

April 25, 2007

REGULAR MEETING OF THE COMMON COUNCIL

APRIL 25, 2007

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 25th day of April 2007 at 8:11 p.m. in the Common Council Chambers, City Hall.

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

Two members were absent: Ald. Rocha, and Ald. Collins.

Audrey Malkemus, Asst. City Clerk, gave the invocation.

John Nedosko led the pledge to the flag.

A moment of silence was observed in memory of the victims of the Virginia Tech massacre.

Ald. Trueworthy moved to accept the minutes of the Regular Meeting of February 14, 2007 and the Special and Regular Meetings of February 28, 2007, seconded by Ald. Salvio. So voted.

Ald. Trueworthy moved to amend the agenda by adding 29518-1(A.1) and by substituting 29495-2(1), 29588-1(3), and 29589-1(4), motion seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

PETITIONS

- 29611 ALD. SALVIO FOR INSTALLATION OF 3-WAY STOP SIGN AT THE CORNER OF VETERANS DRIVE AND SOUTH STREET. REFERRED TO BOARD OF POLICE COMMISSIONERS.**
- 29612 ALD. CATANZARO FOR INSTALLATION OF “NO PARKING” SIGNS ON THE NORTH SIDE OF ROXBURY ROAD BETWEEN ELIZABETH STREET AND NORTH WELLINGTON STREET. REFERRED TO BOARD OF POLICE COMMISSIONERS.**
- 29613 ALD. WYSKIEWICZ FOR A CLEAN UP OF GRAFFITI IN NEW BRITE PLAZA BEHIND THE DOLLAR STORE. REFERRED TO THE DEPARTMENT OF LICENSES, PERMITS & INSPECTIONS.**
- 29614 ALD. BERNACKI, GOSTIN AND SALVIO FOR INSPECTING 1411 EAST STREET FOR ZONING, HEALTH, ENVIRONMENTAL, BLIGHT AND PARKING VIOLATIONS. REFERRED TO DEPT. OF LICENSES, PERMITS & INSPECTIONS AND CORPORATION COUNSEL.**

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members present voted in favor. Approved April 30, 2007 by Timothy T. Stewart, Mayor.

CONSENT AGENDA

CITY CLERK

29586 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

- Bertellotti, Christine D.
- Oparowski, John by Atty. Robert C. Elfont

April 25, 2007

- Richardson, Shirley by her Atty. John Petroski
- Rutkowski, David F.
- Sanchez, Luz by Karanian & Catalano Attorneys at Law

Peter J. Denuzze,
City Clerk

CITY PLAN

**29518-1 RE: MOTOR VEHICLE DEALER / REPAIRER LOCATION APPROVAL –
PROPERTY AT 66B AND 52C ST. CLAIR AVENUE – FREDDIE RIOS, APPLICANT**

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 2, 2007 voted unanimously to recommend the approval of this request, based upon the following report:

BACKGROUND: The applicant is requesting the granting of a certificate of location approval to allow a state motor vehicle dealer's and general repairer's license, in accordance with Sections 14-54 and 14-55 of the Connecticut General Statutes. The subject location is in two separate leased spaces located in a complex of small industrial buildings on the north side of St. Clair Avenue, near East Street. The area is zoned I-2, general industry, which permits auto dealers by right.

FINDINGS: The applicant's submitted plans show that the proposed business would consist of two locations within this complex of buildings. The main location is a 4,300 square foot portion of 66 St. Clair Avenue, a building that fronts on St. Clair Avenue. Associated with this building is a paved front yard parking area measuring approximately 45 by 60 feet in area, in which a portion of the required parking would be provided. The other part of the business would be located in 2,000 square feet portion of a rear building, #52C St. Clair Avenue, which is accessed by a common driveway between the buildings at #50 and #60 St. Clair Avenue. It appears that repair operations would be conducted in both locations as both have interior repair space accessed by overhead garage doors. Presumably, a small amount of office space and storage would be located in the front building. The applicant has indicated that the business would be primarily a repair business with approximately 12 to 15 vehicles displayed for sale.

The front location at 66 St. Clair Avenue was the site of a former used car dealer's license, which was granted location approval in February 1998 (ZBA Application #3776). The rear location shares a portion of a building (52 St. Clair Avenue) with another dealer repairer location (ZBA location approval #4224 granted in December 2004.)

While various portions of this property have been licensed for motor vehicle repairs and sales in the past, the most recent ZBA location certificate reviews for this property have recommended that no further motor vehicle repair and/or sales licenses be allowed for this site until there was a comprehensive plan coordinating all of the parking and businesses occupying this complex. There was a concern that the site was in danger of being over-utilized, that the parking was haphazard and perhaps inadequate, with the potential for needed emergency access being blocked or overflow parking being forced onto the street. The plan submitted with this current application provides a more comprehensive and well-defined plan than any previous submission. It clearly shows, within the overall complex, the two proposed building spaces designated for this specific business, with its assigned parking locations totaling 32 vehicle spaces. As depicted, the other eight or nine business spaces which comprise the complex appear to have adequate access and allocation of parking to be able to function unaffected by this proposal.

The customer parking for this business would include two (2) spaces, in front of 50 St. Clair Avenue, one (1) space at the front of; one (1) parking space in front 66 B St. Clair, and one (1) near the door of the rear building at 52C St. Clair Avenue. Employee parking would consist of two (2) spaces between buildings #56 and #60 and five (5) spaces at rear of building #46. For sales display and parking of repair vehicles there would be seven (7) sales display spaces in front of 66 St. Clair Avenue; four (4) or more parking spaces in a small fenced in area at the rear of 46 St. Clair Avenue; and two (2) parking spaces in

April 25, 2007

a small common area between 56 and 60 St. Clair Avenue and seven (7) additional spaces in a common parking location in the rear central area.

CONCLUSION: The I-2 zone allows auto sales and repairers by right, and as depicted in this newly submitted site plan, this site appears to be adequately-suited to the applicant's modest sized auto repair and sales operation. An important consideration is assuring that there is a reasonable assignment of parking so that a total of adequate customer and employee parking spaces designated with signage, with customer parking located in a reasonably convenient location near the business office. This plan appears adequate to the need provided the customer spaces were marked with signage. Secondly a limitation on the size of the sales operations is recommended so as not to overwhelm the available parking. Given the type of business and the total number of parking spaces allocated, a recommended maximum of no more than 15 sales vehicles displayed on the lot at any one time seems reasonable.

RECOMMENDATION: The City Plan Commission has reviewed the submitted plan and has no objections to the granting of a certificate of location approval for this location, provided that all parking is constructed in accordance with City dimensional standards and laid out with designated customer parking conveniently located and provided sales operations are limited to no more than 15 sales vehicles displayed on the lot.

G. Geoffrey Bray, Chairman
City Plan Commission

OFFICE OF THE CORPORATION COUNSEL

29587 RE: MADELINE FONTANEZ 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:

RESOLVED, By the Common Council of the City of New Britain that the sum of THIRTEEN THOUSAND TWO HUNDRED FIFTY DOLLARS (\$13,250.00) be paid to MADELINE FONTANEZ and RICHARD L. ZAYAS, ESQ., her attorney, in full settlement of her suit against the City of New Britain, for an amount within the jurisdiction of the Court now pending in Superior Court, Judicial District of Hartford, at Hartford, for personal injuries suffered in a fall down on the sidewalk in front of 155 Washington Street on August 4, 2003. The plaintiff alleges she tripped on a cracked, uneven sidewalk and as a result of the fall, she suffered a fracture to her toe and a soft tissue injury to her back and neck. Her medical expenses related to the fall are approximately \$6,881.00.

This recommendation is made upon the advice of City Attorney Irena J. Urbaniak, after a pretrial before the Honorable Judge Jerry Wagner, with the approval and consent of Corporation Counsel Gennaro Bizzarro.

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

DEPT. OF MUNICIPAL DEVELOPMENT

29588 RE: 2007 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 9, 2007, of the proposed resolution authorizing the filing of the 2007 Neighborhood Assistance Act Program.

Kenneth A. Malinowski, Director

April 25, 2007

Department of Municipal Development

29589 RE: 2007 CONSOLIDATED PLAN FOR HUD PROGRAMS

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 3, 2007, approved a resolution regarding the 2007 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 9, 2007, of the proposed resolution authorizing the filing of the 2007 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

FINANCE DEPARTMENT

29590 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET 3/20/07 THRU 4/17/07

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 April 17, 2007.

29. Department:	Dog Fund		
From:	205-1200-5112-374	\$100.00	(Fees, Memb. & Conferences)
	205-1200-5112-330	\$200.00	(Rental/Leases of Prop/Equip)
To:	205-1200-5112-221		(Operating Material & Supplies)
Amount:	\$300.00		
Brief Explanation:	Funds needed to purchase items for efficient dog pound operation		

Robert Curry
Finance Director

29591 RE: PROJECTED SURPLUS, GENERAL FUND FISCAL YEAR 2006-2007

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 Article X, Section 10-5 (a) (2) of the City of New Britain Charter, the projected results from operations for the General Fund, Fiscal 2007, is submitted to the Common Council. Budgetary projects are based on activity through April 14, 2007. Refer to attachments also on file in the Town & City Clerk's Office

The estimated results from operations shall be adjusted through the reporting period for submission to the Council at the regular meetings on May 23, 2007 and June 27, 2007 and July 25, 2007.

April 25, 2007

Robert Curry
Director of Finance

PURCHASING DEPARTMENT

29592 RE: COOPERATIVE PURCHASING BROOMS FOR CITY STREET SWEEPERS – PUBLIC WORKS DEPARTMENT

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's cooperative purchasing plan:

<u>Supplier</u>	<u>Description</u>	<u>Price</u>
ODB Company	20 Gutter Brooms	\$1,328.00
Richmond, VA.	12 Main Brooms	\$3,240.00
	TOTAL PRICE	\$4,568.00

The Public Works Department, Street Division, requested the purchase of twenty (20) Gutter Brooms and twelve (12) Main Brooms for their Street Sweepers that is needed to clean the streets of the City utilizing the State of Connecticut's Contract Award #05-PSX-0140AB. Funding is available for this purchase in Account Number, 001-1330-3112-221.

Jack Pieper
Purchasing Administrator

29593 RE: COOPERATIVE PURCHASING – INFLUENZA VIRUS VACCINES 007-08 SEASON – HEALTH DEPARTMENT

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's cooperative purchasing plan:

<u>Supplier</u>	<u>Description</u>	<u>Total Price</u>
FFF Enterprises	Influenza Virus Vaccines	\$12,000.00
Temecula, CA.		

The Health Department, Nursing Division, requested the purchase of Influenza Virus Vaccines for the 2007-2008 Season utilizing the State of Connecticut's Contract Award #07-PSX-0014. Funding is available for this purchase in Account Number, 001-1411-4113-450.

Jack Pieper
Purchasing Administrator

29594 RE: COOPERATIVE PURCHASING – SAVIN 8035 DIGITAL COPIER – REGISTRAR 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:

April 25, 2007

<u>Supplier</u>	<u>Description</u>	<u>Total Price</u>
A & A Office Systems, Inc. Middletown, CT.	Savin 8035 Digital Copier	\$5,463.00

The Registrar of Voter's Office requested the purchase of a Savin 8035 Digital Copier utilizing the State of Connecticut's Contract Award #04PSX0044 to replace their existing copier that is inoperative and cannot be fixed. Funding is available for this purchase from Account Number, 001-1125-1250-320.

Jack Pieper
Purchasing Administrator

29595 RE: SIGNAL WARRANT ANALYSIS – EAST AND PLEASANT STREETS – PUBLIC WORKS DEPARTMENT

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3185, approved at its Regular Meeting of August 10, 2005

Project Name: Signal Warrant Analysis – East and Pleasant Streets

Vendor: Maguire Group

Amount: \$5,670.00

Line Items: 219-1300-0517-S11

Requested By: Public Works Department

Scope: To complete a signal warrant analysis that will follow MUTCD (Manual on Uniformed Traffic Control Devices) procedures and guidelines at the intersections of East and Pleasant Streets. Perform a manual peak hour traffic turning count program at this intersection, which also includes counting pedestrians for the AM (7-9Am), Mid-day (11AM-1PM) and PM (4-6PM) peak hours on weekdays. Conduct a 24-hour tube traffic count for all approaches on the same day as the manual count is being conducted. Assemble count data and formulate a year of traffic operation volumes. Apply MUTCD traffic signal warrants to traffic volumes and document findings. Prepare a Traffic Signal Warrant analysis report. The analysis report will determine if a traffic signal is warranted at this intersection. Present the analysis report to the Public Works Department for review.

Jack Pieper
Purchasing Administrator

29598 RE: CHEMICALS, FERTILIZERS, GRASSES AND PESTICIDES – STANLEY GOLF COURSE AND PARKS 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. 3329 as solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for requirement purchases of Chemicals, Fertilizers, Grasses and Pesticides related for the 2007-2008 season for the Stanley Golf Course and Parks Dept. Funding requests for the commodities have been included in the 07-08 budgets in various Stanley Golf Course and Parks Department line items.

April 25, 2007

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-six (26) Chemical, Fertilizer, Grass and Pesticide Companies. The Purchasing Administrator did not receive any letters from the Chemical, Fertilizer, Grass and Pesticide Companies on the mailing list who indicated that they could not respond to the bid request. The responses were received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by Parks Dept. and Stanley Golf Course Administration and the Purchasing Administrator. Considerations in determining awards were:

- In some instances two awards were made. Patents on the formulations of many previously purchased products have run out, and generic forms have emerged. In those cases a brand name and a generic product have been chosen. Generics, which do not have a proven track record, will be tested during the season.
- Ties were awarded in accordance with City of New Britain Code of Ordinance section 2-573.
- In some cases it appears that the low bidder was not selected; however, not all bidders submitted responses on the correct unit size. Conversions were made by Golf Course Administration for comparison.

Therefore, the following is recommended by the Director of Parks and Recreation:

RESOLVED: That the Purchasing Administrator be and is hereby authorized to issue purchase orders to Tom Irwin, Inc., Burlington, MA, Hart Seed Company, Wethersfield, CT, Harrell's Turf Specialty, Danbury, CT, Lesco, Inc., Cleveland, OH, EH Turf Supply, Inc., Exeter, RI, Turflinks, Inc., Hudson, MA and Metro Turf Specialists, Danbury, CT, as selected per the highlighted attachment on an as-needed basis, per the specifications, terms and conditions of Public Bid No. 3329.

Jack Pieper
Purchasing Administrator

29599 RE: IRON PIPES FOR 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:

Public Bid No. 3332 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Iron Pipes for the Water Department. Funding is available for the purchase of this service within Account Number, 930-1000-9065-XFC.

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 (20) Pipe Companies. The Purchasing Administrator did not receive any letters from Pipe Companies on the mailing list who indicated that they could not respond to the bid request. The responses were received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Water Department's Administration and the Purchasing Administrator. Therefore the Director of the Water Department is recommending that the bid be awarded to Ferguson Water Works/EPPCO of Newington, CT. who was the lowest bidder for this Iron Pipe.

RESOLVED: That the Purchasing Administrator is hereby authorized to enter into a contract and issue a Purchase Order on an as need basis with Ferguson Water Works/EPPCO of Newington, CT for a period of one (1) year with the City, from July 1, 2007 to June 30, 2008 per the pricing, terms and specifications of Public Bid No. 3332.

April 25, 2007

Jack Pieper
Purchasing Administrator

29600 RE: CHEMICAL AND BIOLOGICAL ANALYSIS FOR 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:

Public Bid No. 3336 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Chemical and Biological Analysis Services for the Water Department. Funding is available for the purchase of this service within Account Number, 930-1000-9056-XDR.

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-eight (28) Chemical and Biological Analysis Services Companies. The Purchasing Administrator did not receive any letters from the Chemical and Biological Companies on the mailing list who indicated that they could not respond to the bid request. The responses were received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Water Department's Administration and the Purchasing Administrator. Therefore the Director of the Water Department is recommending that the bid be awarded to the lowest bidder of each Chemical and Biological Service, which is highlighted on the attachment which is on file in the Town Clerk's Office.

RESOLVED: That the Purchasing Administrator be and is hereby authorized to enter into a contract and issue purchase orders to Spectrum Analytical of Agawam Ma, Connecticut Testing Lab of Meriden CT, Premier Laboratory of Dayville CT and Phoenix Environment of Manchester CT whose prices for these services were the lowest and are highlighted on the attachment to provide the Water Department's Chemical and Biological Analysis Services per the terms and specifications of Public Bid No. 3336 for a period of one (1) year with the City's option to extend the contract for two (2) one (1) year terms upon successful negotiations with the contractors per the pricing, terms and specifications of Public Bid No. 3336.

Jack Pieper
Purchasing Administrator

29601 RE: LAUNDRY SERVICES – FIRE 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. 3340 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Laundry Services for the Fire Department. Funding is available for the purchase of this service within Account Number, 001-1221-2210-373.

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 thirteen (13) Laundry Companies. The Purchasing Administrator did not receive any letters from Laundry Companies on the mailing list who indicated that they could not respond to the bid request. The responses were received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Fire Department's Administration and the Purchasing Administrator. Therefore the Fire Chief is recommending that the bid be awarded to University Suds D/B/A Fraziers of New Britain, CT. who was the lowest bidder for this Laundry Service.

April 25, 2007

RESOLVED: That the Purchasing Administrator is hereby authorized to enter into a contract with University Suds D/B/A Fraiziers of New Britain, CT for a period of three (3) years with the City, from May 1, 2007 to April 30, 2010 per the pricing, terms and specifications of Public Bid No. 3340.

Jack Pieper
Purchasing Administrator

29602 RE: FOUR (4) OZONE GAS VALVES – 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:

Public Bid No. 3342 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for four (4) Ozone Gas Valves for the Water Department. Funding is available for the purchase of this service within Account Number, 930-1000-9056-XDS.

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 five (5) Ozone Gas Valve Companies. The Purchasing Administrator did not receive any letters from Ozone Gas Valve Companies on the mailing list who indicated that they could not respond to the bid request. The responses were received as per the following:

Bidder	Total Price
Control Associates Allendale, NJ	\$33,474.00
New London Windustrial Norwich, CT	\$36,188.10

The bids were received for conformance to specifications by the Water Department's Administration and the Purchasing Administrator. Therefore the Director of the Water Department is recommending that the bid be awarded to Control Associates, Inc. of Allendale, NJ who was the lowest bidder for these Ozone Gas Valves.

RESOLVED: That the Purchasing Administrator is hereby authorized to enter into a contract with and issue a Purchase Order to Control Associates, Inc. of Allendale, NJ to supply the City's Water Department with four (4) Ozone Gas Valves per the pricing, terms and specifications of Public Bid No. 3342.

Jack Pieper
Purchasing Administrator

REPORT OF THE TAX COLLECTOR

29603 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

COMMITTEE ON PLANNING, ZONING AND HOUSING

29518-2 RE: CERT. OF LOCATION APPROVAL – MOTOR VEHICLE GENERAL REPAIRER'S AND AUTO DEALER'S LICENSE – PROPERTY AT 66 SAINT CLAIR AVENUE

April 25, 2007

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

The Common Council/The Committee on Planning, Zoning and Housing held a special meeting and public hearing on Thursday evening, April 19, 2007 at 7:30 p.m. in the Council Chambers to which was referred the matter of Petition #29518 – Freddie Rios seeks granting of certificate of location approval to allow motor vehicle general repairer's and auto dealer's license for property at 66 Saint Clair Avenue voted to accept and recommend that the following petition be referred back to the Common Council with a favorable recommendation.

Alderwoman Silvia J. Cruz
Chair

29495-1 RE: PROPOSED AMENDMENT TO SECTION 20-80 OF THE ORDINANCES – FEES FOR EXCESSIVE RESPONSES BY THE POLICE DEPARTMENT

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 held a special meeting and public hearing on Thursday evening, April 19, 2007 at 7:30 p.m. in the Council Chambers to which was referred the matter of Item #29495 – Code of Ordinances be amended – Section 20-80. Fee for excessive responses by the Police Department voted to accept as amended and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderwoman Silvia J. Cruz
Chair

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMISSIONS AND DEPARTMENTS

PURCHASING DEPARTMENT

29596 RE: ON-CALL ENGINEERING SERVICES AERIAL PHOTOGRAPHY – PHOTO CONTROL ANALYTICAL TRIANGULATION – PUBLIC WORKS DEPARTMENT

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3185, approved at its Regular Meeting of August 10, 2005

Project Name: Aerial Photography, Photo Control and Analytical Triangulation

Vendor: Vanasse Hangen Brustlin, Inc.

Amount: \$47,200.00

Line Items: 008-2910-2615-320

Requested By: Public Works Department

Scope: To conduct an aerial photography that will be used to create a new planimetric topographic mapping of the entire City and to perform analytical triangulation for a 300' perimeter around the City of New Britain's corporate boundaries. This new planimetric mapping will replace the present outdated planimetric mapping that was created in 1990 that the Public Works Department has. The aerial photography will consist of 8 flight lines over the City and 140 exposures taken. These photographs will be utilized to create a planimetric mapping of the City that will be to a scale of 1"= 40' with one (1) foot contours. The new planimetric mapping will help in identification of drainage characteristics, roadway alignments, infrastructure locations, land parcels, building locations and topography of the City.

Jack Pieper
Purchasing Administrator

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

29597 RE: ON-CALL ENGINEERING SERVICES GEOGRAPHIC INFORMATION SYSTEM – DEPARTMENT OF PUBLIC SAFETY TELECOMMUNICATIONS CENTER

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

The following on-call engineering project has been requisitioned following the award by the Common Council for on-call engineering contracts, Bid #3185, approved at its Regular Meeting of August 10, 2005

Project Name: Geographic Information System Support

Vendor: Fuss and O'Neill, Inc.

Amount: \$44,200.00

Line Items: 008-2408-2209-324

Requested By: Department of Public Safety Telecommunications Center

April 25, 2007

Scope: Fuss and O'Neill will evaluate the City's existing computer system's architecture and diagram and how the new proposed Geographic Information System (GIS) will fit into the system. Fuss and O'Neill will review the proposed design with the City and develop an implementation schedule with tasks to be completed. Fuss and O'Neill will also make sure that the GIS system will work in combination with the Department's of Public Safety's Record Management System, Computer Aided Dispatch Application and Crimeview Software. With the proper infrastructures in place, Fuss and O'Neill will install the database, configure it, and insure that the proper levels of security are in place. Fuss and O'Neil will also create and design a geodata base to store and organize the existing data. The Public Safety Department also plans to query, map and analyze incidents and calls within the City like many other municipalities do now. The new GIS components will be helpful in the use of this software. Fuss and O'Neill will also provide technical support to meet the City's technical implementation needs, provide technical support for any GIS-related issues that could arise week to week and provide database programming support to assist with database implementation and customization.

Jack Pieper
Purchasing Administrator

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

RESOLUTIONS RETURNED FROM COMMITTEE

29495-2 RE: AMENDMENT TO SECTION 20-80 OF THE ORDINANCES – FEE FOR EXCESSIVE RESPONSES BY THE POLICE DEPARTMENT

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 require certificates of apartment occupancy; to development of a registration requirement for owners of rental/dwelling units; and make landlords and tenants jointly responsible for the costs of police calls for disturbances.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 20-80 of the Code of Ordinances, City of New Britain, be amended to read as follows (inserted text appears in underline; deleted text appears in strikethrough; new sections begin with the word [new]):

Sec. 20-80. Fee for ~~second~~ excessive responses for by the police services ~~at parties department~~.

(a) *Purpose.* It is the purpose of this article to recover the city's costs for ~~second or subsequent~~ excessive responses for neighborhood impact violations to the scene of a party when the police officer determines that continued activity is a threat to the peace, health, safety or general welfare of the public by the police department. ~~Return~~ Excessive calls for neighborhood impact violations to a party to disperse uncooperative participants ~~is~~ are a drain on personnel and resources often leaving other areas of the city without adequate levels of police protection which creates a hazard to the public, requires resources over and above the level of police services normally provided and constitutes a public nuisance the costs for which should be paid by the responsible person.

(b) *Definitions.* For the purpose of this article, the following definitions shall apply:

1. ~~Costs of a second or subsequent responses~~ Fine means ninety-nine dollars (\$99.00).

2. Costs shall include an amount equal to the rate of compensation to which the responding City employees are paid under the terms of the applicable collective bargaining agreement as of the date of such response plus a surcharge of ten (10)

percent of such amounts to cover the costs of administration in providing such municipal response.

3. Neighborhood impact violations include but are not limited to disturbance of the peace in violation of Sections 53a-181, 53a-181a, or 53a-182 of the Connecticut General Statutes; abandoned vehicles, loud music, party, drug use or sale and/or prostitution.

4. ~~Not~~ Non-owner occupied means the property is not inhabited by the owner of record.

5. Owner of Property means the owner of record

6. Party includes a gathering or event where a group of persons have assembled or are assembling on private property for a social occasion or social activity which may constitute a disturbance of the peace in violation of Connecticut Penal Code sections 53a-181, 53a-181a and 53a-182.

7. Responsible person is the person or persons who ~~own the property where the party takes place or who~~ are in charge of the premises or who organized the party. If the responsible person is a minor, then the minor's parents or guardians will jointly and severally be liable for the costs.

8. Verified police response means a response by the police department to a complaint of a neighborhood impact violation where the responding officer confirms that a violation is in fact occurring.

9. Second or subsequent responses as used in this section means and includes any ~~verified police response by the police and a finding of a disturbance of the peace in violation of Connecticut Penal Code sections 53a-181, 53a-181a or 53a-182 following an initial response at which the police determined that the party constituted a disturbance of the peace in violation of Connecticut Penal Code sections 53a-181, 53a-181a or 53-182 to the same location within thirty (30) days of the initial response and shall be limited in its application to any "responsible person" as defined herein.~~

10. Excessive responses as used in this section means and includes any verified police response and shall be limited in its application to the property owner.

(1) Response schedule:

(a) Single Family - Over two (2) responses in a twelve month period.

(b) Two Family - Over four (4) responses in a twelve month period.

(c) Three Family - Over six (6) responses in a twelve month period.

(d) Four Family or more - Over eight (8) responses in a twelve month period.

(2) This ordinance applies to rental dwelling units whether or not owner occupied.

(c) Notice, Fine and Registration of Unit. ~~During a first response to a complaint of a disturbance at a party, For any second or subsequent response as defined in subsection (b) (8) herein and for any excessive response as defined in subsection (b) (9) herein, the police department responding officer may, among other things, shall~~ deliver to the responsible person and/or owner of the property as applicable a "Notice of Violation: ~~First Final~~ Response" which shall ~~contain a message state~~ substantially as follows:

"This notice of violation is given to you as a result of a ~~first final~~ response by the City of New Britain to a disturbance of the peace occurring in violation of Connecticut Penal Code General Statutes Sections 53a-181, 53a-181a and 53a-182. for a neighborhood impact violation. You will be charged ninety-nine dollars (\$99.00) as a result of any ~~second or subsequent~~ verified police response by the police to this location."

The notice may also contain such other information as deemed necessary by the chief of police to accomplish the purposes of this section. ~~In addition any property containing three or more housing units requiring a verified police response as defined herein after the above-described final notice shall be required to register said property with the director of licenses, permits and inspections within twenty (20) days of said verified police response. The police department shall notify the director of licenses, permits and inspections within twenty days of the verified police response after the final~~

notice of the property address and name of the owner of the property required to be registered as well as the property owner. Upon registration, the property shall be inspected by the department of licenses, permits and inspections and the fire department to confirm that said property is in compliance with the building code and fire code. In addition the department of licenses permits and inspections and fire department shall inspect the property every six (6) months for the twelve (12) month period following the date of registration of the property with the director of licenses, permits and inspections. If during this twelve (12) month period the property has no more verified police responses, the registration and inspection process will cease. If, however, during this twelve month period the property has had additional verified police responses, the registration and inspections shall continue until such time as the property completes a twelve month period without any verified police reponse. Upon the registration of the property, the owner shall pay an inspection fee of thirty-five dollars (\$35.00) per apartment unit.

(d) All funds collected under sub-section (c) of this section for subsequent responses by the police shall be retained by the police department. All funds collected under sub-section (c) of this section for registration and inspections shall be retained within the department of license permits and inspections for the exclusive use of administration and enforcement of this ordinance.

(e) No provision of the section shall be applicable to Co-operative Housing Associations whereby all units are owner occupied.

(f) The director of licenses, permits and inspections shall report to the Mayor and the Common Council no later than October 1st of each year thereafter the number of registrations and inspections performed.

(g) Any owner or lessor whose property is required to be registered with the department of licenses, permits and inspections under subsection (c) cannot recover rent unless said registration is obtained. Any owner who recovers rent for the occupation of any apartment or dwelling unit for which a registration has not been obtained, shall be liable for a fine of twenty dollars (\$20.00) per day for not more than two hundred (200) days for such period of unlawful occupation. Failure to pay this fine within sixty (60) days shall constitute a debt in favor of the city.

(h) This Ordinance shall become effective on August 15, 2007.

~~(j)~~ (d) *Bill for costs.* If the city is required to make a second or subsequent or excessive responses as defined herein to a party and a "Notice of Violation: ~~First~~ Final Response" has been delivered to the responsible person and/or the property owner as applicable, then the city shall compute the costs of such response. A bill for the costs incurred by the city for ~~each subsequent applicable chargeable~~ response shall be prepared and delivered to the responsible person and/or property owner as applicable who shall be liable for its payment. The amount of the charges shall be deemed a debt to the city of the responsible person and/or property owner as applicable who shall be liable in an action brought in the name of the city for recovery of such amount, including reasonable attorney's fees.

(j) ~~(e)~~ Enforcement.

(1) The chief of police shall notify the finance director in writing upon the rendering of such police services, of the name and address of the responsible person and/or property owner as applicable, the date and time of the incident and the services performed and the costs thereof and such other information as maybe required. The finance director shall thereafter cause appropriate billings to be made.

(2) The finance director is authorized to adopt appropriate procedures for billing and other matters necessary for the administration of this section. All billing invoices shall be mailed within thirty (30) days.

(k) ~~(f)~~ Appeal. Any person aggrieved by any decision of the finance director to bill for costs of ~~a second or subsequent responses~~ may appeal ~~to the city's common~~

April 25, 2007

~~council claims committee by filing a notice of appeal with the city clerk within fifteen (15) days of the date of the billing. Upon the filing of such request, the city clerk shall set a time and place for the hearing and shall notify the appellant thereof. At the hearing, any person may present evidence in opposition to or in support of the appellant's case. At the conclusion of the hearing, the city council may affirm, reverse or modify the decision and the decision of the city council shall be final pursuant to section 1-17 of the Code of Ordinances.~~

~~(Ord. of 1-92; Ord. of 10-98; No. 27117-1, 9-11-02)~~

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Salvio. Ald. Bernacki requested a ruling from the Chair as to whether or not the changes on this substitute resolution represent substantive changes and should be referred back to committee. Mayor Stewart ruled the changes substantive and the resolution should be referred back to committee. Ald. Trueworthy challenged the ruling of the Chair, seconded by Ald. Hermanowski. Roll call vote on the challenge – 7 in favor, 6 opposed. In favor: Ald. Trueworthy, Black, Cruz, Catanzaro, Hermanowski, Wyskiewicz and Bielinski. Opposed: Ald. Carroll, Platosz, Kirejczyk, Salvio, Gostin, Bernacki. Chair overruled. Ald. Salvio moved to amend the motion to accept and adopt, to accept and refer back to the Committee on Planning, Zoning and Housing, seconded by Ald. Platosz. Roll call vote – 5 in favor, 8 opposed. In favor: Ald. Carroll, Platosz, Salvio, Gostin, Bernacki, Opposed: Ald. Trueworthy, Black, Cruz, Catanzaro, Hermanowski, Kirejczyk, Wyskiewicz, Bielinski. Amendment defeated. Roll call vote on the original motion – 11 in favor, 2 opposed. In favor: Trueworthy, Black, Cruz, Catanzaro, Carroll, Hermanowski, Kirejczyk, Wyskiewicz, Gostin, Bernacki and Bielinski. Opposed: Ald. Platosz and Ald. Salvio. Approved April 30, 2007 by Mayor Timothy T. Stewart.

NEW BUSINESS

RESOLUTIONS

29604 RE: LEASE AGREEMENT WITH NEW BRITAIN MUNICIPAL EMPLOYEES CREDIT UNION, INC., FOR SPACE IN CITY HALL – 7/1/06 THROUGH 6/30/08

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 New Britain Municipal Employees Credit Union, Inc. has been leasing space in City Hall consisting of approximately 400 square feet, known as Room 406 pursuant to a lease agreement through June 30, 2006; and

WHEREAS, The annual rent is Six Thousand Dollars (\$6,000.00) or Five Hundred Dollars (\$500.00) per month; and

WHEREAS, The parties are interested in a new lease agreement for a term of two (2) years which will be retroactive to July 1, 2006, and continue in effect through June 30, 2008; and

WHEREAS, The annual rent shall remain the same, Six Thousand Dollars (\$6,000.00) or Five Hundred Dollars per month; and

WHEREAS, The Board of Directors for the New Britain Municipal Employees Credit Union, Inc., voted to approve this lease on March 28, 2007; and

WHEREAS, The rental income derived from said lease will result in additional revenues to the General Fund of the City; now, therefore, be it

April 25, 2007

RESOLVED, That Timothy T. Stewart, Mayor, be and is hereby authorized to enter into the attached lease agreement with the New Britain Municipal Employees Credit Union, Inc.

(Copy of Lease Agreement is on file in the Town Clerk's Office.)

Alderwoman Lori Rocha

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

29588-1 RE: 2007 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 9, 2007, 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 2007 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.

Alderman Edward S. Kirejczyk, Jr.
Alderman James A. Wyskiewicz

Ald. Wyskiewicz moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Kirejczyk. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

29589-1 RE: 2007 CONSOLIDATED PLAN FOR HUD PROGRAMS

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 2007 under the following programs: \$1,926,216 for the Community Development Block Grant (CDBG) Program, \$82,922 for the Emergency Shelter Grant (ESG) Program and \$716,252 for the HOME Program, and the City anticipates receiving program income during Fiscal Year 2007 of approximately \$168,840 from the CDBG Revolving Funds and \$348,800 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 2007 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

April 25, 2007

WHEREAS, a Public Hearing of the Common Council was held on April 18, 2007, 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 2007 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 2007 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 2007 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 Edward S. Kirejczyk, Jr.
Alderman James A. Wyskiewicz

Ald. Wyskiewicz moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Kirejczyk. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

29605 RE: BUDGET TRANSFER - \$7,620.00 – POLICE DEPARTMENT

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

WHEREAS, a budget transfer within the Police budget is requested to cover current shortages in a supply account and to provide fleet maintenance funds (motorcycle repair) for the remainder of the fiscal year, and,

WHEREAS, there are sufficient budgeted funds available for transfer in the Support Identification and Records - Equipment, Furniture Main't. and Repair account, THEREFORE BE IT

RESOLVED, by the Common Council of the City of New Britain, that a budget transfer of \$7,620 be made within the Police Department budget to provide for supplies and maintenance expenses as outlined below:

Transfer from the following account:

	Support Identification and Records	
001-1600-1829-373	Equipment, Furniture Main't. and Repair	<u>\$7,620</u>
	Total	\$7,620

Transfer to the following accounts:

001-1600-1804-221	Operating Material and Supplies	\$2,620
001-1600-1835-373	Fleet Management: Equipment Repair	<u>\$5,000</u>
	Total	\$7,620

Ald. Suzanne Bielinski - Police Liaison
Ald. Silvia Cruz - Police Liaison

Ald. Paul Catanzaro - Police Liaison
Ald. Lawrence Hermanowski - Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved by April 30, 2007 by Mayor Timothy T. Stewart.

29606 RE: BLUM SHAPIRO AND COMPANY, CERTIFIED PUBLIC ACCOUNTANTS BE APPOINTED AS INDEPENDENT FINANCIAL AUDITOR FOR THE FISCAL YEAR 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:

Resolution Background and Summary:

The Audit Subcommittee of the Common Council met on December 14, 2005 to appoint the independent auditor for the fiscal year ending June 30, 2006. At this time, the committee requested that the finance department issue an RFP and conduct a formal bidding process for this service for the fiscal year ending June 30, 2007. In January 2007, nine (9) RFP's were mailed out to audit firms throughout the State. In addition, it was posted on the City's website as well as on the State Department of Administrative Services (DAS) website. We received four (4) proposals. Attached you will find a bid tabulation sheet that summarizes the proposed breakdown of the engagement as well as the proposed number of hours and the annual fee structure for each firm. As indicated in the RFP, the final selection is not to be based solely on price but rather on what each firm can potentially bring to the City. An auditor selection committee (comprised of Bob Curry, Director of Finance; Becky Salerni, Manager of Accounting; Lisa Carver, Mayor's Chief of Staff; and Paula Yukna, Chairwoman Board of Finance and Taxation) was formed to review the proposals and interview representatives from each firm. Each firm was rated based on eleven (11) criteria.

Audit Committee Recommendation:

It is the committee's recommendation that Blum Shapiro be appointed as the City's independent auditor for the following reasons:

1. Quality of audits completed over the past ten (10) years.

The City has never filed for an extension without justifiable cause. Furthermore, the managing partner and the staff at S&W were instrumental in the issuance of the City's very first Comprehensive Annual Financial Report (CAFR) issued for FY 2001. This annual document was a major factor in the upgrade of the City's bond rating. Blum Shapiro has vowed that the current level of service will continue.

2. The firm's philosophy of year round service included within the price of the engagement.

The other firms stated that the City would be charged for any service above and beyond matters concerning the fiscal year end audit. This never occurred with S&W and we have been reassured that it will not occur with Blum Shapiro.

3. The firm's dedication to completing our audit at the agreed-upon rate and on a timely basis.

All of the other firms gave us an indication that additional fees would be imposed if there were any glitches in the proposed schedule. Given the fact that our accounting system is dated, a new firm could run into problems accessing and extracting data. The managers at S&W have always worked with us to obtain the data necessary to complete the audit without the mention of any additional fees. We have been assured that this practice will continue with Blum Shapiro.

4. The specialized knowledge (educational matters and the MER computation) and expertise of the principals employed by the firm.

While all of the other firms employ knowledgeable, qualified CPA's who sit on boards and commissions and who are members of a variety of professional organizations, only Blum Shapiro employs individuals who are truly expert on the above-stated matter. Historically, the City has encountered many education-related issues and some of these were potentially costly. Therefore, it is prudent to have individuals available with this type of expertise.

5. Although this firm does not have the lowest annual price, it has the lowest per hour rate.

Blum Shapiro quoted 1400 hours while the other firms quoted 1000 or 1100. Based on prior history, S&W has spent an average of 1500 hours on New Britain's audit over the past few years. As Blum Shapiro stated during their interview, 1400 hours is their preliminary budget, however, they anticipate going over without additional charges to the City.

6. Blum Shapiro has the most experience in auditing municipalities with a similar budget and population as the City of New Britain.

McGladrey and Pullen: City of Norwalk; City of Danbury; Town of Greenwich; City of Stamford; City of Bridgeport

CCR: City of Albany, NY; County of Schenectady, NY

Blum Shapiro: Town of Stratford; City of Bristol; Town of West Hartford; City of Milford; Town of Manchester; City of Waterbury

Kostin, Ruffkess & Co: Fairfield CT; Cranston RI

7. Scully and Wolf LLP (the city's independent auditors for the past ten years) has recently undergone a merger with Blum Shapiro. Scully and Wolf is no longer in existence.

The partners, managers and staff as well as the Scully and Wolf ideology have all been absorbed into the Blum Shapiro organization; however, it is a different firm. While the GFOA recommendation on Independent Auditing Services states that a competitive bidding process should be instituted at the culmination of every contract period, it does not advocate the automatic rotation of independent auditors and, in fact, states that the current auditors should be given equal weight in the bidding process.

Resolution Purpose:

To approve a contract with Blum Shapiro and Company for the service of independent auditor for the City of New Britain for the fiscal year ending June 30, 2007 at a rate of \$119,300. This contract would be executed with an option to extend for four (4) additional fiscal years (June 30, 2008 at \$121,100; June 30, 2009 at \$122,900; June 30, 2010 at \$124,800; and June 30, 2011 at \$126,600).

Therefore, Be It Resolved, that the firm of Blum Shapiro and Company, Certified Public Accountants, be appointed as City of New Britain's independent financial auditor for the fiscal year ending June 30, 2007 and be it further

Resolved, that Mayor Timothy T. Stewart is authorized to execute an agreement with Blum Shapiro and Company on behalf of the City for the FY 2007 independent financial audit engagement with an option to extend for four (4) additional fiscal years at the above-stated rates.

Alderman Edward S. Kirejczyk, Chair
Audit Committee

Ald. Kirejczyk moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

29607 RE: PROPOSED AMENDMENT TO SECTION 4-1 OF THE ORDINANCES REGARDING THE HOURS AND DAYS OF SALE OF ALCOHOLIC LIQUOR – TO CONFORM TO CONNECTICUT STATE STATUTES – SEC. 30-91

Proposed Ordinance on file in the Town Clerk's Office

Ald. Wyskiewicz moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Hermanowski. So voted. Approved April 30, 2007 by Mayor Timothy t. Stewart.

29608 RE: AGREEMENT WITH THE STATE OF CONNECTICUT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, FOR ACQUIRING FEDERAL EXCESS PROPERTY UNDER THE DEPARTMENT OF DEFENSE FIREFIGHTER 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 State of Connecticut, Department of Environmental Protection, Division of Forestry will soon activate a program for the acquisition of Federal excess property and:

April 25, 2007

Whereas, The City of New Britain Fire Department on application may become available for the use of such property at no cost and

Whereas, Participation in the State of Connecticut, Department of Environmental Protection, Division of Forestry program requires a signed agreement between the Department of Environmental Protection and the New Britain Fire Department,

Whereas, participation in this program may allow the New Britain Fire Department to acquire equipment to use for firefighting and emergency services which is a financial benefit to the City,

Therefore be it resolved, by the Common Council of the City of New Britain, that the Mayor be hereby authorized to enter into an agreement with the State of Connecticut, Department of Environmental Protection, Division of Forestry, for the purpose of acquiring federal excess property under the department of Defense Firefighter program, and to provide such additional information needed to execute such an agreement.

Alderwoman Suzanne Bielinski
Alderman Louis Salvio
Alderman Paul D. Catanzaro

Ald. Bielinski moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

**29609 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING SECTION 13-90 –
REGISTRATION FOR RENTAL DWELLING / UNITS: APPROVED BY COLLEGES
AND UNIVERSITIES FOR STUDENTS’ OFF-CAMPUS HOUSING**

Proposed Ordinance on file in the Town Clerk’s Office.

Ald. Gostin moved to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Trueworthy. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

**29610 RE: CARNIVAL ON THE LINCOLN SCHOOL GROUNDS ON STEELE STREET – 5/10/07
THRU 5/12/07**

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:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be hereby authorized to issue to the Lincoln School PTA or their designated vendor, said license as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for the period of May 10, 2007 through May 12, 2007 for the purposes of conducting a carnival on the Lincoln School grounds (Steele Street) in order to raise funds for new playscape equipment for the school.

Alderman Michael Trueworthy
Majority Leader

Ald. Trueworthy moved to accept and refer to License Committee, seconded by Ald. Bielinski. So voted. Approved April 30, 2007 by Mayor Timothy T. Stewart.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 9:49 p.m.

ATTEST: Audrey Malkemus, Asst. City Clerk