

February 28, 2007

REGULAR MEETING OF THE COMMON COUNCIL

FEBRUARY 28, 2007

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 28th day of February 2007 at 8:15 p.m. in the Common Council Chambers, City Hall.

All members were present at roll call: Ald. Trueworthy, Black, Cruz, Collins, Catanzaro, Carroll, Hermanowski, Platosz, Kirejczyk, Wyskiewicz, Salvio, Gostin, Bernacki and Bielinski.

Peter J. Denuzze, City Clerk, gave the invocation: O God, our Heavenly Father, bless this Common Council and the work they are engaged in. Grant that they make sound decisions for the betterment of our city. We ask this in thy name. Amen

Paul A. Catanzaro led the pledge to the flag.

The Council stood at ease while Mayor Stewart read a proclamation honoring Mr. Paul A. Catanzaro, father of Ald. Paul D. Catanzaro, on the occasion of his 85th birthday.

Ald. Trueworthy moved to amend the agenda by substituting 29512(1), 29513(2), 29520(10), by adding 29525(11) and by deleting item 8. Motion seconded by Ald. Bielinski. Roll call vote – all members voted in favor.

PETITIONS

- 29518 ALD. GOSTIN FOR A CERTIFICATION OF LOCATION ALLOWING A MOTOR VEHICLE GENERAL REPAIRER AND AUTO DEALER LICENSE FOR PROPERTY AT 66 ST. CLAIRE AVENUE. REFERRED TO THE ZONING COMMITTEE.**
- 29521 ALD. PLATOSZ FOR THE REPAIR OF STREET LIGHT ON POLE #4499 IN FRONT OF 125 HENRY STREET THAT REMAINS ON 24 HOURS. REFERRED TO DEPT. OF PUBLIC WORKS.**
- 29522 ALD. PLATOSZ FOR THE INVESTIGATION OF PROPERTY AT 109 HENRY STREET FOR PROPERTY PERMITS AND SAFETY CODES. REFERRED TO DEPT. OF LICENSES, PERMITS & INSPECTIONS.**

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Approved March 5, 2006 by Timothy T. Stewart, Mayor.

CONSENT AGENDA

CITY CLERK

29505 RE: CLAIMS FOR INJURIES AND/OR PROPERTY DAMAGE

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

CLAIMANTS NAME

- Mucciacciaro, Frank
- Peguero, Daniel by Michelle M. Peguero

February 28, 2007

Peter J. Denuzze,
City Clerk

OFFICE OF THE CORPORATION COUNSEL

29507 RE: JEANNE RIVERS V. CITY OF NEW BRITAIN ET AL

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

Please be advised that the City of New Britain has successfully argued the appeal of its Motion for Summary Judgment at the State of Connecticut Appellate Court.

The plaintiff, Jeanne Rivers, alleged that, on January 7, 2003, she was injured when she fell on a sidewalk on Main Street in New Britain, Connecticut. The sidewalk abuts State-owned property at 185 Main Street, which is used as part of the Central Connecticut State University, and parts of which are leased to private businesses. It is alleged that the plaintiff fell on an accumulation of snow and ice, and as a result suffered a 20% permanent disability and accumulated \$30,000.00 in medical specials.

The City argued that it is not liable because it enacted the snow and ice ordinance which is authorized by Connecticut General Statutes Section 7-163a. The plaintiff argued that the statute does not shift the duty of care when the abutting landowner is the State, and that the City, as owner of the sidewalk, is still responsible for snow and ice accumulation independent of the abutting landowner.

The Appellate Court held that the language of Connecticut General Statutes Section 7-163a is clear and unambiguous and the owner is the owner of the abutting land - whether it is the State or private property owner. Thus, pursuant to this Appellate ruling, the State is responsible to remove snow and ice off the public sidewalks if the sidewalk abuts property owned by the State.

Plaintiff's counsel has requested cert by the Supreme Court.

Irena J. Urbaniak
City Attorney

FINANCE DEPARTMENT

29508 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET – 2/7/07 THRU 2/20/07

To His 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(c), 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 February 20, 2007.

19. Department: Water
From: 930-1000-9055-XDK (Pumping-Operation, Supv., Engineering)
To: 930-1000-9055-XDO (Pumping-Misc. Expenses)
Amount: \$3,500.00
Brief Explanation: Additional funds needed for repairs

20. Department: Water
From: 930-1000-9056-XDS (Water Treatment-Misc. Expenses)
To: 930-1000-9056-XDQ (Water Treatment-Chemicals)

February 28, 2007

Amount: \$10,000.00
 Brief Explanation: Funds needed due to chemical price increases

21. Department: Town Clerk
 From: 001-1154-1540-305 (Record Management)
 To: 001-1154-1540-310 (Advertising)
 Amount: \$1,000.00
 Brief Explanation: Funds needed for advertising

22. Department: Town Clerk
 From: 001-1154-1540-305 \$1,400.00 (Records Management)
 001-1154-1540-320 \$ 100.00 (Professional Services)
 To: 001-1154-1540-390 (Other Purchase Services)
 Amount: \$1,500.00
 Brief Explanation: Funds needed for contractual obligation – Res. #29053

23. Department: Town Clerk
 From: 001-1154-1540-211 \$ 29.00 (Election Supplies)
 001-1154-1540-232 \$ 49.00 (Postage)
 001-1154-1540-320 \$600.00 (Professional Services)
 To: 001-1154-1540-374 (Fees, Memb., Conferences)
 Amount: \$678.00
 Brief Explanation: Funds needed for school and conference attendance

Pattie Lewis
Finance Department

PURCHASING

29509 RE: COOPERATIVE PURCHASING – OPTICAL SCANNERS REGISTRARS OF VOTERS

To His 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 cooperative purchasing plan:

<u>Supplier</u>	<u>Description</u>	<u>Total Price</u>
LHS Associates, Inc. Methuen, MA. 01844	AccuVote Optical Scanner	\$14,000.00

The Registrars of Voters requested the purchase of two (2) AccuVote Optical Scanners to process absentee ballots required by the new voting system utilizing the State of Connecticut’s Contract Award #06PSX0057. Funding is available for this purchase from Account Numbers 001-1125-1250-320 and 001-1125-1251-320.

Jack Pieper
Purchasing Administrator

29510 RE: SALE OF SAW TIMBER AND CORDWOOD ON PROPERTY OF THE WATER DEPARTMENT

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

A Public Bid was solicited by Conwood Foresters, Inc. and received in accordance with the Purchasing Ordinances of the City of New Britain for the sale of Saw Timber and Cordwood on the Property of the New Britain Water Department. Conwood Foresters, Inc. has a contract with the City to provide professional forestry services, which includes the marketing and sale of timber. Conwood

February 28, 2007

Foresters, Inc through their forest inventory and management planning services determined that 829 trees on the Water Department's property needed to be harvested.

Invitations to bid were solicited by Conwood Foresters, Inc. The bids when received by Conwood Foresters, Inc. were reviewed, and checked for conformance. The responses were received as shown on the attachment. The responses were also presented to the Water Commission at their February 13, 2007 meeting. The Water Commission at this meeting voted and approved that the sale of the Saw Timber and Cordwood be awarded to Carl Clavette of Harwinton, CT. the highest bidder for the wood.

Jack Pieper
Purchasing Administrator

TAX COLLECTOR

29511 RE: TAX ABATEMENTS, CORRECTIONS AND REFUNDS

To His 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.

Fred J. Menditto
Tax Collector

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

CIVIL SERVICE COMMISSION

29506 RE: REVISION TO MERIT RULES DATED 2/5/07

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

The Civil Service Commission at a regular meeting held on Monday, February 5, 2007 at 6:30 p.m. in Room 201 of City Hall voted unanimously to accept and favorably recommend that the revisions to the Merit Rules dated February 5, 2007 be referred back to the Common Council for its consideration and approval.

Karen R. Levine
Personnel Director

Ald. Wyskiewicz moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Bielinski. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

NEW BUSINESS RESOLUTIONS

29512 RE: "WOMEN'S HISTORY MONTH" MARCH 2007

To His 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, women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation in countless ways;

WHEREAS, women have played and continue to play a critical economic, cultural, and social role in

every facet of life by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, women have played a unique role throughout history by providing the majority of the volunteer labor force; and

WHEREAS, women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions; and

WHEREAS, women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, women have been leaders in not only securing rights of suffrage, equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching and study of history; NOW, THEREFORE, BE IT

RESOLVED, that the Common Council and Mayor of the City of New Britain recognize that March (2007) is designated as "Women's History Month".

Alderman Michael Trueworthy

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29513 RE: BUDGET APPROPRIATION – HEALTH DEPARTMENT – GRANT FUNDING FROM THE STATE OF CONNECTICUT - \$46,500

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

Program Objective: to upgrade New Britain's planning and preparedness for response to Pandemic Influenza. To have the infrastructure in place to handle a Pandemic Influenza outbreak. To prevent or minimize the effects of such an event on the people of the City of New Britain.

Local Program Operation Department: Health, under the supervision of the Director.

Resolution Purpose: To approve the receipt of additional grant funding from the State of Connecticut for period 06/1/06 through 08/30/07.

WHEREAS, it has become increasingly clear that Pandemic Influenza is a serious threat to public health in the United States.

WHEREAS; the State Department of Public Health has notified the City that additional funding has been awarded in the amount of \$46,500 for the period 06/1/06 through 08/30/07. THEREFORE BE IT

RESOLVED, that The Mayor is authorized to sign any necessary and appropriate agreements in order to secure the use of such funds for said program. This approval may be so indicated by the Town Clerk signing and attesting to this resolution; and BE IT FURTHER

RESOLVED, that the funds be appropriated within special revenue fund #245, Bioterrorism Planning Program #2002-421 for the purpose of recording all income and expenditure activity amounting to \$46,500 for grant period 06/31/06 through 08/30/07.

Revenues:		
245-0505-0505-023	State of CT	\$ 46,500

Expenditures:		
245-1429-4109-111	Overtime – Education and Drills	\$ 2,500
245-1429-4109-221	Operating Materials and Supplies	\$ 10,500

February 28, 2007

245-1429-4109-221	Ancillary Supplies	\$ 4,000
245-1429-4109-221	Office Supplies	\$ 4,500
245-1429-4109-221	Mass Vaccination Clinic Supplies	\$ 10,000
245-1429-4109-320	Professional Service Contracts	<u>\$ 15,000</u>
	Total Expenditures	\$ 46,500

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29514 RE: "SLICK TRACY" PROGRAM – SUBSTANCE ABUSE – CONTRACT WITH SUBSTANCE ABUSE PREVENTION COUNCIL OF CENTRAL CONNECTICUT

To His 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: New Britain Youth & Family Services under the Community Services Division of the Parks and Recreation Department operates prevention, intervention, treatment, and aftercare programs and services for at-risk and troubled youth and their families, including but not limited to substance abuse, juvenile delinquency, mental health, teen pregnancy, and family problems. This resolution authorizes Mayor Timothy T. Stewart to execute a contract on behalf of the City's Youth & Family Services subdivision to receive \$3,000 for the provision of substance abuse prevention using the "Slick Tracy" curriculum for 4th Graders during the after school program operated by the Parks and Recreation Department. The "Slick Tracy" program is a best practice model approved by the Substance Abuse and Mental Health Services Administration (SAMHSA). This is new funding, and there are no matching funds required from the City of New Britain.

WHEREAS;The City of New Britain is committed to prevention of substance abuse in all stages of life, and especially in young people; and

WHEREAS:New Britain Youth & Family Services has received a grant from the Substance Abuse Action Council of Central Connecticut, Inc. to provide substance abuse prevention to 4th Graders using the "Slick Tracy" curriculum; and

WHEREAS:The funds will be used for part time staff to teach the curriculum to students in the Parks and Recreation after school program from the period of the adoption of this resolution until June 30, 2007; NOW THEREFORE BE IT

RESOLVED; That Mayor Timothy T. Stewart is authorized to execute a Contract between the City of New Britain and the Substance Abuse Prevention Council of Central Connecticut, Inc. for the provision of the above mentioned services; and BE IT FURTHER

RESOLVED; That the revenue and expenditure accounts for said funds shall be as follows:

Revenue Account	#296-0500-0505-S60	
Expenditure Account (part time salary)	#296-1438-4215-113	\$2,200
Expenditure Account (admin/audit)	#296-1438-4215-129	\$300
Expenditure Account (supplies)	#296-1428-4215-221	\$500

Alderwoman Silvia Cruz

Ald. Cruz moved to accept and adopt, seconded by Ald. Collins. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29479-1 RE: CORRECTION TO BUDGET TRANSFER RESOLUTION – FIRE DEPARTMENT - \$1,000

February 28, 2007

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

The Original Resolution (approved by Council on January 24, 2007) contained a Scribner's error with the budget line items not adding up to \$100,000. The changes are outlined with new text as underlined and deleted text as strikethrough.

Whereas, The Common Council approved Resolution #28576-3 dated August 10, 2005 for Capital Equipment Bond Authorization; and,

Whereas, Some equipment fell under budget leaving a remaining budget balance; and

Whereas, the Fire Department's replacement of a rescue vehicle required an additional \$100,000; and

Whereas, This resolution does not change the scope of the bond authorization, just a shift within the budget allocations of the previously approved equipment; Now, Therefore, Be It

Resolved, that a budget transfer take place within the Capital Equipment Fund for the replacement of the rescue vehicle for the fire department, as follows:

Budget Increase:

215-2291-2206-395	Replace Rescue Vehicle	\$100,000	
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Budget Decrease:

215-2291-0512-304	Parks & Recreation – Rotary Mower	1,657	
215-2291-0512-307	Parks & Recreation – (3) Utility Trucksters	150	
215-2291-0512-348	Parks & Recreation – <u> </u> Ton 4x4 Pickup Truck	2,349	
215-2291-0512-358	Parks & Recreation – Refuse Collection Vehicle	38,785	
215-2291-0512-367	Parks & Recreation – (2) 1 Ton 2x4 Platform Dump Truck	20,354	
215-2291-0512-420	Parks & Recreation – 5 Ton Landscape Trailer	2,900	
215-2291-0512-422	Parks & Recreation – <u> </u> Ton 4x4 Pickup Truck	13,394	
215-2291-0512-444	Parks & Recreation – 1 Ton 4x4 Lowboy Dump w/Plow	776	
215-2291-0512-461	Parks & Recreation – Loader	5,025	
215-2291-0512-471	Parks & Recreation – <u> </u> Ton 2x4 Pickup Truck	871	
215-2291-0512-483	Parks & Recreation – Bobcats	36	
215-2291-0512-509	Public Works – Elgin Pelican Street Sweepers	40,560	13,703
215-2291-0512-522	Public Works – (2) 10-Wheel Dumptruck w/Sander & Plow	8,053	
	Total	\$100,000	

Alderwoman Suzanne Bielinski
Alderman Paul Catanzaro
Alderman Louis Salvio
Council Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29506-1 RE: MERIT RULES – REVISED THROUGH FEBRUARY 5, 2007

To His 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 Civil Service Commission of the City of New Britain has adopted Merit Rules; and

WHEREAS, the Merit Rules were last revised through June 11,1997 and since then, there has been changes to the City Charter, the Code of Ordinances, federal and state labor laws, and various collective bargaining agreements; and,

WHEREAS, the Civil Service Commission has been working to update the Merit Rules to reflect these changes; and

WHEREAS, many of the changes to the Merit Rules are intended to clarify language or delete

February 28, 2007

sections; and

WHEREAS, the Civil Service Commission held a Public Hearing on these changes on February 5, 2007, the Commission is now forwarding the revised Merit Rules to the Common Council for approval.

BE IT RESOLVED that the Common Council of the City of New Britain review and approve the Merit Rules as revised through February 5, 2007 and favorably recommended by the Civil Service Commission.

Alderman Edward S. Kirejczyk, Jr.
Civil Service Commission Liaison

Ald. Kirejczyk moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Wyskiewicz. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29516 RE: BUDGET AMENDMENT – FIRE DEPARTMENT - \$1,200,000

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

Due to the sensitivity of the subject of fire department overtime, the Finance and Fire Departments together, have been monitoring the budgetary status of this account as well as the regular full time salary accounts on a regular basis. Last month a report was submitted for the purpose of advising the Common Council that an additional appropriation may be required. Since there are many variables affecting overtime usage, it is always difficult to estimate the actual amount required to fully fund this account through out the end of the fiscal year. At this point in time, however, we are fast approaching full usage of the overtime appropriation.

As in the past, when supplemental appropriations have been necessary to fund this overtime account, the reason is due mainly to the following circumstances.

In accordance with the labor contract between the City and Local 992, the number of firefighters required in each company has increased over the past years to four members per company. At the time the contract was negotiated, the City also made the decision to utilize the existing staff to cover the expanded member companies. This created a situation where the number of shifts remained constant, but the required number of employees to fill those shifts increased. Conversely, the pool of firefighters available to fill the shifts remained the same, therefore, increasing the need for overtime hours to fulfill the contractual obligation.

Since the City made the decision nine years ago to utilize the existing staff to cover these shift vacancies, versus hiring new recruits, the overtime budget has naturally increased from year to year. In addition, due to the increased need for overtime and the limited staff available to fill the shift vacancies, the effects of the Fair Labor Standards Act (requiring that overtime be paid at a rate of time and one-half vs. straight-time) have dramatically increased.

Several other factors have also contributed to this situation. Sick time usage has been dramatically increasing, which in turn, increases overtime usage. Also, during the FY 2007 budget process, the overtime was cut by \$250,000.

In order to reduce the amount of overtime and FLSA paid to firefighters in the long term, the Fire Department is working toward full staffing. This is a long process since new firefighters must go through the Fire Academy first. Consequently, there is a period in which full time salaries are being paid to new firefighters in the academy while at the same time, those vacancies are being staffed with overtime dollars. Additionally, with the retirement of several firefighters as well as the expected retirement of several others this fiscal year, the operations full time salary account is expected to be over budget by approximately \$200,000 due mainly to termination payouts. Again, since firefighters are not contractually obligated to give any retirement notice, it is difficult to predict the actual amount required to fully fund this full time salary account for the remainder of the fiscal year.

These budget shortages were predicted many months ago and have been reflected in the monthly surplus report submitted to Council.

In September 2006, the City entered into an interest rate swap agreement with Ambac Financial

February 28, 2007

Services, L.P. ("Ambac") whereby the City pays a fixed rate of interest on the Bonds (the February 24, 1998 \$40,000,000 Federally Taxable Pension Bonds) and receives a variable rate of interest based on a weekly interest rate that is substantially equivalent to the one month LIBOR interest rate. As part of this agreement, the City received \$1,843,240. Consequently, the City has \$1,200,000 available for appropriation for the above-stated purpose.

February 28, 2007

THEREFORE, BE IT RESOLVED, that a budget amendment in the amount of \$1,200,000 be executed as follows:

Increase:

001-0500-0530-007	Revenue - Swap Proceeds	<u>\$ 1,200,000</u>
	Total	<u>\$ 1,200,000</u>

Increase:

001-1221-2210-110	Fire Department Operations FT Salaries	\$ 200,000
001-1221-2210-111	Fire Department Operations OT	<u>\$ 1,000,000</u>
	Total	<u>\$ 1,200,000</u>

Alderman Suzanne Bielinski
Alderman Paul Catanzaro
Alderman Louis Salvio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. Resolution adopted with Ald. Bernacki and Ald. Gostin opposed. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29517 RE: BUDGET AMENDMENT – POLICE DEPARTMENT - \$13,000

To His 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 Drug Investigation Fund is an existing special revenue fund to which most revenue is credited as the result of the State of Connecticut drug asset forfeiture program, the greatest share of the proceeds from which are returned to Police Departments for use in drug control strategy; and

WHEREAS, State statutes prescribe that funds received are to be spent:

85% to enhance drug investigation and enforcement

15% for drug education, And,

WHEREAS, the purpose of this Resolution is to formally allocate funds that have accumulated in the Drug Investigation fund and add to the established approved budget for FY2006-2007, THEREFORE BE IT

RESOLVED, that a budget amendment in the Drug Investigation Fund to formally appropriate funds accumulated in that fund be made as follows:

Drug Investigation Fund

Increase Revenue:

289-0500-0505-077	Fund Balance	\$ 13,000
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Increase Expenditures:

289-1431-4039-330	Rental Equipment	\$ 13,000
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Ald. Suzanne Bielinski - Police Liaison

Ald. Paul Catanzaro - Police Liaison

Ald. Silvia Cruz - Police Liaison

Ald. Lawrence Hermanowski- Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29519 RE: BUDGET AMENDMENT - \$3,000 – DOG FUND – TO CONTROL FERAL CAT POPULATION

To His 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 an existing and expanding feral cat population; and

WHEREAS; just two feral cats can produce thousands of offspring in a five year period; and

WHEREAS; wild cats can endanger the community through the spread of disease to humans and

other household pets; and

WHEREAS; in honor of National Feral Cat day (10/16/07) The City of New Britain is joining the national movement to control feral cat populations through the "catch, neuter and release" methodology; and

WHEREAS; if this program reaches its goal of neutering sixty feral cats by the summer of 2007, the city may be eligible to pursue a federal grant to continue this program into the future; NOW, THEREFORE, BE IT

RESOLVED; that City Animal Control and volunteers from the Animal Alliance Welfare League will be responsible for identifying and transporting feral cats to Hartford Veterinary Hospital, 2300 Berlin Turnpike, Newington for neutering; and BE IT FURTHER

RESOLVED; that the Finance Department will process all bills relating to the approved veterinarian until such funds are depleted; and BE IT FURTHER

RESOLVED; that monies be appropriated from the Dog Fund fund balance in the amount of \$3,000 as follows:

Increase Revenue:		
205-0500-0505-077	Fund Balance	\$3,000
Increase Expenditure:		
205-1200-5112-GTR	Grants/Transfers	\$3,000

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved March 5, 2007 by Mayor Timothy T. Stewart.

29520 RE: THE APPOINTMENT OF LORI A. ROCHA ALDERWOMAN IN THE 5TH WARD FILLING THE VACANCY CREATED BY THE RESIGNATION OF ALD. SALVATORE A. BONOLA

To His 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; pursuant to the charter of the City of New Britain, the Common Council is vested with the authority to fill the vacancy of Alderperson; and

WHEREAS; such vacancy on the Common Council was caused by the resignation of Alderman Salvatore Bonola in Ward #5; NOW, THEREFORE, BE IT

RESOLVED; that Lori A. Rocha of, 11 Pinehurst Avenue be and is hereby appointed Alderperson to fill the vacancy left by Salvatore Bonola in Ward #5 effective upon adoption of the resolution.

Alderman Paul D. Catanzaro
Alderman John F. Carroll

Ald. Catanzaro moved to accept and adopt, seconded by Ald. Bielinski. Ald. Catanzaro moved to amend the RESOLVED paragraph by inserting the name "Lori A. Rocha, 19 Pinehurst Avenue", seconded by Ald. Bielinski. So voted. Resolution as amended adopted. Approved February 28, 2007 by Mayor Timothy T. Stewart.

29515 RE: BUDGET AMENDMENT – GENERAL FUND – SWAP PROCEEDS

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

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

In September 2006, the City entered into an interest rate swap agreement with Ambac Financial Services, L.P. ("Ambac") whereby the City pays a fixed rate of interest on the Bonds (the February 24,

February 28, 2007

1998 \$40,000,000 Federally Taxable Pension Bonds) and receives a variable rate of interest based on a weekly interest rate that is substantially equivalent to the one month LIBOR interest rate. As part of this agreement, the City received an upfront payment of \$1,843,240.

The purpose of this resolution is to amend the General Fund budget and appropriate the additional \$643,240 (\$1,843,240 less \$1,200,000). The February 28, 2007 council agenda includes a resolution which appropriates \$1,200,000 of these funds to the Fire Department Operations Overtime and Full Time Salary accounts.

Upon the approval of resolution #29278-1 on September 13, 2006, approving the above-mentioned swap agreement, it was the recommendation of the City's swap advisor and legal counsel that \$250,000 of the swap proceeds be set aside in a reserve account in the event that the fixed rate of interest paid is greater than the variable interest rate received by the City.

WHEREAS, as part of a swap agreement between the City and Ambac Financial Services, the City received an upfront payment of \$1,843,240. These funds need to be formally appropriated within the FY 2007 General Fund budget.

WHEREAS, on February 28, 2007, a resolution is being introduced to appropriate \$1,200,000 of these funds to cover the anticipated budget shortage in the Fire Department Operations Overtime and Full Time Salary accounts,

WHEREAS, the City's swap advisor and legal counsel have advised the City to set up a reserve account in the amount of \$250,000 in the event that the City has to make a payment in relation to the swap agreement,

WHEREAS, the remaining \$393,240 is to be left in contingency for allocation at a later date,

THEREFORE, BE IT RESOLVED, that the General Fund budget be amended as follows to account for the swap proceeds (\$1,843,240 less \$1,200,000 appropriated in a different resolution):

Increase:		
001-0500-0530-007	Revenue – swap proceeds	\$ 643,240
Increase:		
001-1910-9001-068	Transfer to CNR	\$ 250,000
001-1910-9001-073	General Fund Contingency	<u>\$ 393,240</u>
		\$ 643,240

AND BE IT FURTHER, RESOLVED that the Capital Non-Recurring budget be amended to set up the Swap Reserve Account as follows:

Increase:		
219-0500-0505-074	Transfer from General Fund	\$ 250,000
Increase:		
219-1910-9001-SWP	Swap Reserve	\$ 250,000

Alderman Louis G. Salvio

Ald. Salvio moved to accept and adopt, seconded by Ald. Gostin. Resolution adopted with Ald. Gostin, Bernacki and Wyskiewicz opposed. Approved March 5, 2007 by Mayor Timothy T. Stewart.

There being no further business to come before the Council, Ald. Salvio moved to adjourn, seconded by Ald. Gostin. So voted. Meeting adjourned at 9:29 p.m.

ATTEST: Peter J. Denuzze, City Clerk