

May 13, 2009

REGULAR MEETING OF THE COMMON COUNCIL

MAY 13, 2009

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 13th day of May 2009 at 8:19 p.m. in the Common Council Chambers, City Hall.

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

Two members were absent: Ald. Collins and Ald. Salvio.

The invocation was given by City Clerk, Peter J. Denuzze: O God, our Heavenly Father, as we start this Common Council meeting, inspire us to understand clearly the basic problems of our City. Motivate us to act accordingly and courageously to these needs. We ask this in Thy name. Amen.

Atty. Nicholas E. DeNigris led the pledge to the flag.

Ald. Trueworthy moved to adopt the minutes of the Regular Meetings of April 8, and April 22, 2009 and the Special Meeting of April 9, 2009. Motion seconded by Ald. Bielinski. So voted.

PETITIONS

- 30608 ALD. HERMANOWSKI FOR REMOVAL OF TREE IN FRONT OF 148 MILLER STREET. REFERRED TO THE PARKS & RECREATION DEPARTMENT.**
- 30609 ALD. SALVIO, BY REQUEST FOR REPAIRING CRACKS IN THE WALNUT HILL PARK LOOP. THE CRACKS ARE BECOMING SO WIDE THAT SOON IT WILL BE DANGEROUS TO SKATE SAFELY. REFERRED TO THE PARKS AND RECREATION DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS.**
- 30610 ALD. HERMANOWSKI FOR FILLING AND REPAIRING CRATERS AT THE INTERSECTION OF FARMINGTON AVE. AND HAYES STREET. REFERRED TO THE DEPARTMENT OF PUBLIC WORKS.**
- 30611 ALD. HERMANOWSKI FOR REPAIRING ALL POTHOLES AT THE INTERSECTION OF HIGH AND CARMODY STREET – CARMODY & GROVE STREET AND THE ENTIRE LENGTH OF GROVE STREET. REFERRED TO THE DEPT. OF PUBLIC WORKS.**
- 30612 ALD. SALVIO, BY REQUEST FOR INSTALLING “LOCAL TRAFFIC ONLY” SIGNS ALONG RT. 372, BLACK ROCK AVE. AND LINCOLN ST. AT OR NEAR THE “NO TRUCK” SIGNS TO DISCOURAGE INTER-TOWN TRAVEL AND CUT THRUS. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**
- 30613 ALD. SALVIO, BY REQUEST FOR MOVING THE CURRENT “25 MPH SPEED LIMIT” SIGN LOCATED ON VICTORIA RD. NEAR THE CORNER OF STEELE STREET**

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FURTHER SOUTH NEAR THE TOP OF THE HILL TO REDUCE EXCESSIVE SPEED. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

30614 ALD. SALVIO, BY REQUEST FOR EXTENDING THE "NO PARKING" ZONE ON THE ODD NUMBERED SIDE OF VICTORIA ROAD FROM #115 TO #127. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members present voted in favor. Approved May 19, 2009 by Timothy T. Stewart, Mayor.

CONSENT AGENDA

CITY CLERK

30582 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

- Edwards, Janice C.
- Ramos, Gilbert.

Peter J. Denuzze
City Clerk

OFFICE OF THE CORPORATION COUNSEL

30583 RE: SHYJUAN PEARSON V. OFFICERS JERRY CHROSTOWSKI AND SEAN FARMER

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

Please be advised that on April 20, 2009, summary judgment was entered on behalf of two City of New Britain police officers, Jerry Chrostowski and Sean Farmer. Plaintiff had alleged false arrest, malicious prosecution, negligent infliction of emotional distress, conspiracy and false imprisonment, as of an arrest of May 8, 2002, and incarceration through August 16, 2002. The defendants' motion for summary judgment was based on the fact that the statute of limitations had run on all his allegations, therefore, the claims were time barred.

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Note that an identical lawsuit had been earlier filed on January 19, 2005, and the defendants were successful in having the matter dismissed for failure to prosecute pursuant to Practice Book Section 14-3 on June 1, 2007.

Irena J. Urbaniak
City Attorney

FINANCE DEPARTMENT

30584 RE: LINE ITEM TRANSFERS – 4/08/09 THRU 5/05/09

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 May 5, 2009

- | | |
|--------------------|---|
| 35. Department: | Registrar of Voters - Democrat |
| From: | 001-1125-1250-310 (Advertising & Printing) |
| To: | 001-1125-1250-373 (Equip., Furn., Maint. & Repairs) |
| Amount: | \$1,043.00 |
| Brief Description: | Funds needed to purchase new computer and software |
| 36. Department: | Assessor Department |
| From: | 001-1151-1511-374 (Fees & Memberships - Conferences) |
| To: | 001-1151-1511-210 (Office Supplies) |
| Amount: | \$400.00 |
| Brief Description: | Funds needed for vehicle pricing guides for 10/1/09 Grand List and for shredding services |

Robert Curry
Finance Director

PURCHASING DEPARTMENT

30585 RE: COOPERATIVE PURCHASING, WALK-IN MODULAR COOLER/FREEZER AT VETERANS STADIUM FOR THE PARKS 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:

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order was requested for the following under the State of Connecticut's Cooperative Purchasing Plan for the Parks and Recreation Department:

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<u>Supplier</u>	<u>Item</u>	<u>Qty</u>	<u>Total Price</u>
Warehouse Store Fixtures Company Waterbury, CT.	Walk-in Modular Cooler/Freezer	1	\$16,000.00

The New Britain Parks and Recreation Department requested the purchase of one (1) new Walk-in Modular Cooler/Freezer at Veterans Stadium utilizing the State of Connecticut's Contract Award #05PSX0091. The present Cooler/Freezer that was installed at Veterans Stadium in the 1980s is in need of repairs and has out lived it's usefull life. Funding is available for this purchase from Account Number 001-1511-5300-373, General Fund, Recreation, Concessionaire and Sport Complex Equipment, Furniture, Maintenance and Repairs.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$16,000.00 to Warehouse Store Fixtures Company of Waterbury, CT for the purchase of one (1) new Walk-in Modular Cooler/Freezer at Veterans Stadium for the New Britain Parks and Recreation Department, utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #05PSX0091.

Jack Pieper
Purchasing Agent

30586 RE: PURCHASE OF COMPUTER EQUIPMENT FOR THE INFORMATION TECHNOLOGIES DEPT.

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 Department of Information Technology's Master Agreement B-05-022 for the Information Technologies Department:

<u>Supplier</u>	<u>Items</u>	<u>Total Price</u>
The Mercury Group Stratford, CT.	Supply and installation of a computer equipment cabinet, wire tray, fiber and cat 6 wiring between new and existing cabinets	\$8,900.00

The Information Technologies Department requested the purchase and installation of a computer equipment cabinet, wire tray, fiber and cat 6 wiring between new and existing cabinets utilizing the State of Connecticut Department of Information Technology's Master Agreement B-05-022. The State of Connecticut Department of Information Technology has this agreement with the Mercury Group for these items. The Mercury Group has provided the Master Agreement pricing to the City for the items needed to make the needed improvements in our computer room. Funding is available for this purchase from Account Number 008-2105-1532-442, Capital Account, Technology Bond.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$8,900.00 to The Mercury Group of Stratford, CT for the purchase and installation of a computer equipment cabinet, wire tray, fiber and cat 6 wiring between new and existing cabinets within the City's computer room for the Information Technologies Department, utilizing the pricing from the State of Connecticut Department of Information Technologies' master agreement, B-05-022.

Jack Pieper

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Purchasing Agent

30587 RE: ON-CALL ENGINEERING SERVICES – REVISION TO WATER SUPPLY PLAN AND PREPARATION OF THE SALE OF EXCESS WATER PERMITS

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 #3440, approved at its Regular Meeting of October 22, 2008

Project Name: Revision to Water Supply Plan and Preparation of the Sale
of Excess Water Permits
Vendor : Lenard Engineering, Inc.
Amount: \$6,800.00
Line Items: 930-1000-9065-XD9
Requested By: Water Department – Water Department's Operating Fund

Scope: Lenard Engineering, Inc will make revisions to the Water Department's Water Supply Plan to address the fifty-three (53) comments that the State of Connecticut's Department of Public Health had after reviewing the plan. Lenard Engineering, Inc will incorporate information regarding the Tilcon reservoir project into the revised document. Once the revisions have been made they will submit the revised document to the Water Department for their review and approval. Once approved Lenard Engineering, Inc will prepare a draft of the permits for the sale of the excess water to Plainville, Berlin, Bristol and Kensington. They will utilize information from the current water supply plan, availability mapping, and drawings of the interconnection locations for the draft of the permit application. When complete, Lenard Engineering, Inc will meet with the Water Department to review and discuss the revisions and obtain approvals to create the final set of permit applications.

Jack Pieper
Purchasing Agent

30588 RE: DRAINAGE IMPROVEMENTS IN WALNUT HILL PARK – PUBLIC WORKS 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. 3463 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Drainage Improvements in Walnut Hill Park for the Public Works Department. Funding available for this purchase is within Account Number 008-2703-2239-322, Capital Projects, Storm Water System Improvements.

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 forty-seven (47) Construction Companies. The Purchasing Agent did not receive any letters from the Construction Companies on the mailing list who indicated 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 Engineering Department and the Purchasing Agent. Therefore the Director of Public Works is recommending that the base bid and the alternates be awarded to Colossale Concrete, Inc of Berlin, CT who was the lowest responsible bidder and met all of the bid specifications for the Drainage Improvements in Walnut Hill Park.

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RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a Purchase Order for \$1,846,320.00 to Colossale Concrete, Inc of Berlin for Drainage Improvements in Walnut Hill Park for the Public Works Department per the terms and conditions of Public Bid No. 3463.

Jack Pieper
Purchasing Agent

30589 RE: RELAMPING OF THE OSGOOD PARK FOOTBALL FIELD – 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. 3479 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Relamping of the Osgood Park Football Field for the Parks and Recreation Department. Funding is available for the purchase of the Relamping of the Osgood Park Football Field within Account Number 213-1800-1864-768, Capital Improvements, LOCIP Account, Osgood PAL Field Lights.

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 fifty-six (56) Electrical Contractors. The Purchasing Agent did not receive any letters from the Electrical Contractors on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Parks & Recreation Department's Administration and the Purchasing Agent. The Parks and Recreation Department's Administration is recommending that the base bid and alternates #2 and #3 be awarded. Therefore the Director of Parks and Recreation is recommending that the bid be awarded to Semac Electrical of New Britain, CT who was the overall lowest bidder.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract with and issue a purchase order in the amount of \$52,040.00 to Semac Electrical of New Britain, CT for the Relamping of the Osgood Park Football Field per the terms and specifications of Public Bid No. 3479.

Jack Pieper
Purchasing Agent

30590 RE: TACK COATING FOR THE PAVEMENT OF CITY STREETS – PUBLIC WORKS 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. 3473 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Tack Coating for the Pavement of City Streets for the Public Works Department. Funding is available for this purchase from Account Number 008-2910-2615-322, Capital Projects, Streets.

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 seven (7) Companies who could supply this product or perform this service. The Purchasing Agent did not receive any letters from the Companies on the mailing list indicating that 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 Public Works Department Administration and the Purchasing Agent. Therefore the Public Works Director is recommending that the bid be awarded to Comer Contracting, Inc of Farmington, CT who was the overall lowest bidder.

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RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a standing purchase order to Comer Contracting, Inc of Farmington, CT for the Tack Coating of City Streets effective through March 31, 2010 per the pricing, terms and specifications of Public Bid No 3473.

Jack Pieper
Purchasing Agent

30591 RE: PARK CONCESSION RIGHTS FOR THE PARKS 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. 3486 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 thirty (30) Concession Companies. The Purchasing Agent did not receive any letters from the Concession Companies on the mailing list who indicated they could not provide a response to the bid request. Only one (1) bid was received. The response 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 Company 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 payment of \$1,252.00 to the City for the right to provide concession services at the indicated Parks. Plagia Ice Cream Company had the concession rights for the indicated Parks last year.

RESOLVED: That the Purchasing Agent is hereby authorized to grant Plagia Ice Cream Company of Waterbury, CT the concession rights for Chesley Park, A.W. Stanley Park, Stanley Quarter Park and Walnut Hill Park in accordance with the specifications of Public Bid No. 3486.

Jack Pieper
Purchasing Agent

30592 RE: SALE OF SURPLUS EQUIPMENT AND VEHICLES

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. S-163 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the sale of equipment that was deemed surplus or un-repairable by the Public Works, Fire, Property Management, Water, and Park and Recreation Departments.

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 one hundred and fourteen (114) companies and/or individuals. The responses received are on file in the Town Clerk's Office.

The bids were reviewed, and checked for conformance to the minimum bid requirements by the Purchasing Agent. A New Britain based Company was within 10% of the highest bidder for a 1994 Ford Crown Victoria. The New Britain based company agreed to raise their price to match that of the highest bidder per City Ordinance Section 2-578, Item #1.

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RESOLVED: That the Purchasing Agent is hereby authorized to sell the surplus or Un-repairable equipment to the highest bidder per the attached pricing of Public Bid No. S-163

Jack Pieper
Purchasing Agent

PUBLIC SAFETY TELECOMMUNICATIONS CENTER

30577-1 RE: WIRELESS SERVICES AT DILORETO SCHOOL

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

Two public policy issues were raised in conjunction with Council action regarding the lease of space atop the DiLoreto School to a wireless carrier. Those items included:

- 1.) What measures are in place to assure that any damage to the roof structure by the wireless carrier do not result in cost consequences to the City?
- 2.) Does the siting of a wireless carrier on a school building pose any health risk to the enrolled children?

Roof Damage

This first matter is easily defined and managed. Because of the question, the unsigned lease agreement was amended to include a clause as follows:

Tenant shall repair any damage to the Premises or Property caused by Tenant during the installation and maintenance of equipment. Tenants area is identified as an area of ingress and egress from roof hatch, approximately 8' in width to the work area, further identified as an area in and around the subject chimney extending outwards approximately 30'.

The proposed lease already had language regarding roof damage caused by the wireless carrier. That language states:

Tenant shall repair any damage to the Premises or Property caused by the negligence or willful misconduct of Tenant. Upon expiration or termination hereof, Tenant shall restore the Premises to substantially the condition in which it existed upon start of construction, reasonable wear and tear and loss by casualty or other causes beyond Tenant's control excepted.

The combination of these two items coupled with other lease provisions should satisfy the public policy question.

Health Risk to Occupants

The siting of wireless carriers has been a controversial issue since the development of cellular technology. From inception, certain communities or parts of communities raised objections to the aesthetics of large towers with unusual antenna structures. Regulatory authorities as well as the industry reacted by creating management mechanisms to deal with these issues. The industry designed covert antenna and tower approaches and looked to site facilities in discrete places. Authorities, particularly at the federal level, recognizing the need for broader coverage requirements, limited the role of local and state governments in precluding siting. This effort has evolved to very frequent partnering on sites between government and the wireless industry. Not only are sites frequently shared but also cell sites are frequently leased on public properties with revenues going to cash strapped municipalities. In many ways, this evolution has led to the public policy issue in controversy.

There have been an extraordinary number of studies regarding the health effects of cellular systems. Indeed, most of these have been expanded to include all electromagnetic fields (EMF) that range from 30 KHz to 300 GHz. While there have been a number of groups in the United States and the European

Union who have aggressively challenged the current guidelines for exposure to EMF these typically have failed. This includes a very extended effort by the EMR Network, an advocacy organization, to challenge the Federal Communications Commission's Notice on Proposed Rule Making regarding this subject. This case argued that the suggested changes constituted a major environmental policy change. After a number of efforts, the Supreme Court refused to hear their appeal.

The World Health Organization has published a fact sheet on this matter and the following is excerpted from it.

A common concern about base station and local wireless network antennas relates to the possible long-term health effects that whole-body exposure to the RF signals may have. To date, the only health effect from RF fields identified in scientific reviews has been related to an increase in body temperature ($> 1\text{ }^{\circ}\text{C}$) from exposure at very high field intensity found only in certain industrial facilities, such as RF heaters. The levels of RF exposure from base stations and wireless networks are so low that the temperature increases are insignificant and do not affect human health.

The strength of RF fields is greatest at its source, and diminishes quickly with distance. Access near base station antennas is restricted where RF signals may exceed international exposure limits. Recent surveys have indicated that RF exposures from base stations and wireless technologies in publicly accessible areas (including schools and hospitals) are normally thousands of times below international standards.

In fact, due to their lower frequency, at similar RF exposure levels, the body absorbs up to five times more of the signal from FM radio and television than from base stations. This is because the frequencies used in FM radio (around 100 MHz) and in TV broadcasting (around 300 to 400 MHz) are lower than those employed in mobile telephony (900 MHz and 1800 MHz) and because a person's height makes the body an efficient receiving antenna. Further, radio and television broadcast stations have been in operation for the past 50 or more years without any adverse health consequence being established.

While most radio technologies have used analog signals, modern wireless telecommunications are using digital transmissions. Detailed reviews conducted so far have not revealed any hazard specific to different RF modulations.

From all evidence accumulated so far, no adverse short- or long-term health effects have been shown to occur from the RF signals produced by base stations. Since wireless networks produce generally lower RF signals than base stations, no adverse health effects are expected from exposure to them.

PROTECTION STANDARDS

International exposure guidelines have been developed to provide protection against established effects from RF fields by the International Commission on Non-Ionizing Radiation Protection (ICNIRP, 1998) and the Institute of Electrical and Electronic Engineers (IEEE, 2005).

National authorities should adopt international standards to protect their citizens against adverse levels of RF fields. They should restrict access to areas where exposure limits may be exceeded.

PUBLIC PERCEPTION OF RISK

Some people perceive risks from RF exposure as likely and even possibly severe. Several reasons for public fear include media announcements of new and unconfirmed scientific studies, leading to a feeling of uncertainty and a perception that there may be unknown or undiscovered hazards. Other factors are aesthetic concerns and a feeling of a lack of control or input to the process of determining the location of new base stations. Experience shows that education programmes as well as effective communications and involvement of the public and other stakeholders at appropriate stages of the decision process before installing RF sources can enhance public confidence and acceptability.

CONCLUSIONS

Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects.

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While no health effects are expected from exposure to RF fields from base stations and wireless networks, research is still being promoted by WHO to determine whether there are any health consequences from the higher RF exposures from mobile phones.

The International Agency for Research on Cancer (IARC), a WHO specialized agency, is expected to conduct a review of cancer risk from RF fields in 2006-2007 and the International EMF Project will then undertake an overall health risk assessment for RF fields in 2007-2008.

This guidance of the World Health Organization is not without critics. There have been recent actions taken by the European Parliament to engender tighter regulations from the International Commission on Non-Ionizing Radiation Protection (ICNIRP). That Commission, consisting of blue ribbon physicists and EMF experts, meets annually to review literature and recent studies on the topic and to propose adjustments to the guidelines for EMF exposure. Indeed, their guidelines were adopted by the nation of India as referenced on the floor of the Common Council. Those guidelines do not include a ban on siting at schools or hospitals although recommendations have been made to include such advice a part of those guidelines.

The FCC rules on EMF are slightly less stringent than those of the ICNIRP but not necessarily less safe. Based on the scientific argument, the exposure limits listed by the FCC are still less than 2% of the defined hazard limit of EMF. The operative issue is whether either set of guidelines is appropriate. To that end, the controversy continues. There are petitions before Congress and a recent vote of the European Parliament urges reconsideration of the guidelines.

Analysis

The operative authority for wireless communications in the United States rests with the Federal Communications Commission. They license the service providers and approve the methods and equipment used to generate electromagnetic energy. While the level of interest in EMF across the globe is rising, virtually all parties agree that policy changes, if any, need to occur at a national level and not at local levels. The concept of a publicly available wireless communications system is inherently national and international in scope. Some advocates argue for wireless free zones around schools and hospitals while still others argue that there is virtually no proof of health hazard. The World Health Organization estimates in excess of \$250 million dollars had been spent on research on this issue by 2006. This controversy is likely to extend for a substantial period.

In New Britain, we are not positioned to change the technology or the regulations associated with wireless services. We can, however, be vigilant in enforcing what rules do protect the public. To that end, we have added to the lease document the following section:

Tenant shall prepare a report documenting the signal strength of the Tenant Facilities. The report shall indicate that the Tenant Facilities, as designed and constructed, meet all relevant and appropriate state and or federal safety requirements or standards. Tenant agrees to make all reasonable and necessary changes to the Tenant Facilities to assure the safety of the public and anyone using the Building, the Property or the Premises. Tenant further agrees that the Tenant Facilities shall meet the standards set forth by the International Commission on Non-Ionizing Radiation Protection, Guidelines for Limiting Exposure to Time-Varying Electric, Magnetic, and Electromagnetic Fields (Up to 300 GHz) Copyright ©1998 Health Physics Society.

The wireless provider agreed to this language despite the absence of any consensus in the United States for changing regulations. Moreover, the history on this topic would suggest that a change may not be imminent and may not be necessary. Indeed, the City has permitted this same school to be used as a cell site in the past and has also permitted a cell site on park grounds with an outdoor pool facility. The City of New Britain is not alone in allowing siting on schools and public buildings. There are cell sites at CCSU, UConn, and a number of other school buildings throughout the state.

James P. Donnelly
Director
Public Safety Telecommunications Center

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DEPARTMENT OF PUBLIC WORKS

30545-1 RE: POTHOLE ON BROOK STREET

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

Potholes on Brook Street were repaired by Public Works staff on Friday, April 17, 2009.

Mark E. Moriarty, Director Public Works

LICENSE COMMITTEE

30567-1 RE: POPE JOHN PAUL II CATHOLIC SCHOOL BAZAAR/CARNIVAL – 6/16/09 THRU 6/20/09

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 Licenses recommended on April 23, 2009 the adoption of the following:

RESOLVED; by the Common Council of the City of New Britain that the Mayor be and he is hereby authorized to issue to the Pope John Paul II Catholic School, said licenses as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for the period of June 16-20, 2009 for the purpose of conducting a bazaar/carnival on the Pope John Paul II Catholic School grounds, 221 Farmington Avenue, New Britain, Conn.

Alderman Lawrence J. Hermanowski
Chair – License Committee

COMMITTEE ON PLANNING, ZONING AND HOUSING

30486-2 RE: CERTIFICATE OF LOCATION – MOTOR VEHICLE GENERAL REPAIRER'S AND AUTO DEALER'S LICENSE – 311 OAK STREET – MAD MAX'S MOTOR SPORTS, LLC

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 and the Zoning sub-committee of the Committee on Planning, Zoning and Housing held a public hearing on Tuesday evening, May 5, 2009 at 7:00 p.m. in the Council Chambers to which was referred the matter of Petition #30486 - Tim Panella of Mad Max's Sports, LLC seeks granting of a certificate of location approval to allow motor vehicle general repairer's and auto dealer's license for property at 311 Oak Street voted to accept and recommend that the following petition be referred back to the Common Council with a favorable recommendation.

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#30486

To His Honor, the Mayor, and the Common Council of the City of New Britain the undersigned beg leave to petition your Honorable body:

In accordance with CGS Section 14-54, Tim Panella of Mad Max's Motor Sports, LLC seeks granting of a certificate of location approval from the Common Council, acting in its capacity as Zoning Commission of City of New Britain, in order to allow a motor vehicle general repairer's and auto dealer's license for property at 311 Oak Street.

Said property is zoned B-1.

Alderwoman Silvia J. Cruz
Chair

30497-1 RE: PROPOSED SALE OF 65 KILBOURNE AVE. TO ANTHONY T. BIANCA, JR.

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, May 5, 2009 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #30497 – Purchase and Sale Agreement with Anthony T. Bianca Jr. for property at 65 Kilbourne Avenue voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderwoman Silvia J. Cruz
Chair

30511-1 RE: PROPOSED SALE OF 81 OAK STREET TO HARTFORD AREA HABITAT FOR HUMANITY

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, May 5, 2009 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #30511 – Purchase and Sale Agreement with Hartford Area Habitat for 81 Oak Street voted to accept and recommend that the following report be referred back to the Common Council with a favorable recommendation.

Alderwoman Silvia J. Cruz
Chair

30540-1 RE: LEASE AGREEMENT WITH FRIENDSHIP SERVICES CENTER OF NEW BRITAIN, INC. FOR PARKING IN ARCH STREET MUNICIPAL PARKING LOT

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 held on Tuesday evening, May 5, 2009 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #30540 – Lease Agreement with Friendship Services Center of New Britain, Inc. for parking in Arch Street Municipal

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Parking Lot voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Aldерwoman Silvia J. Cruz
Chair

COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

30543-1 RE: PROPOSED AMENDMENT TO SEC. 2-31 OF THE ORDINANCES ADDING (d) REQUIRING ANY SUBSTITUTE REPORT OR RESOLUTION SUBMITTED TO THE COUNCIL COMPLY WITH THE SAME REQUIREMENTS APPLICABLE TO ORDINANCE AMENDMENTS

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 Administration, Finance and Law at a regular meeting and public hearing held on Wednesday evening, May 6, 2009 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #30543 – Amend the Code of Ordinances by adding new subsection (d) to Section 2-31 – To require that any substitute report or resolution submitted to Common Council comply with same requirements applicable to ordinance amendments be accepted as amended and recommends that the following resolution be referred back to the Common Council with a favorable recommendation

Alderman Gregory Gerratana
Acting Chair

REPORTS OF STANDING COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

FINANCE DEPARTMENT

30526-3 RE: PURCHASE OF ELECTRICITY

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

Bridge Energy Services , LLC of East Haddam, is the energy consultant whose agreement with the City, Item # 30526, was approved at the April 8, 2009 Common Council meeting. They provide energy evaluation and commodity placement services for their customers. They negotiated electric prices with major electricity companies to supply the City, Water Department and Board of Education's electricity needs for a three and one half year period from June 2009 to December 2012. The results of these negotiations with TransCanada Power Marketing Ltd. allowed the City to avoid costs totaling \$1,515,650 for the purchase of electricity based on our current rates. The savings are summarized and are on file in the Town Clerk's Office.

Bob Curry
Finance Director

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Ald. Trueworthy opposed. Approved May 19, 2009 by Mayor Timothy T. Stewart.

COMMITTEE ON PLANNING, ZONING AND HOUSING

30445-2 RE: CHANGE OF ZONE FROM OP (OFFICE AND PUBLIC) AND I-2 (GENERAL INDUSTRY), TO B-1 (NEIGHBORHOOD BUSINESS) – VARIOUS PROPERTIES ALL BORDERING ON EAST 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 Common Council as the Zoning Authority of the City of New Britain and the Planning, Zoning and Housing Committee of the Common Council, gave due and legal notice of a time and place for a public hearing in reference to Item #30445-1 – Amend Zoning Map to change from OP (Office and Public) and I-2 (General Industry), to B-1 (Neighborhood Business), various properties all bordering on East St. on west side between Paul J. Manafort Drive and Wells Street and on east side north from 1316 East St. to end of East St. Said hearing was held on May 5, 2009 in the Council Chambers of City Hall, 27 West Main Street, New Britain, Conn.

The Common Council as the Zoning Authority of the City of New Britain and the Planning, Zoning and Housing Committee of the Common Council respectfully begs leave to recommend that the following amendment to the zoning map be accepted and referred back to the Common Council with a favorable recommendation.

Alderman Silvia J. Cruz
Chair

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Ald. Hermanowski and Ald. Rocha recused themselves. They did not attend the Planning, Zoning and Housing Committee meeting, nor did they listen to the tapes. Approved May 19, 2009 by Mayor Timothy T. Stewart.

Ald. Hermanowski and Ald. Rocha returned to the Chambers.

RESOLUTIONS RETURNED FROM COMMITTEE

30497-2 RE: THE SALE OF 65 KILBOURNE AVE. TO ANTHONY T. BIANCA, JR. FOR NOT LESS THAN \$30,000.00

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:

WHEREAS, The City of New Britain is committed to the revitalization of its neighborhoods; and

WHEREAS, The City of New Britain owns three vacant lots (0.696 of an acre) known collectively as 65 Kilbourne Avenue that were transferred from the state of Connecticut in June 2008 for administrative costs; and

WHEREAS, Anthony T. Bianca, Jr. owns and resides at the adjacent property at 55 Kilbourne Avenue. Previous to the property being transferred from the State to the City, Mr. Bianca leased the property from the state and maintained it. He is desirous to continue the maintenance of the property and to increase the property around his home by purchasing this adjacent property; and

WHEREAS, The City of New Britain has received a request for transfer of this property from Anthony T. Bianca, Jr. for a total of Thirty Thousand Dollars (\$30,000.00) and other valuable consideration; and

RESOLVED, That Timothy T. Stewart, Mayor, be and is hereby authorized to execute on behalf of the City of New Britain a purchase and sales agreement with Anthony T. Bianca, Jr. for the property known

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as 65 Kilbourne Avenue and to execute any and all documents necessary for the conveyance of said property in accordance with the terms of said agreement at a sale price of not less than \$30,000.00.

Alderman Louis G. Salvio
Minority Leader

Ald. Bernacki moved to accept and adopt, seconded by Ald. Catanzaro. Ald. Hermanowski moved to amend the RESOLVED paragraph by stating that the property be sold for not less than the assessed value of \$95,890, seconded by Ald. Trueworthy. Amendment defeated by roll call vote – 5 in favor, 8 opposed. In favor: Ald. Trueworthy, Sherwood, Centeno, Hermanowski and Bielinski. Opposed: Ald. Rocha, Magnuszewski, Platosz, Gerratana, Black, Cruz, Catanzaro and Bernacki. Ald. Bernacki moved to amend the sale price, making it \$40,000, seconded by Ald. Rocha. Amendment defeated by voice vote. Ald. Trueworthy moved to table, seconded by Ald. Sherwood. Motion to table carried by voice vote with Ald. Rocha, Bernacki and Magnuszewski opposed. RESOLUTION TABLED.

30511-2 RE: THE SALE OF 81 OAK STREET TO HARTFORD AREA HABITAT FOR HUMANITY FOR NOT LESS THAN \$8,000.00

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:

WHEREAS, The City of New Britain is committed to the revitalization of its neighborhoods; and

WHEREAS, The City of New Britain owns a vacant lot known as 81 Oak Street; and

WHEREAS, Hartford Area Habitat for Humanity (HAHFH), a regional community organization that is dedicated to increasing affordable housing and homeownership opportunities for low and moderate income families through sweat equity and volunteer labor, wishes to purchase this lot for a building project to place a single family home on this site; and

WHEREAS, The City of New Britain has received a request for transfer of this property from HAHFH for Eight Thousand Dollars (\$8,000.00) and other valuable consideration; and

WHEREAS, The City of New Britain is interested in encouraging affordable housing, homeownership, improvement in our NRZ areas and increasing its taxable Grand List; now, therefore, be it

RESOLVED, That Timothy T. Stewart, Mayor, be and is hereby authorized to execute on behalf of the City of New Britain a purchase and sales agreement with Hartford Area Habitat for Humanity for the property known as 81 Oak Street and to execute any and all documents necessary for the conveyance of said property in accordance with the terms of said agreement at a sale price of not less than \$8,000.00.

Alderman Louis G. Salvio
Minority Leader

Ald. Bernacki moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30540-2 RE: LEASE AGREEMENT WITH FRIENDSHIP SERVICE CENTER OF NEW BRITAIN, INC. FOR PARKING SPACES IN THE ARCH STREET MUNICIPAL PARKING LOT

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 fortunate to be home to many non-profit organizations that provide much needed services to our residents; and

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WHEREAS, The Friendship Service Center of New Britain, Inc. ("Friendship Center") located at 241 Arch Street is one such service organization whose mission is to aid the poor and needy in seeking better housing, employment and quality of life; and

WHEREAS, The Friendship Center is currently building a facility for permanent supportive housing at 85 Arch Street and renovating another building at 59 Arch Street; and

WHEREAS, The City of New Britain operates a municipal parking lot directly adjacent to the Friendship Center property at 85 Arch Street ; and

WHEREAS, the property at both 59 and 85 Arch Street cannot accommodate the parking necessary for the operation of these two buildings; and

WHEREAS, The City of New Britain through the Parking Commission (who will have this on their April meeting agenda) has received from the Friendship Center a request for a ten year lease with three options to renew for twenty-four (24) parking spaces in the Arch Street Municipal Parking Lot at \$15 per space per month for a total annual lease payment of \$4,320; and

WHEREAS, The City of New Britain has further received a request from the Friendship Center to permit a permanent right of ingress and egress over said Municipal Parking Lot, to allow Friendship Center and its residents at 59 Arch Street to access the parking located on the rear of the 59 Arch Street lot; and

WHEREAS, The City of New Britain is interested in supporting our non-profit partner by helping to alleviate some of the parking constraints while keeping ownership of the lot to maintain the parking needs of other Arch Street residents, and further enabling Friendship Center to fully utilize the parking on its own property; now, therefore, be it

RESOLVED, That Timothy T. Stewart, Mayor, be and is hereby authorized to execute on behalf of the City of New Britain (i) a ten year lease agreement with three options to renew with The Friendship Service Center, Inc. for twenty-four (24) parking spaces in the Arch Street Municipal Parking Lot at \$15 per space per month for a total annual lease payment of \$4,320, and (ii) a permanent easement and right of access across the Arch Street Municipal Lot for ingress and egress to parking at the rear of 59 Arch Street, and to execute any and all documents necessary for the leasing of said property in accordance with the terms of said agreement.

Alderman Louis G. Salvio
Minority Leader

Ald. Bernacki moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30543-2 RE: AMENDMENT TO SEC. 2-31 OF THE ORDINANCES ADDING A NEW SUBSECTION (d) REQUIRING ANY SUBSTITUTE REPORT OR RESOLUTION SUBMITTED TO THE COMMON COUNCIL COMPLY WITH THE SAME REQUIREMENTS APPLICABLE TO ORDINANCE AMENDMENTS

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 that any substitute report or resolution submitted to the Common Council comply with the same requirements applicable to ordinance amendments.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Chapter 2, Article II of the Code of Ordinances, City of New Britain, be amended by adding a new subsection (d) to Section 2-31 to read as follows (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

Sec. 2-31. (a) In each resolution or other item presented before the common council proposing amendments to the Code of Ordinances, the full text of sections of said Code in which text is proposed to be inserted and/or deleted shall be included in such resolution, including both the text to be inserted and the text to be deleted; except as provided in subsection (b) of this section, all text proposed to be inserted into said Code shall be underlined and all text proposed to be deleted shall be presented in strikethrough text (examples: underline, ~~strikethrough~~).

(b) Whole sections proposed to be inserted into the Code of Ordinances by such a resolution or other item need not be underlined, but the word "(new)" shall be written between the proposed section number and the text of said proposed section.

(c) Each resolution or other item presented before the common council proposing changes to the Code of Ordinances shall include a brief, prose description of the effect(s) that the proposal would have if adopted as part of said Code.

(d) Any proposed substitute report or resolution submitted to the Common Council shall comply with the requirements set forth in subsections (a), (b), and (c) herein. Any proposed substitute report or resolution which is not in compliance with these requirements will not be allowed on the agenda ~~considered~~ unless approved by the affirmative vote of two-thirds of the entire membership of the Common Council.

Alderman Phil Sherwood

Ald. Sherwood moved to accept and adopt, seconded by Ald. Gerratana. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

NEW BUSINESS

RESOLUTIONS

30593 RE: FINANCIAL MANAGEMENT SYSTEM

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 Department of Finance is responsible for the keeping of accounts and financial records, the custody and disbursement of City funds and money, safeguarding the assets of the City, and other financial duties. The Department of Finance relies heavily on computer based technology to accomplish this part of its critical mission.

WHEREAS, on September 26, 2007 the City of New Britain Common Council approved a bond resolution funding the City's Information Technology Strategic Plan. This strategic plan recommended that the City replace its' aging financial management system with a single integrated software solution that could meet the requirements of both the City and the Consolidated School District.

WHEREAS, on October 22, 2008 the City of New Britain Common Council approved the hiring of Blum Shapiro Consulting to assist the City with the financial management system (FMS) selection. A detailed Request for Proposals was prepared and mailed to 14 vendors, advertised in the New Britain Herald, and posted on the State of CT Department of Administrative Services website. Seven responses were received. These proposals ranged in price from \$609,747 to \$7,671,524. Four of these vendors were invited to demonstrate the functionality of their products to City and BOE employees. User references from each company were extensively checked.

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WHEREAS, the offering from SunGard Corporation, a national firm, at a cost of \$836,249 was recommended.

WHEREAS, the City performed due diligence on SunGard's IFAS product and received positive feedback from their user community. The Information Technology Director and the Director of Finance attended an IFAS user group meeting where they interacted with 265 users of this software and got positive feedback and recommendations. The users are comprised of cities, counties, and school districts. In addition, SunGard provided a "sand-box" environment for more detailed evaluation of the software.

WHEREAS, a recommendation to purchase SunGard's IFAS product was presented to the Information Technology Steering Committee. The Information Technology Steering Committee, including Roz Sternberg, CSDNB IT Director, Adam Pokorski, City IT Director, James Donnelly, Director of Public Safety Telecommunications, and Bob Curry, Finance Director, reviewed the selection process and recommendation. The committee voted unanimously to recommend this product.

WHEREAS, the Strategic Information Technology Bond includes sufficient monies to pay for the purchase of this financial management system, THEREFORE, BE IT,

RESOLVED, that Mayor Timothy T. Stewart be authorized to enter into a contract with SunGard for the procurement and maintenance of the IFAS financial management system.

Alderman Louis G. Salvio
Alderman Adam Platosz
Alderman Mark H. Bernacki
Alderman Gregory Gerratana

Ald. Bernacki moved to accept and adopt, seconded by Ald. Gerratana. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30594 RE: BUDGET TRANSFER – PROBATE COURT OFFICES

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 and the Town of Berlin allocate the costs of the rental of the probate court offices based on a ten-year lease agreement that was effective 10/15/01. This lease agreement is set to expire 10/15/11.

WHEREAS, Section 45a-8 of the Connecticut General Statutes requires expenses to be allocated between the City of New Britain and the Town of Berlin on the basis "in proportion to their grand lists last perfected." Every October due to the new grand list, the cost allocation share percentage changes between the City of New Britain and the Town of Berlin. Based on the current revaluation that became effective as of the October 1, 2006 grand list, the City of New Britain's cost share increased from 55% to 57%, while the Town of Berlin's cost share decreased from 45% to 43%.

WHEREAS, in addition to the 2% increase in the cost share allocation for the City of New Britain, the City is also responsible for increases in operating expenses and property taxes in excess of its base year expenses, per paragraph 21 of the lease agreement. The base year for the City of New Britain is calendar year 2003. Liberty Square, LLC has completed an analysis of operating expenses and property taxes for calendar year ending December 31, 2008 and has determined that the City of New Britain owes \$1,114.35 for the calendar year of 2008. This amount is 57% of the total due (\$1,955) based on the allocation determined by Section 45a-8 of the CT General Statutes.

WHEREAS, the FY 2008-2009 budget includes monies within the General Financial Services – Other Purchase Services Account, THEREFORE, BE IT,

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RESOLVED, that monies be transferred within the FY 2008-2009 General Fund budget for this purpose as follows:

FROM:		
001-1151-1534-390	General Financial Services – Other Purchase Services	\$1,115
TO:		
001-1121-1210-380	Grants and Contributions	\$1,115

Alderman Louis G. Salvio, Liaison
Alderman Mark H. Bernacki, Liaison
Alderman Adam Platosz, Liaison
Alderman Gregory Gerratana, Liaison

Ald. Bernacki moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30595 RE: BUDGET TRANSFER – BOARD OF FINANCE AND TAXATION – OVERTIME - \$1,200

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 Board of Finance and Taxation is responsible for making budgetary recommendations to the Mayor during the annual budget process for the ensuing fiscal year per the City Charter, Article VII, Section 7-2(e).

WHEREAS, the Freedom of Information Act (FOIA) is a federal law that establishes the public's right to obtain information from government agencies. The FOIA is codified at 5 U.S.C. Section 552. "Any person" can file a FOIA request, including U.S. citizens, foreign nationals, organizations, associations, and universities.

WHEREAS, per the Freedom of Information Act, the City of New Britain must now document and maintain minutes for all Board of Finance and Taxation meetings, both regular and budget hearing. In order to comply with the guidelines of FOIA, a recorder from the 1186 union is used to take and type the minutes of each and every Board of Finance and Taxation meeting so that they can be filed with the City Clerk for the public to view them.

WHEREAS, the Board of Finance and Taxation had more meetings than initially anticipated during FY 2008-2009 and has two regular meetings remaining in the fiscal year. As such, the Board of Finance and Taxation Overtime account requires a \$1,200 budgetary transfer.

WHEREAS, the FY 2008-2009 budget includes monies within the General Financial Services – Other Purchase Services Account, THEREFORE, BE IT,

RESOLVED, that monies be transferred within the FY 2008-2009 General Fund budget for this purpose as follows:

FROM:		
001-1151-1534-390	General Financial Services – Other Purchase Services	\$1,200
TO:		
001-1112-1123-111	Board of Finance and Taxation - Overtime	\$1,200

Alderman Louis G. Salvio, Liaison
Alderman Mark H. Bernacki, Liaison
Alderman Adam Platosz, Liaison
Alderman Gregory Gerratana, Liaison

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Ald. Bernacki moved to accept and adopt, seconded by Ald. Gerratana. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30596 RE: ST. MARY ROMAN CATHOLIC CHURCH CARNIVAL/FESTIVAL

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 Saint Mary Roman Catholic Church said license as may be issued under Chapter 5, Section 5-15 through 5-22 of the Code of Ordinances for Saturday, August 15, 2009 for the purposes of conducting carnival/festival on Beaver Street (Lafayette Street to Broad Street).

Alderman Lawrence J. Hermanowski

Ald. Hermanowski moved to accept and refer to the License Committee, seconded by Ald. Bielinski. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30597 RE: BUDGET TRANSFER AND BUDGET AMENDMENT – MPA CONTRACT - \$1,400.00

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:

WHEREAS, pursuant to section 12.6 of the MPA contract, the City is required to fund up to \$4,000 per contract year for professional continuing education over and above the funding within the annual departmental operating budget,

WHEREAS, a "Professional Continuing Education" fund has been established within the Capital Non-Recurring Special Revenue Fund #219 from which these expenditures, including tuition, fees, course material, travel, lodging, meals and incidental items, are incurred,

WHEREAS, this Professional Continuing Education Fund (setup as account # 219-1910-2142-374) is in need of replenishment,

WHEREAS, monies are available within General Fund Contingency Account for transfer into the above-stated fund,

THEREFORE, BE IT RESOLVED, that monies be transferred within the General Fund budget as follows:

From:		
001-1910-9001-073	Contingency	\$ 1,400
To:		
001-1910-9001-387	Transfer to Other Funds	\$ 1,400

AND BE IT FURTHER RESOLVED, that a budget amendment within the Capital Non-Recurring special revenue fund be made as follows:

Increase:		
219-1910-2142-374	MPA Employee Training	\$ 1,400
Increase:		
219-0500-0505-074	Transfer from General Fund	\$ 1,400

Alderman Louis G. Salvio, Liaison
Alderman Mark H. Bernacki, Liaison
Alderman Adam Platosz, Liaison
Alderman Gregory Gerratana, Liaison

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Ald. Bernacki moved to accept and adopt, seconded by Ald. Gerratana. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30598 RE: BUDGET TRANSFER AND BUDGET AMENDMENT – PROPERTY MANAGEMENT - \$16,048

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 Department of Property Management maintains all of the properties owned by the City of New Britain, with the exception of properties belonging to the Consolidated School District and the City Firehouses. The department is responsible for the repair, alteration, improvement and general management of buildings in order to make them useful and convenient as city buildings. The department manages, maintains, and controls any and all parking garages and off street parking lots and facilities and may establish fees for parking therein. At this time, the City owns and operates three public parking garages.

WHEREAS, under the category of managing and maintaining parking garages, the Department of Property Management is responsible for keeping the parking garage elevators up to code. Currently the State of Connecticut Department of Public Safety, Bureau of Elevators did an inspection of the City's parking garage elevators. The Bureau of Elevators issued the City of New Britain a Notice of Violation and in order to comply with the notice, the City must have a third party vendor perform a five-year full safety test on its parking garage elevators. The cost of the five-year full safety test for the parking garage elevators is approximately \$16,048.

WHEREAS, the FY 2008-2009 budget includes monies within the Property Management Police Headquarters Light, Power, and Telephone Account, THEREFORE, BE IT,

THEREFORE, BE IT RESOLVED, that monies be transferred within the FY 2008-2009 General Fund budget for this purpose as follows:

FROM:		
001-1122-5116-360	Police Headquarters – Light, Power, and Telephone	\$16,048
TO:		
001-1910-9001-387	Transfer to Other Funds	\$16,048

AND BE IT FURTHER RESOLVED, that a budget amendment within the Capital Non-Recurring special revenue fund be made as follows:

Increase:		
219-1122-5113-372	Building, Ground Maintenance, and Repairs	\$16,048
Increase:		
219-0500-0505-074	Transfer from General Fund	\$16,048

Alderwoman Lori A. Rocha

Ald. Rocha moved to accept and adopt, seconded by Ald. Sherwood. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30599 RE: CLEAN WATER FUND 55% PLANNING GRANT AND LOW INTEREST LOAN THRU THE CONNECTICUT DEPT. OF ENVIRONMENTAL PROTECTION TO FUND STUDY OF SUBSYSTEMS

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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 previously retained the services of Maguire Group, Inc. to prepare a "Report on Infiltration/Inflow and Sewer System Evaluation Survey" which was approved by the CT DEP in 1999. The report evaluated the City's sanitary sewer collection system's capacity to handle flows and determine where excessive infiltration and inflow existed within the system;

WHEREAS, the report identified sanitary sewer subsystems with inflow and infiltration which exceeded DEP criteria, but due to limitations in funding, these subsystems were not studied in the initial Phase II report;

WHEREAS, the City of New Britain is nearing completion of the projects identified in the Maguire Report and needs to begin planning for the next phase of inflow and infiltration work in the City;

WHEREAS, the City of New Britain Public Works Department is currently pursuing a Clean Water Fund 55% Planning Grant and low interest loan through the Connecticut Department of Environmental protection to fund the study of these subsystems;

WHEREAS, repayment of the loan portion of the funding will be made from the Sewer Division's annual expenditure;

WHEREAS, the CT DEP requires a resolution be adopted authorizing a specific person to file the application and execute the agreement:

THEREFORE BE IT RESOLVED THAT it is in the best interest of the City of New Britain to enter into contracts with the Department of Environmental Protection. In furtherance of this resolution, Timothy T. Stewart the Mayor is duly authorized to enter into and sign said contracts on behalf of the City of New Britain. The Mayor is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, recisions, and revisions thereto.

The City Clerk is authorized to impress the seal of the City of New Britain on any such document, amendment, recision, or revision.

Alderman Lori A. Rocha
Alderman Phil Sherwood

Ald. Rocha moved to accept and adopt, seconded by Ald. Sherwood. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30600 RE: CLEAN WATER FUND GRANT AND LOW INTEREST LOAN THRU THE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION TO FUND TUNNEL PROJECT CONSTRUCTION

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 previously retained the services of Maguire Group, Inc. to prepare a "Report on Infiltration/Inflow and Sewer System Evaluation Survey" which was approved by the CT DEP in 1999. The report evaluated the City's sanitary sewer collection system's capacity to handle flows and determine where excessive infiltration and inflow existed within the system;

WHEREAS, the rehabilitation of the existing 48" x 72" tunnel running from East Street to Market Street has been identified in the report as the final high priority and cost effective project within the study area;

WHEREAS, the City of New Britain Public Works Department is currently pursuing a Clean Water Fund grant and low interest loan through the Connecticut Department of Environmental protection to fund the tunnel project construction;

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WHEREAS, the CT DEP requires a resolution be adopted authorizing a specific person to file the application and execute the agreement:

THEREFORE BE IT RESOLVED THAT it is in the best interest of the City of New Britain to enter into contracts with the Department of Environmental Protection. In furtherance of this resolution, Timothy T. Stewart the Mayor is duly authorized to enter into and sign said contracts on behalf of the City of New Britain. The Mayor is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

The City Clerk is authorized to impress the seal of the City of New Britain on any such document, amendment, rescission, or revision.

Alderwoman Lori A. Rocha
Alderman Phil Sherwood

Ald. Rocha moved to accept and adopt, seconded by Ald. Sherwood. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30601 RE: GLEN STREET SIDEWALK PROJECT

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 Engineering Division of Public Works is in the Preliminary Design stage of a project known as Glen Street Sidewalks from Ellis Street to Mill Street; and

WHEREAS, a "Northend Elementary School & New Britain High School Safe Route to School Study" was done in 2002 which recommended the installation of sidewalks on Glen Street because there are currently no sidewalks on Glen Street and there is high pedestrian traffic from the surrounding schools.

WHEREAS, the City of New Britain has published a legal notice display ad, mailed a news release to a number of officials and agencies, and mailed a formal letter to abutting property owners, announcing a public informational meeting on the proposed Safe Routes to School/STP Urban Transportation project known as Glen Street Sidewalks; and

WHEREAS, a public informational meeting was held on April 13, 2009, at New Britain High School lecture hall, 110 Mill Street, from 7:00 pm to 7:45 pm, at which meeting residents had an opportunity to voice their concerns; and

WHEREAS, funding for this project will utilize two different Federal Programs: Safe Routes to School and STP Urban sidewalk installation. Under the Safe Routes to School program, \$292,500 has been approved and capped for this project. Under STP Urban, up to 80% of the remaining construction cost will be covered with the City providing 20%.

WHEREAS, the Central Connecticut Regional Planning Agency has selected this project as a regional priority and has agreed to utilize these federal funds for right-of-way and construction activities; and

WHEREAS, the project is located on a municipally owned road, the preliminary engineering phase will be performed in house by the City of New Britain Engineering Department; and

WHEREAS, the Common Council has considered the concerns of the residents from the public informational meeting and finds that the proposed Glen Street Sidewalk project is in the best interest of the City of New Britain, and will promote the health, safety and general welfare of its residents and provide for convenience and safety of the public:

THEREFORE BE IT RESOLVED, that the City of New Britain, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project.

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Alderman Lori A. Rocha
Alderman Phil Sherwood

Ald. Rocha moved to accept and adopt, seconded by Ald. Sherwood. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30602 RE: BUDGET TRANSFER – POLICE DEPARTMENT - \$135,100

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 several overtime accounts, and

WHEREAS, due to personnel shortages in the Patrol Division, there are sufficient budgeted funds available for transfer within the Police Department's annual budget, THEREFORE BE IT

RESOLVED, by the Common Council of the City of New Britain, that a budget transfer of \$135,100 be made within the Police Department budget to provide for full time salaries and overtime as outlined below:

Transfer from the following accounts:

001-1600-1808-110	Patrol - Full Time Salaries	\$135,100
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Transfer to the following accounts:

001-1600-1808-111	Patrol Overtime	\$26,000
001-1600-1813-113	Jail Mgmt. - Part Time Salaries	\$24,000
001-1600-1819-111	Special Services Overtime	\$20,000
001-1600-1824-111	Professional Standards Overtime	\$7,000
001-1600-1825-111	Property & Evidence - Overtime	\$3,200
001-1600-1826-110	Training Full Time Salary	\$20,000
001-1600-1827-Z03	Ammunition & Explosives	\$10,000
001-1600-1827-330	Rental/Leases Equipment	\$300
001-1600-1838-110	Downtown Officer Full Time Salary	\$22,000
001-1600-1862-111	School Resource Officer - Overtime	\$2,600
	Total	<u>\$135,100</u>

Ald. Suzanne Bielinski - Police Liaison
Ald. Roy Centeno - Police Liaison
Ald. Silvia J. Cruz - Police Liaison
Ald. Lawrence J. Hermanowski - Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Centeno. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30603 RE: BUDGET AMENDMENT – POLICE DEPARTMENT - \$1,900

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:

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

WHEREAS, State statutes prescribe that funds received are to be spent: 85% to enhance drug investigation and enforcement, 15% for drug education, And,

WHEREAS, the purpose of this Resolution is to formally allocate funds that have accumulated in the Drug Investigation fund to appropriate two (2) motor vehicles for a total price of \$1,900, from the Drug Enforcement Agency's (DEA) pool of seized evidence, THEREFORE BE IT

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

Drug Investigation Fund

Increase Revenue:		
289-0500-0505-077	Fund Balance	\$1,900
Increase Expenditures:		
289-1431-4039-442	Equipment	\$1,900

Ald. Suzanne Bielinski - Police Liaison
Ald. Roy Centeno - Police Liaison
Ald. Silvia J. Cruz - Police Liaison
Ald. Lawrence J. Hermanowski- Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Centeno. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30604 RE: PARTICIPATION IN STATE OF CONNECTICUT DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACT AWARD FOR ASPHALT PAVEMENT CRACK SEALING SERVICES

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 Administrative Services is out for public bid, joint and crack sealing, Contract Award No. 07PSX0305, for a period of January 1, 2008 to December 31, 2009;

WHEREAS, The City of New Britain is a municipality and the City can benefit from this contract in regard to quantity pricing;

WHEREAS, The Public Works Department has street repair projects and estimates that it has over 150,000 feet of asphalt pavement cracks that need to be sealed;

WHEREAS, The Public Works Department has requested that they would like to be part of the State of Connecticut DAS Contract Award to obtain better volume pricing for this Asphalt Pavement Crack Sealing Bid;

WHEREAS, funding for this Asphalt Pavement Crack Sealing service is in the road paving bond Account # 008-2910-2615-322;

THEREFORE, BE IT RESOLVED that the Purchasing Department is hereby authorized to participate in the State of Connecticut, Department of Administrative Services Contract Award No. 07PSX0305 for Joint and Crack Sealing for City streets for a contract period of January 1, 2008 to December 31, 2009.

Alderwoman Lori A. Rocha
Alderman Phil Sherwood

May 13, 2009

Ald. Rocha moved to accept and adopt, seconded by Ald. Sherwood. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30605 RE: BUDGET TRANSFER – REPUBLICAN REGISTRAR OF VOTERS - \$9,360.00

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:

Whereas, The Registrars of Voters office is responsible for the registration and maintenance of voter records, and;

Whereas, The Registrars of Voters office uses its part time salaries account for additional workers for the annual canvass of voters, registration of voters in City Hall, the High School, Goodwin Tech, Civic Affairs, etc. and for primaries and elections.

Whereas, The Registrars of Voters office must provide these services to ensure proper adherence to State statutes and procedures, and;

Whereas, The Republican Registrar of Voters uses its part time salaries all year round, but in FY 2008-2009, more part time help was required for the August Primary than initially budgeted for.

WHEREAS, The FY 2008-2009 budget includes monies within the Registrar's of Voter Republican various expenditure accounts, THEREFORE, BE IT,

RESOLVED, That monies be transferred within the FY 2008-2009 General Fund budget for this purpose as follows:

FROM:		
001-1125-1251-110	Voters Republican – Full Time Salaries	\$5,620
001-1125-1251-111	Voters Republican – Overtime	\$370
001-1125-1251-112	Voters Republican – Longevity	\$350
001-1125-1251-210	Voters Republican – Office Supplies	\$90
001-1125-1251-232	Voters Republican – Postage	\$100
001-1125-1251-320	Voters Republican – Professional Services	\$900
001-1125-1251-360	Voters Republican – Light, Power, Telephone	\$900
001-1125-1251-373	Voters Republican – Equipment, Furniture Maintenance, & Repairs	\$200
001-1125-1251-374	Voters Republican – Fees & Memberships	\$630
001-1125-1251-390	Voters Republican – Other Purchase Services	<u>\$200</u>
	TOTAL	\$9,360
TO:		
001-1125-1251-113	Voters Republican - Part Time Salaries	\$9,360

Alderman Mark H. Bernacki

Ald. Bernacki moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30606 RE: MAJOR LEAGUE BASEBALL'S "BASEBALL TOMORROW FUND" GRANT

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: Authorize the Mayor to execute all documentation between Major League Baseball's "Baseball Tomorrow Fund" and the City of New Britain to receive grant monies to install field lights at the newly constructed little league/girls softball field at Martha Hart Park.

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Whereas, the New Britain Parks and Recreation Department is always seeking new and alternative funding to run programs and improve facilities, and

Whereas, the Department has been pursuing grant funds for several years in order to fulfill the long range plan of an additional lit baseball/softball field at Martha Hart Park, and

Whereas, the Baseball Tomorrow Fund has committed to a \$129,000.00 grant to the City of New Britain in order to supply and install state of the art Musco Sports lighting with web controls at the newly constructed little league/girls softball field at Martha Hart Park, and

Whereas, the City was able to provide matching funds in the amount of 41,393.00 out of 2008-09 LOCIP funds which are necessary to secure Baseball Tomorrow Funds, and

Whereas, the Finance Department went out to bid for the construction of the new field at Martha Hart Park that contained an alternate for the field lights which, at that time, funding was unavailable to include this alternate in the scope of the original project cost, and

Whereas, the Department is in receipt of a change order from the existing field construction contractor in the amount of \$179,000.00(originally \$210,000.00 but reduced due to MLB's relationship with Musco Sports Lighting) in order to install the lights and permission to authorize this change order is being requested as it will push the existing contract over 25% of the original bid cost of 502,500.00, and

Whereas, the remaining \$8,607.00 required for the project will be provided through a change order credit on the field project of \$4,172.00 and \$4435.00 from contingency dollars on the existing field project, now therefore be it

Resolved, that Mayor Timothy T. Stewart is authorized to execute all documentation with Major League Baseball's Baseball Tomorrow Fund to receive these grant funds, and be it further

Resolved, that the \$129,000.00 be appropriated in the City's special revenue fund account structure in accordance with the requirements of the grantor agency and the Finance Department as follows:

Revenue	
233-0500-0505-025 Baseball Tomorrow Fund	\$129,000.00
Expenditures	
233-1511-5111-322 Construction Contracts	\$129,000.00

Alderwomen Shirley Black
Alderwomen Tonilynn Collins

Ald. Black moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

30607 RE: PREMIUM DECORATIVE LIGHTING AT WILLOW STREET PARK AND WALNUT HILL PARK

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: Authorize the Mayor to execute all documentation between Connecticut Light and Power(CL&P) and the City of New Britain to install premium decorative lighting at Willow Street Park and Walnut Hill Park.

Whereas, the City is currently performing construction projects at Both Willow Street Park and Walnut Hill Park, and

Whereas, as part of the effort to revitalize and improve these parks, the funding for installation of premium decorative lighting is included in the projects, and

Whereas, such fixtures have been installed in many parts of the city providing an impressive, safe and welcoming entrance to these areas, and

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Whereas, the Connecticut Light & Power Company's Premium Decorative Street Lighting Program provides for a "one-time payment" mechanism to reduce the monthly energy rate, and sufficient funds are available for this program in the Walnut Hill Park Drainage Project and the Willow Street Park Project; and

Whereas, the City of New Britain will pay the Connecticut Light & Power Company an amount not to exceed 141,000.00(17 poles at Willow Street and 30 poles at Walnut Hill Park), in addition to a monthly charge for electric service in accordance with CL&P's tariffs set forth in rate 116, now therefore be it

Resolved, that the Mayor is hereby authorized to execute all documentation with CL & P for the installation of premium decorative lighting at Willow Street Park and Walnut Hill Park.

Alderwomen Shirley Black
Alderwoman Tonilynn Collins

Ald. Black moved to accept and adopt, seconded by ald. Bernacki. So voted. Approved May 19, 2009 by Mayor Timothy T. Stewart.

UNFINISHED BUSINESS

Ald. Trueworthy moved to take from the table Resolution 30571, seconded by Ad. Bielinski. Ald. Sherwood recused himself –his wife is employed by AFSCME Council #4. Ald. Catanzaro recused himself – he is a member of Local 1186. Motion to take from the table carried by voice vote.

RESOLUTION

30571 RE: AGREEMENT BETWEEN THE CITY OF NEW BRITAIN AND LOCAL 1186

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 and Local 1186 have concluded negotiations and reached a tentative agreement for a collective bargaining agreement covering the period July 1, 2008 to June 30, 2012; and

WHEREAS, Local 1186 members have ratified the tentative agreement; and

WHEREAS, Action is required by the Common Council of the City of New Britain in accordance with Ordinances of the City of New Britain and Connecticut General Statutes; now therefore be it

RESOLVED, That the proposed agreement between the City of New Britain and Local 1186 be and hereby is approved by the Common Council of the City of New Britain.

Alderman Adam Platosz

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Resolution adopted with Ald. Bernacki opposed. Approved May 19, 2009 by Mayor Timothy T. Stewart.

Ald. Sherwood and Ald Catanzaro returned to the chambers.

Ald. Bielinski moved to take from the table report 30096-6, seconded by Ald. Platosz. Ald. Trueworthy recused himself – his wife is employed by HRA. Ald. Rocha recused herself – her son is employed by the Parks & Recreation Department After School Program. Motion to take from the table carried.

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DEPARTMENT OF MUNICIPAL DEVELOPMENT

30099-6 RE: 2008 CONSOLIDATED PLAN AMENDMENT FOR THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING 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, at its meeting of April 16, 2009, the Commission approved a resolution regarding a 2008 Consolidated Plan Amendment for the Homelessness Prevention and Rapid Re-housing Program.

Accordingly, the Commission on Community & Neighborhood Development hereby transmits and recommends approval by the Common Council, at its meeting of May 13, 2009, of the proposed resolution to authorize submission to the U. S. Department of Housing and Urban Development of the Substantial Amendment to the 2008 Consolidated Plan to serve as the City of New Britain's application for Federal assistance under the Homelessness Prevention and Rapid Re-housing Program.

Kenneth A. Malinowski, Director
Department of Municipal Development

Ald. Bielinski moved to accept, seconded by Ald. Bernacki. So voted. Approved May 14, 2009 by Mayor Timothy T. Stewart.

Ald. Bielinski moved to take from the table resolution 30099-7, seconded by Ald. Bernacki. So voted.

RESOLUTION

30099-7 RE: 2008 CONSOLIDATED PLAN AMENDMENT FOR THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING 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 American Recovery and Reinvestment Act of 2009 enacted by Congress and signed on February 17, 2009, authorized stimulus funding for the Homelessness Prevention and Rapid Re-housing Program (HPRP), and

WHEREAS, promulgating regulations were issued by the U. S. Department of Housing and Urban Development effective March 19, 2009, to govern this new program intended to provide financial assistance and services to either prevent individuals and families from becoming homeless or help those who are experiencing homelessness to be quickly re-housed and stabilized, and

WHEREAS, the City of New Britain is scheduled to receive a formula allocation of HPRP funds in the amount of \$772,694, and

WHEREAS, in order to receive these funds, the City must submit a substantial amendment to the Consolidated Plan 2008 Action Plan, and

WHEREAS, the Department of Municipal Development has prepared an application as required to describe the proposed use of HPRP that will be coordinated with the New Britain Continuum of Care group of homeless service providers to ensure that the HPRP activities are aligned with the CoC's strategies for preventing and ending homelessness;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of New Britain hereby approves the Homelessness Prevention and Rapid Re-housing application as a Substantial Amendment to the 2008 Consolidated Plan, and

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BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to submit to the U. S. Department of Housing and Urban Development the Substantial Amendment to the 2008 Consolidated Plan, including certifications and descriptions as required by HUD, such submission to serve as the City of New Britain's application for Federal assistance under the Homelessness Prevention and Rapid Re-housing Program, and to execute any agreements, revisions, rescissions or amendments thereto, as necessary for the City's receipt of Homelessness Prevention and Rapid Re-housing funds.

Alderman Lawrence J. Hermanowski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved May 14, 2009 by Mayor Timothy T. Stewart.

Ald. Bielinski moved to take from the table 30555, seconded by Ald. Bernacki. So voted.

DEPT. OF MUNICIPAL DEVELOPMENT

30555 RE: 2009 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 13, 2009, of the proposed resolution authorizing the filing of the 2009 Neighborhood Assistance Act Program.

Kenneth A. Malinowski, Director
Department of Municipal Development

Ald. Bielinski moved to accept, seconded by Ald. Bernacki. So voted. Approved May 14, 2009 by Mayor Timothy T. Stewart.

Ald. Bielinski moved to take from the table, resolution 30555-1, seconded by Ald. Bernacki. So voted.

RESOLUTION

30555-1 RE: 2009 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 13, 2009, 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 2009 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

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Department of Municipal Development to administer the Neighborhood Assistance Act Program in accordance with the statutory requirements.

Alderman Lawrence J. Hermanowski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Sherwood. So voted. Approved May 14, 2009 by Mayor Timothy T. Stewart.

Ald. Bielinski moved to take from the table 30556, seconded by Ald. Bernacki, So voted.

DEPARTMENT OF MUNICIPAL DEVELOPMENT

30556 RE: 2009 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, at its meeting of April 2, 2009, the Commission approved a resolution regarding the 2009 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 13, 2009, of the proposed resolution authorizing the filing of the 2009 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. Bielinski moved to accept, seconded by Ald. Bernacki. So voted. Approved May 14, 2009 by Mayor Timothy T. Stewart.

Ald. Bielinski moved take from the table resolution 30556-1, seconded by Ald. Bernacki. So voted.

RESOLUTION

30556-1 RE: 2009 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 2009 under the Community Development Block Grant (CDBG) Program, the Emergency Shelter Grant (ESG) Program and the HOME Program, and the City anticipates receiving program income during Fiscal Year 2009 of approximately \$151,000 from the CDBG Revolving Funds and \$103,000 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 2009 that is consistent with the 2005-2009 Consolidated Plan for HUD Programs which was adopted by the Common Council of the City of New Britain, 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 is scheduled to be held on April 29, 2009, 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 2009 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 2009 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 2009 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.

2009 Consolidated Plan

Community Development Block Grant Program

No.	Applicant	Project Title	Allocation
PS-1	Visiting Nurse Association	Senior Outreach Program	\$ 20,000
PS-2	Catholic Charities	Elderly Outreach Counseling Program	\$ 4,532
PS-3	NB Senior Center	Community Support Worker	\$ 11,500
PS-4	RSVP	Senior Volunteer Services	\$ 10,000
PS-6	NB Senior Center	Dial-A-Ride Replacement Vehicle	\$ 27,500
PS-8	Citizens for Quality Sickle Cell Care New Britain High School	Sensitize Providers and Empower	\$ 20,000
PS-10	Foundation	Marching Band Uniforms	\$ 5,000
PS-11	Boys & Girls Club	Project VIP	\$ 15,000
PS-12	Boys & Girls Club	Educational/Cultural Enhancement	\$ 15,000
PS-13	Boys & Girls Club	Camp Schade	\$ 25,000
PS-14	Parks & Recreation Dept.	Every Kid Counts	\$ 30,000
PS-16	Gr. NB Teen Pregnancy Prevention	Pathways/Senderos Center	\$ 20,000
PS-17	YWCA	STRIVE Program	\$ 10,000
PS-18	PAL	Football & Cheerleading	\$ 20,000
PS-19	PAL	Summer Youth Program	\$ 20,000
PS-20	Warm the Children	Warm the Children	\$ 15,000
PS-21	Washington Park Hoops	Basketball Tournament	\$ 4,000
PS-22	Walicki League	Little League Baseball/Softball	\$ 5,200
PS-24	Prudence Crandall Center	New Britain Intervention Program	\$ 10,000
PS-25	OIC	OIC Advocacy Program	\$ 10,000
PS-29	YWCA	Sexual Assault Crisis Service	\$ 19,000
PS-30	Human Rights & Opportunities	Fair Housing & Equal Opportunity	\$ 10,000
PS-34	Literacy Volunteers	Community Literacy Tutoring	\$ 16,000
PS-36	Spanish Speaking Center	General Case Mgmt	\$ 20,000
PS-9	HRA	Special Needs Recreation	\$ 15,000
PS-26	ULA	Workers Community Services	\$ 30,000
PS-33	Urban Oaks Organic Farm	Access to Healthy Foods	\$ 20,000

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PS-35	HRA	Polish Outreach	\$ 18,000
	<i>Subtotal - Public Services</i>		\$ 445,732
2	Walicki League	Concession Stand Imp.-AW Stanley Pk	\$ 4,844
6	HRA	Ben Franklin Renovations	\$ 108,000
7	New Britain Public Library	Improving Library Safety & Security	\$ 44,866
8	Dept. of Public Works	Curb Ramp Construction	\$ 75,000
10	DMD	Spot Demolition	\$ 150,000
11	Dept. of Licenses, Permits & Insp.	Housing Code Enforcement	\$ 100,000
12	Fire Department	Fire Code Enforcement	\$ 23,520
15	DMD	Neighborhood Preservation Program	\$ 325,000
16	Rebuilding Together New Britain	Rebuilding Together	\$ 40,000
18	Trinity on Main	Boiler Replacement/Gas Conversion	\$ 36,198
19	DMD	Business Assistance Program	\$ 55,000
20	DMD	NRZ Capacity Building	\$ 100,000
		General Management & Admin.	\$ 377,039
		TOTAL	\$ 1,885,199

In addition, the City anticipates receiving program income during FY 2009 of \$ 151,000 from Revolving Funds. Based on this proposed use of funds, it is anticipated that 98% of the CDBG funds will benefit low- and moderate-income persons.

HOME Program

No.	Applicant	Project Title	Allocation
HOME-1	DMD	HOME Rehabilitation Program	\$ 205,674
HOME-2	DMD	New Construction	\$ 61,835
HOME-3	DMD	Homeownership Program	\$ 100,000
HOME-4	YMCA	Resident Room Renovations	\$ 95,000
		Supportive Hsng for People w/ AIDS	
HOME-5	HRA		\$ 72,800
HOME-7	Habitat for Humanity	Home Ownership Program	\$ 45,000
	Community Hsg Development Org.	(CHDO) Reserve - 15% of Total	\$ 116,061
		HOME Administration	\$ 77,374
		TOTAL	\$ 773,744

In addition, the City anticipates receiving program income during FY-2009 of \$ 103,000 from Revolving Funds.

ESG Program

No.	Applicant	Project Title	Allocation
ESG-1	Friendship Service Center	Homeless Shelter/Community Kitchen	\$ 28,000
ESG-2	Prudence Crandall Center for Women	Emergency Shelter & Support Services	\$ 22,724

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ESG-3	HRA	Eviction & Foreclosure Mediation	\$	27,971
	DMD	ESG Administration	\$	4,141
		TOTAL	\$	82,836

Alderman Lawrence J. Hermanowski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. Ald. Bielinski moved to amend by presenting a strike all attachment, seconded by Ald. Gerratano. Amendment carried with Ald. Hermanowski opposed. Resolution as amended carried with Ald. Hermanowski opposed. Approved May 14, 2009 by Mayor Timothy T. Stewart.

Ald Trueworthy and Ald. Rocha returned to the chambers.

There being no further business to come before the Council, Ald. Bernacki moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 10:33 p.m.

ATTEST: Peter J. Denuzze, City Clerk

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