

April 23, 2008

## **REGULAR MEETING OF THE COMMON COUNCIL**

**APRIL 23, 2008**

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 23rd day of April 2008 at 8:21 p.m. in the Common Council Chambers, City Hall.

Fifteen members were present at roll call: Ald. Trueworthy, Rocha, Sherwood, Magnuszewski, Platosz, Gerratana, Centeno, Black, Cruz, Collins, Catanzaro, Hermanowski, Salvio, Bernacki and Bielinski.

City Clerk, Peter J. Denuzze, gave the invocation: O God, our Heavenly Father, we pray tonight for your wisdom to guide this Common Council in their deliberations. We pray that their minds and hearts be open to the discussions, courageous in pursuing their convictions and tireless in working for the common good. We ask this in Thy name. Amen.

The pledge to the flag was led by Richard Marzi.

A moment of silence was observed in memory of Louis G. Amodio and Dr. Edmund F. Ziegler each of whom died on April 18th.

Mr. Amodio was founder, co-owner and former president of Amodio Worldwide moving and Storage Co. He was a former member of the Board of Police Commissioners and the Board of Public Works.

Dr. Ziegler was former school physician for the New Britain school system.

Ald. Trueworthy was granted a point of personal privilege in order to express his thanks for the concern and support shown him when he was suddenly taken ill at the last Council Meeting. He particularly thanked Mayor Stewart, Chief Gagliardi, Chief Carr and members of the Emergency Medical Services team.

Ald. Salvio was granted a point of person privilege in order to congratulate his mother-in-law, Cecilia Kowalewski, on her 95th birthday.

Ald. Trueworthy moved to adopt the minutes of the Special Meetings of March 4 and March 12, 2008, and the Regular Meetings of March 12 and March 26, 2008. Motion seconded by Ald. Bielinski. So voted.

Ald. Trueworthy moved to amend the agenda by adding 30110(7), seconded by Ald. Bielinski. Roll call vote – all members voted in favor.

### **PETITIONS**

**30111 ALD. SALVIO FOR INVESTIGATING ZONING AND BLIGHT VIOLATIONS AT THE CORNER OF WEST MAIN AND BURRITT STREETS. REFERRED TO DEPT. OF LICENSES, PERMITS AND INSPECTIONS.**

**30112 ALD. SHERWOOD, HERMANOWSKI, PLATOSZ, BLACK, CENTENO, CRUZ, MAGNUSZEWSKI, BIELINSKI AND ROCHA FOR HAVING THE COMMITTEE ON PLANNING, ZONING & HOUSING HOLD AN INFORMATIONAL WORKSHOP WITH THE CITY ASSESSOR, THE CITY TAX COLLECTOR AND CITY RESIDENTS REGARDING RECENT CITYWIDE REVALUATION PROCESSES. REFERRED TO THE COMMITTEE ON PLANNING, ZONING AND HOUSING.**

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Approved May 1, 2008 by Timothy T. Stewart, Mayor.

April 23, 2008

**CONSENT AGENDA  
CITY CLERK**

**30096 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:

- Banki, Abbas
- Jones, Wesley by Diane Henderson (mother)
- Kaczorek, Sylvia by Atty. Linda Clough
- Placeres, Emily

Peter J. Denuzze,  
City Clerk

**PURCHASING DEPARTMENT**

**30103 RE: PARK CONCESSION RIGHTS, PARK AND RECREATION DEPARTMENT**

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

Public Bid No. 3401 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Park Concession Rights at various City Parks. Under the terms of this public bid, vendors offer payment to the City for the right to provide concession services at various City Parks.

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 twenty-seven (27) Concession Companies. The Purchasing Agent did not receive any letters from Concession Companies on the mailing list indicating that they could not provide a response to the bid request. Only one (1) response was received and is on file in the town clerk's office.

The bid was reviewed for conformance to specifications by the Director of Parks and Recreation Department and the Purchasing Agent. Therefore the Director of Parks and Recreation is recommending that Plagia Ice Cream of Waterbury, CT be awarded the Concession Rights for Chesley Park, A.W. Stanley Park, Stanley Quarter Park and Walnut Hill Park who offered the highest and only payment of \$1,386.00 to the City for the right to provide concession services at the indicated City Parks. The Parks and Recreation Commission has also approved the recommendations of the Director of Parks and Recreation to award the Concession Rights to Plagia Ice Cream Company of Waterbury, CT for the indicated City Parks.

RESOLVED: That the Plagia Ice Cream of Waterbury, CT be granted concession rights for the location indicated in accordance with the specifications of Public Bid No. 3401.

Jack Pieper  
Purchasing Agent

**30104 RE: SUMMER BUS TRANSPORTATION FOR THE PARKS AND RECREATION DEPT.**

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

Public Bid No. 3410 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Summer Bus Transportation for the Parks and Recreation Department. Funding will be available for this purchase from Account Numbers 001-1511-5111-830, 238-1512-5111-330, 236-1511-5111-330 and 237-1511-5111-330.

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

April 23, 2008

(9) Bus Transportation Companies. The Purchasing Agent did not receive any letters from Bus Transportation Companies indicating they could not provide a response to the bid request. Responses received are on file in the town clerk's office.

The bids were reviewed for conformance to specifications by the Parks and Recreation Department 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. Because of this, Dattco Inc had the right to lower their price per City Ordinance Section 2-578, Item 10. The Purchasing Agent talked to Phil Johnson the Vice President of Sales at Dattco Inc who submitted the bid. Mr. Johnson has indicated that Dattco Inc works very closely with New Britain Transportation and because of this close relationship he was not going to lower Dattco Inc's price and that he was happy that New Britain Transportation was the lowest bidder. Therefore the Director of Parks and Recreation is recommending that the bid be awarded to New Britain Transportation of Berlin, CT who was the lowest bidder for this service.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a standing purchase order to New Britain Transportation of Berlin, CT for Summer Bus Transportation at a Daily Rate of \$159.00 per bus per day and/or at a rate of \$39.00 per hour for any additional buses needed, per the terms and specifications of Public Bid No. 3410.

Jack Pieper  
Purchasing Agent

**30105 RE: COOPERATIVE PURCHASING INFLUENZA VIRUS VACCINES FOR THE HEALTH DEPT., NURSING DIVISION**

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:

Supplier	Item	Qty	Price
Novartis Vaccines Direct Pasadena, CA.	Ten Dose Vial Influenza Virus Vaccine	135 Vials	\$87.50
		Total Price	\$11,812.50

The New Britain Health Department, Nursing Division requested the purchase of One Hundred and Thirty-Five (135) Vials of Ten (10) Dose Vial Influenza Virus Vaccine utilizing the State of Connecticut Contract Award, #08PSX0036. Funding is available for this purchase in Account Number 001-1411-4113-450.

Jack Pieper  
Purchasing Agent

**TAX DEPARTMENT**

**30106 RE: TAX ABATEMENTS, CORRECTION 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.

Cheryl S. Blogoslawski  
Tax Collector

April 23, 2008

## **COMMITTEE ON PLANNING, ZONING AND HOUSING**

### **30037-1 RE: PROPOSED AMENDMENT TO CHAPTER 2 OF THE ORDINANCES ADDING SEC. 2-778 THROUGH 2-780 TO ESTABLISH A BUILDING COMMISSION.**

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

The Committee on Planning, Zoning and Housing at a regular meeting and public hearing held on Tuesday evening, April 8, 2008 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #30037 – Code of Ordinances be amended by adding Sections 2-778 through 2-780 – To establish a Building Commission voted to accept and recommend that the resolution be referred back to the Common Council with a favorable recommendation.

Alderwoman Silvia J. Cruz  
Chair

## **REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS**

### **CITY PLAN COMMISSION**

#### **30097 RE: THE ABANDONMENT OF A PORTION OF BADOLATO DRIVE, BETWEEN BOSCO DRIVE AND PEARL STREET**

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

The City Plan Commission, at its Regular Meeting on April 7, 2008, voted 5 to 0 to recommend the approval of the abandonment of this portion of Badolato Drive.

**BACKGROUND:** This report is prepared in accordance with Section 19-22 of the City Ordinances and Section 8-25 of the Connecticut General Statutes, which require that all proposals for acceptance, widening, narrowing, improvement or abandonment of any street or other public way must be referred to the City Plan Commission for an advisory report to Council. The purpose of this review is to ensure consistency with the plan of development and good planning principles. The subject of this report is the abandonment of a segment of Badolato Drive, between Bosco Drive and Pearl Streets.

The area of the subject right-of-way is 50 feet in width by approximately 250 feet in length and the surrounding land is zoned B-4, Central Business District. The abandonment of the street would serve to improve the development potential for an adjacent property at 1 Bosco Drive, a 1.9 acre parcel which was a Papa's Dodge repair facility. The discontinuance will facilitate the proposed development of a medical office building, by creating a larger-scale development site, adding useable land area, and joining the property to another professional office complex and parking area on the western side of the street. Sufficient portions of the existing public street would be retained to maintain frontage and access all neighboring properties and driveways, including the New Britain Post Office parking area, both of Tufano's Badolato Drive driveways as well as the Court House parking garage Badolato Drive access. Two cul-de-sacs would be created, one on Bosco Drive approximately 300 feet from Columbus Boulevard, the other on Badolato Drive approximately 350 feet from Pearl Street. City easements will be retained, as needed, to accommodate essential utility lines and services located in the portion of street right-of-way that is proposed to be discontinued.

**FINDINGS:** As proposed, this discontinuance would not interfere with access to any neighboring properties nor have any substantive affect on area traffic patterns. This proposed street abandonment would facilitate optimal development and re-use of existing B-4 zoned land. This action would, therefore,

April 23, 2008

be consistent and supportive of several key Master Plan goals and policies relating to economic development, creation of employment opportunities and expansion of tax base, and with similar goals of the recently completed Downtown Plan and Strategy.

RECOMMENDATION: The Commission finds this action to be consistent with the City's Master Plan and the recently completed Downtown Plan and Strategy. The Commission, therefore, recommends the abandonment of this segment of Badolato Drive, subject to any utility easements and cul-de-sac specifications, etc. as may be deemed necessary by the City Engineer.

G. Geoffrey Bray, Chair  
City Plan Commission

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning and Housing, and the Board of Public Works, seconded by Ald. Bielinski. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

## **DEPARTMENT OF MUNICIPAL DEVELOPMENT**

### **30098 RE: 2008 NEIGHBORHOOD ASSISTANCE ACT PROGRAM**

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

The Director of the Department of Municipal Development transmits and recommends approval by the Common Council at its meeting on May 14, 2008, of the proposed resolution authorizing the filing of the 2008 Neighborhood Assistance Act Program.

Kenneth A. Malinowski, Director  
Department of Municipal Development

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning and Housing. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

### **30099 RE: 2008 CONSOLIDATED PLAN FOR HUD PROGRAMS – COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, HOME PROGRAM, AND THE EMERGENCY SHELTER GRANTS PROGRAM.**

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

The Director of the Department of Municipal Development on behalf of the Commission on Community & Neighborhood Development reports that the Commission, at its meeting of April 10, 2008, approved a resolution regarding the 2008 Consolidated Plan for HUD Programs.

Accordingly, the Commission on Community & Neighborhood Development hereby transmits and recommends approval by the Common Council, at its meeting of May 14, 2008, of the proposed resolution authorizing the filing of the 2008 Consolidated Plan for HUD Programs to serve as application to the U. S. Department of Housing & Urban Development for Federal Assistance under the Community Development Block Grant Program, the HOME Program and the Emergency Shelter Grants Program.

Kenneth A. Malinowski, Director  
Department of Municipal Development

Ald. Trueworthy moved to accept and refer to the Committee on Planning, Zoning, and Housing, seconded by Ald. Bielinski. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

April 23, 2008

**FINANCE DEPARTMENT**

**30100 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT’S BUDGET 4/2/08 THRU 4/14/08.**

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 April 14, 2008.

24. Department:	Office of Emergency Management		
From:	001-1230-2500-223	\$600.00	(Uniforms & Clothing)
	001-1230-2500-232	\$100.00	(Postage)
	001-1230-2500-111	\$600.00	(Light, Power & Telephone)
	001-1230-2500-110	\$534.00	(Full Time Salaries)
To:	001-1230-2500-111	\$877.00	(Overtime)
	001-1230-2500-372	\$957.00	(Bldg, Gr. Maint. & Repairs)
Amount:	\$1,834.00		
Brief Explanation:	Adjust balance deficits not monitored by previous encumbant		

Robert Curry  
Finance Director

Ald. Bielinski moved to accept, seconded by Ald. Bernacki. So voted. Approved 5/1/08 by Timothy T. Stewart Mayor.

**30101 RE: FYE 2008 SURPLUS REPORT**

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

REPORT ON FILE IN TOWN CLERK’S OFFICE.

Rebecca Salerni  
Finance Department

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

**PURCHASING DEPARTMENT**

**30102 RE: EMERGENCY PURCHASE ORDER CONCRETE STAIR STEP REPAIRS WORLD WAR I MONUMENT – WALNUT HILL PARK.**

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 V, Section 2-606a, an emergency purchase order was authorized by the Mayor to be issued to the below listed vendor for the purpose specified on April 9, 2008.

J.P. Bachard Contracting Co.	\$12,000.00	Concrete Stair Step Repairs
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April 23, 2008

Newington, CT.

The Purchasing Agent reports that no formal bid solicitation and advertisement as outlined in the Purchasing Ordinances was made for this item. In accordance with Section 2-606b of the City Code of Ordinances, the Purchasing Agent reports:

The concrete steps of the stairs at the World War I Monument at Walnut Hill Park have become loose and very unstable. The concrete mortar that holds the steps together has broken away. These steps shake and move whenever someone steps on them. The Parks Division chained off the area to attempt to secure the stairs but vandals have cut these chains down. Vandals could push the concrete steps down the hill causing serious harm to themselves or another individual or these concrete steps could break away if someone steps on them. Because of this unsafe condition of these concrete stair steps, they needed to be fixed immediately. Funding for the services to repair these concrete stair steps is available in 213-1800-1863-H66.

Jack Pieper  
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

## RESOLUTIONS RETURNED FROM COMMITTEE

### 30037-2 RE: AMENDMENT TO CHAPTER 2 OF THE ORDINANCES ADDING SEC. 2-778 THROUGH 2-780 ESTABLISHING A BUILDING COMMISSION.

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: PURPOSE: To establish a Building Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Code of Ordinances, City of New Britain, be amended by adding Sections 2-778 through 2-780 to Chapter 2, underline; deleted text appears in strikethrough; new sections begin with the word [new]:

#### ARTICLE XIII. BUILDING COMMISSION AND DEPARTMENT OF LICENSES, PERMITS AND INSPECTIONS

Sec. 2-778. Building commission; membership. [NEW]

There shall be in said city a board to be known as "building commission", composed of five electors of said city. The Mayor shall appoint all five members. The commission shall select a chairperson from its membership by a majority vote. The commission shall have regularly scheduled meetings monthly. All members of the commission shall abide by and be appointed in accordance with the Code of Ethics as written in ARTICLE VI. Of the Ordinances of the City of New Britain.

Sec. 2-779. General powers of commission. [NEW]

The building commission shall advise and consult with the head of the department of licenses, permits and inspections pertaining to the duties and conduct of the department. In general, the commission shall be responsible for policy-making, and evaluation of the performance of the department head and the departments employees and report said evaluations to the Mayor in accordance with §5-2 of the City Charter, and make recommendations to the department, the Mayor and the Common Council as necessary to improve the performance of the department. This shall include, but not be limited to, the adoption of such rules and regulations not inconsistent with the General

April 23, 2008

Statutes and the provisions of the Charter or Code of Ordinances pertaining to licenses, permits and inspections.

Sec. 2-780. Incorporation by reference. [NEW]

~~For the purpose securing the benefits of any development in the building industry and for promoting public health and safety, the common council of the city of New Britain may incorporate by reference in the building code or in the building, plumbing, electrical work, heating, wiring and oil burner ordinances, or in any amendments thereto, all or a portion of any nationally recognized code, rules, regulations and standards to develop good engineering practice and safety; provided two official copies of each such code, rules, regulations and standards, as from time to time amended, so incorporated by reference shall be on file in the department of licenses, permits and inspections. Such incorporation by reference shall not be construed to include any penalty clause which may be part of such code, rules, regulations and standards. In accordance with Section 29-253 of the Connecticut General Statutes, the State Building Code including any amendments adopted by the State Building Inspector and Codes and Standards Committee is the building code applicable to the City of New Britain.~~

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and refer back to the Committee on Planning, Zoning, and Housing, seconded by Ald. Bielinski.

Ald. Trueworthy moved to amend Sections 2-778 and 2-779 by adding to them, and by adding to, and deleting from, Sec. 2-780. Motion seconded by Ald. Bielinski. Amendment carried.

Resolution as amended referred back to the Committee on Planning, Zoning, and Housing. Approved 5/1/08 by Timothy T. Stewart, Mayor.

## **NEW BUSINESS RESOLUTIONS**

### **30098-1 RE: 2008 NEIGHBORHOOD ASSISTANCE ACT PROGRAM**

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, under authorization of Chapter 228a of the Connecticut Statutes, the Neighborhood Assistance Act provides tax credits for business firms that contribute financially to community programs that have received both municipal and State of Connecticut Department of Revenue Services approval, and

WHEREAS, any municipality wanting to obtain benefits under the provisions of this Act must hold a Public Hearing and submit to the State of Connecticut Department of Revenue Services a list of community programs, approved by the local legislative body, which are eligible for investment by business firms, and

WHEREAS, a Public Hearing of the Common Council of the City of New Britain is scheduled to be held on May 14, 2008, on the subject of the Neighborhood Assistance Act Program;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of New Britain hereby approves the Neighborhood Assistance Act Program 2008 Proposal List, and

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor to submit the approved program proposals to the State of Connecticut Department of Revenue Services and the Department of Municipal Development to administer the Neighborhood Assistance Act Program in accordance with the statutory requirements.

April 23, 2008

Alderman Lawrence J. Hermanowski

Ald. Hermanowski moved to accept and refer to the Committee on planning, Zoning, and Housing, seconded by Ald. Bielinski, So voted. Approved 5/1/08 by Timothy T. Stewart.

**30099-1 RE: 2008 CONSOLIDATED PLAN FOR HUD PROGRAMS – COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, HOME PROGRAM AND THE EMERGENCY SHELTER GRANTS PROGRAM.**

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 is scheduled to receive funds from the U. S. Department of Housing & Urban Development for Fiscal Year 2008 under the following programs: \$1,860,498 for the Community Development Block Grant (CDBG) Program, \$82,994 for the Emergency Shelter Grant (ESG) Program and \$691,299 for the HOME Program, and the City anticipates receiving program income during Fiscal Year 2008 of approximately \$148,000 from the CDBG Revolving Funds and \$81,000 from the HOME Revolving Funds, and

WHEREAS, in order to receive these funds, the City is required to prepare a Consolidated Plan for Fiscal Year 2008 that is consistent with the 2005-2009 Consolidated Plan for HUD Programs in the City of New Britain which was adopted by the Common Council, and

WHEREAS, the Common Council has reviewed requests for funding consideration under the CDBG, HOME and ESG Programs, and

WHEREAS, a Public Hearing of the Common Council was held on April 30, 2008, in order to obtain the views of citizens on housing and community development needs and priorities, and to provide citizens an opportunity to comment on the Proposed FY 2008 Consolidated Plan that was prepared by the Commission on Community and Neighborhood Development;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of New Britain hereby adopts the 2008 Consolidated Plan for the City of New Britain's CDBG, ESG and HOME Programs, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to submit to the U. S. Department of Housing & Urban Development the 2008 Consolidated Plan for HUD Programs, including certifications and descriptions as required by HUD, said submission to serve as the City's application for CDBG Program funds, ESG Program funds and HOME Program funds, and to execute any agreements, revisions, rescissions or amendments thereto, as necessary for the City's receipt of CDBG, ESG and HOME funds.

Alderman Lawrence J. Hermanowski

Ald. Hermanowski moved to accept and refer to the Committee on Planning, Zoning, and Housing, seconded by Ald. Bielienski. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

**30107 RE: PROPOSED AMENDMENT TO SEC. 9-42 AND 9-43 OF THE ORDINANCES ENTITLED "FLOOD DAMAGE PREVENTION"**

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:

PROPOSED AMENDEMENT ON FILE IN TOWN CLERKS OFFICE

Ald. Rocha moved to accept and refer to the Consolidated Committee, seconded by Ald. Belinski. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

**30108 RE: BUDGET TRANSFER – AFTER SCHOOL PROGRAM GRANTS – PARK DEPT.**

April 23, 2008

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**

Program Objective: The after school program grants provide comprehensive after school programming at nine elementary schools (Chamberlain, DiLoreto, Gaffney, Holmes, Jefferson, Lincoln, Smalley, Smith and Vance). Students in grades three through five are targeted to attend the after school program from 3:15 to 6:00 p.m. The three major components of the after school program are education, recreation, and cultural arts.

Local Program Operation Department: Parks and Recreation, under the supervision of the Director.

Resolution Purpose: The Parks and Recreation Department respectfully requests a transfer to provide monies for operational and programmatic expenses from under-expended full-time and part-time wages.

WHEREAS, the Parks and Recreation Department has already received approval of applicable transfers from the Connecticut State Department of Education, and

WHEREAS, due to an unexpected shortening in grant length from 15 months to 12 months, less monies in full-time salaries and part-time staff required in addition to a lack of certified teacher availability, and

WHEREAS, a budget is developed as a plan and adjustments have to be made due to unforeseen circumstances such as a low number of staff availability, snow days, and a lack of availability of certified teachers to work the hours after the regular school day, and

WHEREAS, additional monies are needed supplies accounts (arts and crafts, sports equipment, etc), the contractual services accounts (educational and recreational sub-contractors for after school programming) therefore, be it

RESOLVED, that the sum of \$116,946 be transferred within the after school program grant program accounts as outlined below:

	From:	
236-1512-5111-110	Full-time Salaries	\$14,088
236-1512-5111-113	Part-time salaries	\$19,358
	To:	
236-1512-5111-210	Office supplies	\$3,000
236-1512-5111-221	Operating Material & Supplies	\$15,000
236-1512-5111-330	Rental/Leases of Property/Equipment	\$13,446
236-1512-5111-350	Data processing	\$2,000
	Total	33,446

	From:	
238-1511-5111-110	Full time salaries	\$26,000
238-1511-5111-113	Part time salaries	\$22,500
	To:	
238-1511-5111-210	Office supplies	\$3,000
238-1511-5111-221	Operating materials and supplies	\$20,500
238-1511-5111-330	Rental/leases of property/equipment	\$17,000
238-1511-5111-350	Data processing	\$5,000
238-1511-5111-373	Equipment maintenance and repair	\$3,000
	Total:	\$48,500
	From:	

April 23, 2008

251-1512-5111-113	Part-time salaries	\$35,000
	To:	
251-1512-5111-210	Office supplies	\$3,000
251-1512-5111-221	Operating Material & Supplies	\$19,000
251-1512-5111-330	Rental/Leases of Property/Equipment	\$ 8,000
251-1512-5111-350	Data processing	\$2,000
251-1512-5111-373	Equipment maintenance and repair	\$3,000
	Total	\$35,000

Alderman Shirley Black  
Alderman Tonilynn Collins

Ald. Black moved to accept and adopt, seconded by Ald Collins. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

**30109 RE: PROPOSED AMENDMENT TO VARIOUS SECTIONS OF CHAPTER 21 OF THE ORDINANCES REGARDING STREETS, SIDEWALKS AND PUBLIC PLACES.**

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:

**PROPOSED AMENDMENT ON FILE IN THE TOWN CLERK'S OFFICE**

Ald. Rocha moved to accept and refer to the Consolidated Committee, seconded by Ald. Sherwood. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

**30110 RE: EARTH DAY 2008**

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; on April 22, 1970, 20 million people across America celebrated the first Earth Day, promoting awareness of our environment and the positive impact each of us can have on it, and

WHEREAS; Earth Day, according to the Environmental Protection Agency, is now celebrated annually and globally to raise awareness of Earth's fragile environments and the potential dangers of their unchecked destruction, NOW, THEREFORE, BE IT

RESOLVED; that the City of New Britain recognize Earth Day and help to make 2008 the year the world unites to create a cleaner, healthier world and an environmentally responsible world people.

Alderman Suzanne Bielinski  
Mayor Pro Tem

Alderman Michael Trueworthy  
Majority Leader

Alderman Louis G. Salvio  
Minority Leader

Alderman Paul D. Catanzaro

Alderman Tonilynn Collins

Asst. Majority Leader

Majority Whip

Alderman Adam Platosz

Alderman Mark H. Bernacki

Asst. Majority Leader

Asst. Minority Leader

Alderman Shirley A. Black

Alderman Roy-Centeno

Alderman Silvia J. Cruz

Alderman Gregory J. Gerratana

April 23, 2008

Alderman Lawrence J. Hermanowski

Alderman Eva Magnuszewski

Alderwoman Lori A. Rocha

Alderman Phil Sherwood

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved 5/1/08 by Timothy T. Stewart, Mayor.

### UNFINISHED BUSINESS

Ald. Trueworthy moved to take from the table Resolution 30074, seconded by Ald. Magnuszewski. Motion carried with Ald. Bernacki and Ald. Salvio opposed.

**30074 RE: THE COMMON COUNCIL'S OPPOSITION TO THE BUSH ADMINISTRATION'S CONTINUATION OF THE WAR IN IRAQ AND THE COUNCIL'S SUPPORT OF THE TROOPS SERVING IN IRAQ**

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 unequivocally supports the women and men in uniform from New Britain and the entire United States who are stationed overseas in Iraq. These individuals are making unimaginable sacrifices for their country; and

WHEREAS, The City of New Britain mourns and honors the approximately 4,000 Americans who have given their lives and almost 30,000 Americans who have been wounded during deployment in Iraq, and

WHEREAS, This March marked the fifth anniversary of the war in Iraq

WHEREAS, The City of New Britain relies heavily on Federal money to provide services to its residents; and

WHEREAS The United States Congress has appropriated over \$400 billion to fund military operations and Iraq reconstruction, while a steady decline in Federal Housing and Urban Development grants has been experienced since 2002, the year before the war began; and the cost of the war is averaging 341.4 million dollars a day.

WHEREAS, The City of New Britain Board of Finance has proposed a budget of approximately \$218 million dollars for fiscal year 2008-2009

WHEREAS, Taxpayers in New Britain, Connecticut have already paid \$204 million for the Iraq War thus far.

For the same amount of money, the following could have been provided.

67,413 People with Health Care OR  
251,922 Homes with Renewable Electricity OR  
4,025 Public Safety Officers OR  
2,731 Music and Arts Teachers OR  
24,401 Scholarships for University Students OR  
8 New Elementary Schools OR  
977 Affordable Housing Units OR  
78,228 Children with Health Care OR  
28,323 Head Start Places for Children OR  
2,817 Elementary School Teachers

WHEREAS, Taxpayers in New Britain, Connecticut will pay \$32.7 million for additional proposed Iraq spending FY 2008

April 23, 2008

For the same amount of money, the following could have been provided

10,808 People with Health Care OR  
40,387 Homes with Renewable Electricity OR  
645 Public Safety Officers OR  
438 Music and Arts Teachers OR  
3,912 Scholarships for University Students OR  
1 New Elementary School OR  
157 Affordable Housing Units OR  
12,559 Children with Health Care OR  
4,541 Head Start Places for Children OR  
452 Elementary School Teachers

WHEREAS, Taxpayers in New Britain, Connecticut will pay \$54.4 million for projected Iraq War Spending for FY 2009

For the same amount of money, the following could have been provided:

17,985 People with Health Care OR  
67,211 Homes with Renewable Electricity OR  
1,074 Public Safety Officers OR  
729 Music and Arts Teachers OR  
6,510 Scholarships for University Students OR  
2 New Elementary Schools OR  
261 Affordable Housing Units OR  
20,900 Children with Health Care OR  
7,556 Head Start Places for Children OR  
751 Elementary School Teachers

WHEREAS, The City of New Britain relies heavily on HUD grants to pay for its Social Services. As work begins on this year's budget, the estimated \$204 million that the War has cost the City will undoubtedly hamper its ability to provide for its needs in the education, healthcare, housing, economic, infrastructural and cultural sectors; now, therefore, be it

RESOLVED, The Common Council expresses its deep opposition to the Bush Administration's and Congress's continuation of the war in Iraq after its misleading and deceptive methods of garnering initial support; and

RESOLVED, That the Common Council will continue to support the troops currently serving in Iraq and their families; and be it further

RESOLVED, That the Common council will do all it can for those who have been wounded or injured in the line of duty, and support those who are grieving at the loss of a loved one; and be it further

RESOLVED, That the Common Council communicates its desire to the members of Congress to end the war in Iraq and draw down the combat troops stationed in that country; and be it further

RESOLVED, That the Common Council urges the Federal government to pursue solutions to our country's domestic issues with the same zeal it pursued the invasion of Iraq; and be it further

RESOLVED, That at the first meeting of each month of the Common Council as a whole, after the Pledge of Allegiance and prayer, time is taken to suitably honor those serving and those who have lost their lives in the conflict.

RESOLVED, That copies of this resolution be transmitted by the City Clerk to the President of the United States, the presiding officers of both Houses of Congress, Connecticut's Congressional delegation, the members of the Connecticut General Assembly, and be made available to other municipal councils and executives in the State of Connecticut.

April 23, 2008

Alderwoman Eva Magnuszewski

Ald. Magnuszewski moved to accept & adopt, seconded by Ald. Trueworthy.

Ald. Bernacki moved to amend the second WHEREAS paragraph by adding BE IT RESOLVED after the last word "and", and by deleting everything following except the sixth RESOLVED paragraph. Motion seconded by Ald. Salvio. Amendment lost.

Ald Sherwood moved to amend the first RESOLVED paragraph by adding the words "and Congress's" before the work "continuation", seconded by Ald. Bielinski.

Amendment carried with Ald. Salvio and Bernacki opposed.

Resolution as amended carried with Ald. Salvio and Bernacki opposed. Returned 5/1/08 without the approval or disapproval of Mayor Timothy T. Stewart.

Ald. Trueworthy moved to take from the table Resolution 30073, seconded by Ald. Bielinski. So voted.

**30073 RE: BUDGET TRANSFER – FIRE DEPT. \$1,000,000.00**

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 (OT), 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. Since there are many variables affecting overtime usage, it is always difficult to estimate the actual amount required to fully fund this account throughout the end of the fiscal year. At this point in time, however, we have exceeded the budgetary appropriation within this account and immediate action must be taken. The reasons are due mainly to the following circumstances:

Retirement payouts are not budgeted. Furthermore, the department cannot anticipate how many retirements there could be in a given year. The payout comes directly from the full time salary line item while the vacant position is funding through "OT".

Increased departmental use of sick time (3 days per employee, per incident; with no contractual limits on the number of incidents allowable).

Unanticipated long term sick usage (FMLA). The introduction of FMLA allows personnel to further extend the use of their sick leave usage which has a direct financial impact on assigned duty payouts (must fill the vacant spot with "OT").

FLSA payouts during the first half of fiscal year due to the new recruits. A new firefighter spends his/her first four (4) months in the academy while receiving full time pay yet not contributing to the reduction of OT.

Cost of OT for established employees to complete new training initiatives.

Use of union leave for firefighters to attend conferences, grievances, meetings etc as allowable under the current bargaining unit contract.

Consequently, it is estimated that the department will need an additional \$1,000,000 to fund these additional overtime expenditures.

It is important to consider that, in spite of this large budget overrun, the department would have reduced FLSA and assigned duty (OT) costs as a result of the new hires this fiscal year.

Funding is available within the General Fund Contingency account as well as within other departmental full time salary line items (due to position vacancies).

Therefore, be it RESOLVED, that a budget transfer be made as follows:

April 23, 2008

To:

Fire Operations Overtime            001-1221-2210-111            ~~\$1,000,000~~    1,050,000

From:

001-1311-3110-110	Public Works – Admin	\$	10,000	
001-1410-4101-110	Health Dept – Nurse	\$	20,000	
001-1411-4114-110	Civil Service – Full Time Sal	\$	10,000	
001-1151-1533-110	Health Dept – Environmental	\$	20,000	
001-1221-2210-110	Purchasing – Full Time Salaries	\$	20,000	
001-1221-2211-110	Fire – Operations	\$	10,000	
001-1221-2212-110	Fire – Admin	\$	70,000	
001-1221-2220-110	Fire – Prevention	\$	90,000	
	Fire – Operations Support	\$	150,000	
	Contingency	\$	<del>600,000</del>	650,000
	Total	\$	<del>4,000,000</del>	1,050,000

Alderman Suzanne Bielinski  
Alderman Tonilynn Collins

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins.

Ald. Salvio moved to amend by changing the Fire Operations Overtime to \$1,050,000 by adding \$50,000 to the Contingency account and by changing the total to \$1,050,000. Motion seconded by Bernacki. Amended carried.

Resolution as amended carried. Approved 5/1/08 by Timothy T. Stewart, Mayor. There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald Bielinski. So voted. Meeting adjourned at 10:21 p.m.

ATTEST: Peter J. Denuzze, City Clerk