to regular order at 8:54 p.m. on motion of Ald. Giantonio, seconded by Ald. Salerno.

Ald. Sanchez left the chambers prior to the vote.

Resolution accepted and adopted by voice vote.

Approved July 15, 2016 by Mayor Erin E. Stewart.

There being no further business to come before the Council, Ald. Sanders moved to adjourn, seconded by Ald. Collins. So voted. Meeting adjourned at 8:55 p.m.

ATTEST: Mark H. Bernacki, City Clerk

July 13, 2016