

January 24, 2007

REGULAR MEETING OF THE COMMON COUNCIL

JANUARY 24, 2007

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 24th day of January 2007 at 7:58 p.m. in the Common Council Chambers, City Hall.

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

Peter J. Denuzze, City Clerk, gave the invocation: O God, our Heavenly Father, as we gather here tonight for this Council Meeting, we invoke Thy blessings. May all the proceedings be in the spirit of brotherhood and in the best interests of the City. May we conduct our affairs of government so that peace and prosperity may ensue for all our citizens. We ask this in Thy name. Amen.

Clarence Corbin led the pledge to the flag.

The Council stood at ease while Mayor Stewart called upon Clarence Corbin, Director of Public Works, to be recognized for his years of service to the City of New Britain. Mr. Corbin is leaving Friday, Jan. 26th to accept a job as Director of Public Works for the City of Hartford, CT. Mayor Stewart praised him for his accomplishments and said our loss is Hartford's gain.

Mr. Corbin thanked the Council for their cooperation and said his experience in New Britain has prepared him for the job as Public Works Director in a major city. He especially thanked Mayor Stewart for the opportunity to work with him. Several alderpersons thanked him for his service and agreed that New Britain's loss is Hartford's gain.

Alderman Trueworthy moved to amend the agenda by moving 29457(C.1) to the end of the agenda, and by substituting 29468(1), 29470(3) and 29416-2(11), motion seconded by Ald. Bielinski. Roll call vote – all members voted in favor.

PETITIONS

29482 ALD. COLLINS FOR WARNING THE PROPERTY OWNER OF 463 EAST STREET REGARDING PLACEMENT OF TRASH AT THE CURB TOO FAR IN ADVANCE OF THE SCHEDULED PICK UP. REFERRED TO DEPARTMENT OF PUBLIC WORKS.

29483 CHRISTOPHER AND ROSANNA LIPINSKI BY THEIR ATTORNEY NICHOLAS E. DENIGRIS TO CHANGE THE ZONE FOR 785 WEST MAIN STREET FROM S-2 (RESIDENTIAL) TO B-3 (SECONDARY BUSINESS). REFERRED TO CITY PLAN COMMISSION AND THE ZONING COMMITTEE.

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Approved January 26, 2007 by Timothy T. Stewart, Mayor.

CONSENT AGENDA

CITY CLERK

29454 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

- Hoyle, Juliana B.
- Mitchell, Alan B.
- Olejarz, Stanley C.

Peter J. Denuzze,
City Clerk

January 24, 2007

OFFICE OF CORPORATION COUNSEL

29455 RE: EDDY ORELLANA V. WILLIAM SENCIO, ET AL

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

Please be advised that the Office of Corporation Counsel was successful in receiving summary judgment in all except one count of the above-captioned complaint. The plaintiff has withdrawn the remaining count, therefore, the case has been closed. The plaintiff had claimed he was arrested without probable cause, was a victim of excessive force, unreasonable search and seizure and racial profiling.

Irena J. Urbaniak
City Attorney

29456 RE: BENITO BERDECIA V. CITY OF NEW BRITAIN

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

The City of New Britain's Motion to Dismiss in the above-captioned matter has been granted by the Honorable Linda Prestley.

The plaintiff alleged he had fallen on the sidewalk abutting property known as 252 Clark Street on September 8, 2004, and sought money damages in the amount of \$15,000.00 or more.

A Motion to Dismiss was filed on behalf of the City on the grounds that the plaintiff's notice was not filed within the requisite ninety day period and, therefore, the plaintiff lacked standing and the Court lacked subject matter jurisdiction.

Mary C. Pokorski
Associate City Attorney

FINANCE DEPARTMENT

29459 RE: FIRE DEPARTMENT OPERATIONS OVERTIME ANALYSIS

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

The Fire Department Operations Overtime report for the fiscal year 2007 is on file in the Town Clerk's Office.

Rebecca Salerni
Finance Department

PURCHASING DEPARTMENT

29463 RE: REBUILD SUBMERSIBLE PUMP FOR THE WATER DEPARTMENT

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

Public Bid No. 3318 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain to Rebuild a Submersible Pump for the Water Department. Funding is available for this purchase from Account Number 931-1000-9063-XEV.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to Twenty-two (22) Pump Companies. The Purchasing Administrator did not receive any letters from Pump

January 24, 2007

Companies on the mailing list who indicated that they could not respond to the bid request. Only one (1) response was received and is as follows:

Bidder	Price
Water & Waste Equipment Rocky Hill, CT.	\$12,795.00

The bid was reviewed for conformance to specifications by the Water Department Administration and the Purchasing Administrator. Therefore the Water Department's Director is recommending that the bid be awarded to Water & Waste Equipment of Rocky Hill, CT. because they have supplied the Water Department with pumps in the past, were very reliable, and was the only company to submit a bid as per the specifications of Bid No. 3318.

RESOLVED: That the Purchasing Administrator is hereby authorized to issue a contract to Water & Waste Equipment of Rocky Hill, CT. in the amount of \$12,795.00 to Rebuild A Submersible Pump per the terms and specifications of Public Bid No. 3318.

Jack Pieper
Purchasing Administrator

29465 RE: PRINTING OF BROCHURES 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. 3320 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Printing of Summer 2007 and the Fall, Winter, and Spring 2007-2008 Brochures for the Parks & Recreation Department. Funding is available for the purchase of these brochures within Account Numbers 001-1511-5111-S30, 237-1511-5111-330, 238-1512-5111-330 and 251-1511-5111-330.

Invitations to bid were solicited and the bid was duly advertised in the New Britain Herald Newspaper, the City and State of Connecticut's Department of Administration Services websites and mailed to twenty-seven (27) Printing Companies. The Purchasing Administrator received only one (1) letter from a Printing Company on the mailing list who indicated that they could not respond to the bid request. The responses 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 Administrator. The Parks and Recreation Department's Administration would like a brochure that is very appealing to make more parents look at the brochure and to make them aware of the programs offered by the City for their children to participate in. The Parks and Recreation Department's Administration is proposing that the brochures be printed using alternate No.4 and No. 5 of the bid specifications. Therefore the Director of Parks and Recreation is recommending that the bid be awarded to EPS Printing of South Windsor, CT who was the lowest bidder for this type of printed brochure.

RESOLVED: That the Purchasing Administrator is hereby authorized to issue a purchase order in the amount of \$6,333.80 to EPS Printing of South Windsor, CT. for the printing of the Summer 2007, and the Fall, Winter and Spring 2007-2008 Brochures per the pricing, terms and specifications of Public Bid No. 3320.

Jack Pieper
Purchasing Administrator

January 24, 2007

PARKS AND RECREATION DEPARTMENT

29430-1 RE: TREE TRIMMING IN FRONT OF 268 WASHINGTON 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 Petition #29430 was inspected by Acting Arborist on Friday, December 15, 2006. In response to the petition, the tree at 268 Washington Street was trimmed on Tuesday, December 19, 2006.

William A. DeMaio
Director of Parks and Recreation

TAX COLLECTOR

29467 RE: TAX ABATEMENTS, CORRECTIONS AND REFUNDS

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

The Collector of Taxes has referred a list of tax abatements, corrections and refunds. Acceptance and adoption is respectfully recommended.

Fred J. Menditto
Tax Collector

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSINS AND DEPARTMENTS

FINANCE DEPARTMENT

29458 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET – 1/4/07 THROUGH 1/16/07

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

In accordance with the city of New Britain ordinance of Article VII – Finance, Section 2-494(c), the following departments have transferred monies from one line item to another within their departmental budget (total department budget has not changed). Each transfer will be continuously numbered from month to month throughout the fiscal year. This report represents the transfers executed by the mayor in accordance with the aforementioned ordinance for the period ending January 16, 2007.

- | | | |
|--------------------|---|----------------------|
| 9. Department: | Parks and Recreation – Exercise the Right Choice | |
| From: | 237-1511-5111-113 | (Part Time Salaries) |
| To: | 237-1511-5111-110 | (Full Time Salaries) |
| Amount: | \$18,494.00 | |
| Brief Explanation: | Monies needed to fund 50% of full time middle school Assistant Program Director | |
| 10. Department: | Department of Property Management | |
| From: | 001-1123-5512-113 | (Part Time Salaries) |
| To: | 001-1122-5114-110 | (Full Time Salaries) |
| Amount: | \$16,650.00 | |
| Brief Explanation: | Funds needed for a temporary custodian | |

January 24, 2007

Rebecca Salerni
Manager of Accounting

Ald. Wyskiewicz moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

PURCHASING DEPARTMENT

29460 RE: ON-CALL ENGINEERING - PUBLIC WORKS

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

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

Project Name: AW Stanley Park Bridge Reconstruction Project Over The Batterson Pond Brook.
Vendor: Purcell Associates
Amount: \$42,700.00
Line Item: 008-3618-4090-324
Requested By: Public Works Department
Scope: To provide design and plans for the bridge reconstruction, develop project cost estimates, prepare an estimated timeline schedule for the reconstruction phase, coordinate all activities with the City, State and, Local Government Agencies, as well as Utility Companies and any other affected parties. Purcell Associates will also attend pre-bid and construction meetings and review bid results for conformance with project requirements. During the reconstruction phase Purcell Associates Engineers will make periodic site visits to address any field issues, observe the reconstruction process and make sure it conforms to the plans and specifications.

Jack Pieper
Purchasing Administrator

Ald. Platosz moved to accept and adopt, seconded by Ald. Gostin. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29461 RE: ON-CALL ENGINEERING SERVICES – PARKS AND RECREATION

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

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

Project Name: Architectural Services for the Proposed Willow Street Park.
Vendor: Quisenberry Archari Architects, LLC.Beta Group, Inc.
Amount: \$25,000.00
Line Item: 213-1800-1861-WIL
Requested By: Parks and Recreation Department
Scope: To provide architectural services, create concept and schematic designs for the proposed park, project total cost estimates, prepare construction documents, create engineering drawings, develop bid specification, attend all meetings regarding the project and provide on-site construction administration while the project is being conducted.

January 24, 2007

Jack Pieper
Purchasing Administrator

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29462 RE: TRAFFIC SIGNS – PUBLIC WORKS

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. 3308 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Traffic Signs for the Public Works Department, Traffic and Signalization Division as well as available for use by all City Agencies. Funding is available for the purchase of this service within, Account Number 001-1333-1831-221.

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 eighteen (18) Sign Companies. The Purchasing Administrator did not receive any letters from Sign Companies on the mailing list who indicated that they could not respond to the bid request. The responses were received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department, Traffic and Signalization Division and the Purchasing Administrator. The Public Works Department, Traffic and Signal Division determined what signs were purchased last year and compared the price paid last year to the bid responses received in this Bid No. 3308. This comparison helped to determine what future sign purchases could be made again this year. This comparison also helped to determine that the overall bid response from Sign Pro, a New Britain sign company, was within 10% of the lowest bidder. According to the Purchasing Ordinances, Section 2-578, item 10, of the City Code of Ordinances, Sign Pro has agreed to accept the award of the bid at the lowest bidder's price. Therefore the Director of the Public Works Department is recommending that the bid be awarded to Sign Pro of New Britain, CT. at the price of the lowest bidder in accordance to the Purchasing Ordinances, Section 2-578, item 10, of the City Code of Ordinances for signs for the Public Works Department, Traffic and Signal Division and also be available for use by all City Agencies.

RESOLVED: That the Purchasing Administrator is hereby authorized to issue a contract on an as need basis to Sign Pro of New Britain, CT. for a period of one (1) year for the purchase of Traffic Signs as per the lowest bidder's pricing, as well as the terms and specifications of Public Bid No. 3308.

Jack Pieper
Purchasing Administrator

Ald. Wyskiewicz moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29464 RE: COOPERATIVE PURCHASING DIGITAL COLOR COPIER – CORPORATION COUNSEL

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 issued for the following under the State of Connecticut cooperative purchasing plan:

Supplier	Description	Total Price
A & A Office Systems, Inc. Middletown, CT.	Savin C2525 Digital Color Copier	\$6,411.80

The Corporation Council requested the purchase of a Savin C2525 Digital Color Copier utilizing the State of Connecticut's Contract Award #05PSX0044. Funding is available for this purchase from Account Number, 215-2293-1550-442.

January 24, 2007

Jack Pieper
Purchasing Administrator

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29466 RE: RESCUE VEHICLE FOR THE FIRE DEPARTMENT

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

Public Bid No. 3315 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of a Rescue Vehicle for the Fire Department. The funds that are needed for this purchase is pending the Common Council's approval of a resolution for a budget amendment at this January 24, 2007 meeting transferring an additional \$100,000.00 in funds to account 215-2291-2206-395 to make this purchase for the Rescue Vehicle.

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-six (36) companies that sell fire vehicles. The Purchasing Administrator received only one (1) letter from a company that sells fire vehicles on the mailing list who indicated that they could not respond to the bid request. Two (2) bid responses were received and are shown below:

Bidder	Price
C&S Specialty, Inc. North Smithfield, RI.	\$526,722.00
Nichols Fire Apparatus, Inc. Wallingford, CT.	\$510,535.00

The bids were reviewed for conformance to specifications by the Fire Department Administration and the Purchasing Administrator. Therefore, Chief Mark Carr of the Fire Department is recommending that the bid be awarded to Nichols Fire Apparatus, Inc. of Wallingford, CT. because they were the lowest bidder.

RESOLVED: That the Purchasing Administrator be and is hereby authorized to enter into a contract with Nichols Fire Apparatus, Inc. of Wallingford, CT. for \$510,535.00 for the purchase of a Rescue Vehicle for the Fire Department per the specifications of Public Bid No. 3315.

Jack Pieper
Purchasing Administrator

Ald. Wyskiewicz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

NEW BUSINESS

RESOLUTIONS

29468 RE: BUDGET TRANSFER AND BUDGET AMENDMENT – FIRE DEPARTMENT – HOMELAND SECURITY 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:

Whereas The New Britain Fire Department is applying for an equipment request under the 2006 Assistance to Firefighters Grant (AFG) Fire Prevention program and:

January 24, 2007

Whereas the New Britain Fire Department recognizes vulnerability and risks of fire to our community members age sixty-two years and older and:

Whereas the New Britain Fire Department recognizes the positive impact of a sound and effective all-hazard prevention program that includes smoke detector use, escape planning, trip hazard prevention and fire extinguisher training and:

Whereas the New Britain Fire Department also recognizes the need for young adults of our community to become proficient in the use of portable fire extinguishers:

Therefore be it resolved that: The New Britain Fire Department is applying for a grant request to the Department of Homeland Security(DHS) Assistance Firefighters Fire Prevention program for \$10,000 to fund the purchase of a portable fire extinguisher training system to provide extinguisher training to elderly residents, young adults and our business residents. If awarded, 80% or \$8,000 will be provided by the DHS and 20% or \$2,000 will be locally funded:

Therefore, Be it Resolved, that Mayor Timothy T. Stewart is authorized to execute all grant documents with respect to the above-mentioned grant, and be it further

Resolved, that a budget transfer be made to fund the cash match as follows:

FROM:		
001-1221-2210-375	Fire Department Training	\$2,000
TO:		
001-1910-9001-387	Transfer to Other Funds	\$2,000

And Be it Further Resolved, that both the grant funding and the cash match be appropriated in a special revenue fund as follows:

Revenue:		
226-0511-0504-959	Revenue – Federal Grant Funds	\$8,000
226-0511-0505-074	Revenue – General Fund	\$2,000
Expenditures:		
226-1221-2206-374	Extinguisher Training System	\$10,000

Alderman Louis G. Salvio
Alderman Paul D. Catanzaro
Alderman Suzanne Bielinski

Ald. Salvio moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29469 RE: AMERICAN DENTAL ASSOCIATION / GIVE KIDS A SMILE

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 Give Kids a Smile name was first used by the Greater St. Louis Dental Society in February 2002; and

WHEREAS; since then the program has grown, and in 2004, resulted in treatment of an estimated one million children at approximately 2,500 locations with some 36,000 dental team volunteers, including over 14,000 dentists providing free services to underserved children; and

WHEREAS; the American Dental Association created Give Kids a Smile to build support for public and private solutions that will help underserved children get regular oral health care; and

WHEREAS; on Friday, February 2, 2007, the nation’s dentists will provide free oral health care services to thousands of low-income children across the country; as well as in the city of New Britain; and

January 24, 2007

WHEREAS; the New Britain Oral Health Collaborative and the New Britain Dental Society are sponsoring Give Kids a Smile Day; and

WHEREAS; the New Britain event hopes to exceed the success of last year and will include dentists from Plainville, Berlin, Kensington and New Britain who will provide free dental care to uninsured children throughout the day; NOW, THEREFORE, BE IT

RESOLVED; that it is in our best interests to promote oral health for all of our children and especially for those who are uninsured and commend all of the dental team volunteers for their efforts on behalf of the children of New Britain.

Alderman James A. Wyskiewicz

Ald. Wyskiewicz moved to accept and adopt, seconded by Ald. Collins. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29470 RE: THE APPOINTMENT OF A COMPENSATION COMMITTEE: ALD. PAUL D. CATANZARO, ALD. LAWRENCE J. HERMANOWSKI, ALD. PETER J. GOSTIN

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; according to Section 2-338 of the City of New Britain ordinances, In January of each odd-numbered year, the common council shall appoint a compensation committee consisting of three (3) members, two (2) of which shall be nominated by the majority leader of the common council, and one of which shall be nominated by the minority leader of the common council. The nominations shall be approved by a majority of the common council present and voting. In the absence of a minority party on the common council, the common council shall, by majority vote, nominate and approve the appointment of the committee member which was designated as that of the minority leader;

The compensation committee shall undertake a study in order to make a recommendation with respect to a salary adjustment for elected and appointed officials whose salaries are to be established by ordinance, including, but not limited to the mayor, the town clerk, the tax collector, the treasurer, the registrars of voters, the corporation counsel, the clerk of committees and the deputy treasurer. The compensation committee shall take into consideration the salaries of comparable officials in other cities and towns and the adjustments in compensation granted to employees of the city. The committee may utilize, as necessary, appropriate city personnel to assist in its study committee shall report its recommendation to the full common council in a timely manner; NOW, THEREFORE, BE IT

RESOLVED; that the following members of the City Council be hereby appointed to the Compensation Committee.

- 1) Alderman Paul D. Catanzaro
- 2) Alderman Lawrence J. Hermanowski
- 3) Alderman Peter J. Gostin

Alderman James A. Wyskiewicz

Ald. Wyskiewicz moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29471 RE: BUDGET TRANSFER AND BUDGET AMENDMENT – FIRE DEPARTMENT

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

Resolution Summary

The Fire Arbitration Award for the contract period of July 1, 2005 through June 30, 2008 was issued on June 19, 2006. The topic was presented to the Common Council on July 12, 2006, via Resolution #29235 where no action was taken to appeal this award.

January 24, 2007

The new agreement provides for salary increases amounting to 2% in FY 2005, 2.5% in FY 2006 and 3.2% in FY 2007 and allows for retroactive payment back to the fiscal year in which the current agreement begins (July 1, 2004). The salary increases were given to employees beginning on July 14, 2006 while the retroactive payments (amounting to \$708,000 in total) appeared in paychecks on September 15, 2006. In summary, \$708,000 is needed to fund the cost of the retroactive payments while \$536,000 is needed to fund the increase in salaries relating to the current fiscal year. The total funding necessary due to the new bargaining agreement amounts to \$1,244,000.

Through the fiscal year end surplus for the past few years, the Common Council has allocated \$940,000 toward the funding of this anticipated cost. Additionally, it is anticipated that the Fire Department will have approximately \$400,000 available in its Operations Full Time Salary Account resulting from unfilled positions due to limited availability in the Fire Academy.

WHEREAS, the fire arbitration award for the contract period of July 1, 2005 through June 30, 2008 between Local 992 and the City of New Britain was awarded on June 19, 2006,

WHEREAS, this agreement called for salary increases of 2% in FY 2005, 2.5% in FY 2006 and 3.2% in FY 2007 and required the retroactive payment of salary increases back to the fiscal year in which the current agreement begins (July 1, 2004),

WHEREAS, the retroactive payments made to Fire Department employees amounted to \$708,000 and the increase in full time salary costs relating to the current fiscal year amounts to \$536,000, for a total of \$1,244,000 additional funding needed,

WHEREAS, \$940,000 has been accumulated in the Capital Non-Recurring Account for this purpose and it is anticipated that the Operations Full Time Salary Account will have a surplus of \$400,000 due to firefighter vacancies. This surplus will cover most of the additional funding needed within the Operations full time salary account as it relates to the new bargaining unit agreement,

WHEREAS, an additional resolution is forthcoming to fund the Operations Overtime account which is anticipated to be over budget due to these staffing vacancies. The Finance Department, in conjunction with the Fire Department, is tracking these expenditures on a monthly basis. This is a separate issue and will likely come before Council toward the conclusion of the fiscal year, THEREFORE, BE IT,

RESOLVED, that a budget transfer within the Capital Non-Recurring Account be made as follows:

FROM:		
219-1910-2254-L49	Local 992 Wage Reserve	\$ 940,033
TO:		
219-1000-0527-387	Transfer to Other Funds	\$ 940,033

AND BE IT FURTHER, RESOLVED, that a budget amendment within the General Fund be made to increase the amount budgeted for Fire Department Full Time Salaries for FY 2007 as follows:

INCREASE:		
001-0500-0505-068	Revenue – CNR	\$ 940,033
INCREASE:		
001-1221-2210-110	Fire Dept Operations - FT Salaries	\$ 782,300
001-1221-2211-110	Fire Dept Admin – FT Sal	\$ 10,131
001-1221-2212-110	Fire Dept Marshall – FT Sal	\$ 56,964
001-1221-2220-110	Fire Dept Operations Support – FT	\$ 77,985
001-1221-2210-111	Fire Dept Operations – Driver and Acting Pay	\$ 12,653

Alderwoman Suzanne Bielinski
Alderman Paul D. Catanzaro
Alderman Louis Salvio

January 24, 2007

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

January 24, 2007

29472 RE: BUDGET AMENDMENT – WATER DEPARTMENT - \$1,006,000.00

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 Water Department is an Enterprise Fund of the City of New Britain; and,

Whereas, the fiscal year 2006 Water Operating Fund (Fund 930) results from operations concluded with a surplus; and

Whereas, a reserve of monies were recognized and allocated within fund balance; and,

Whereas, the Water Department has undertaken a project to update the Automated Reading Devices to make our operations more efficient; therefore be it,

RESOLVED, that the Board of Water Commissioners recommends the following amendment, as follows:

Water Operating Fund (930)

Increase Revenue		
930-0500-9131-077	Revenue – Fund Balance	356,000
Increase Expenditure		
930-1000-9065-XFD	Meters	356,000

Special Distribution Fund (937)

Increase Revenue		
937-0500-9131-077	Revenue – Fund Balance	650,000
Increase Expenditure		
937-1000-9062-XEM	Main't. Structures & Improv.	650,000

Ald. Larry Hermanowski
Common Council Liaison – Water Department

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Carroll. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29473 RE: CONTRACT WITH ROSLYN STERNBERG – DATABASE CREATION – HEALTH DEPT.

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; in October, 2006 a budget within special revenue fund #287 Health Per Capita, was established to augment local appropriations provided for public health purposes, which includes available funding for information technology services; and

WHEREAS; Health Department administration has received a professional services proposal from Roslyn Sternberg, to provide the following services at a cost for the one-year contract period of \$10,000:

- Total design and creation of a unique database, meeting the specific needs of the Health Department;
- To include ongoing changes and maintenance to the database;
- Provide trouble-shooting, consultation and phone support.

THEREFORE, BE IT

RESOLVED, that the Purchasing Agent, or his designee, is hereby authorized to execute a contract with Roslyn Sternberg, for the above services at the stated compensation.

Alderman Adam Platosz

January 24, 2007

Ald. Platosz moved to accept and adopt, seconded by Ald. Bernacki. Resolution adopted with Ald. Wyskiewicz, Gostin and Hermanowski opposed. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29474 RE: BUDGET TRANSFER – POLICE DEPARTMENT - \$15,000.00

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 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, the New Britain Police Department is currently operating under strength by two (2) officers, and eleven (11) in school, and

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

WHEREAS, there are sufficient budgeted funds available for transfer in the Police Patrol – Full Time Salaries account, THEREFORE BE IT

RESOLVED, by the Common Council of the City of New Britain, that a budget transfer of \$15,000 be made within the Police Department budget to provide for supplies and maintenance expenses as outlined below:

Transfer from the following account:

001-1600-1808-110	Patrol – Full Time Salaries	\$15,000
	Total	\$15,000

Transfer to the following accounts:

001-1600-1804-221	Operating Material and Supplies	\$ 5,000
001-1600-1835-373	Fleet Management: Equipment Repair	\$10,000
	Total	\$15,000

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

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

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29475 RE: SPEED AND AGGRESSIVE DRIVING GRANT – POLICE DEPARTMENT - \$82,205.00

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 Federal Highway Safety Program, has funding available for highway safety projects through the State of Connecticut Department of Transportation, and,

WHEREAS, these funds can be used to increase traffic enforcement and give added attention to citing drivers whose bad driving habits cause accidents with the intent to reduce accidents, speeding and aggressive driving, and,

WHEREAS, in accordance with Federal requirements, all initial allowable expenses will be provided for by the City and reimbursable on a 75% basis. The City’s 25% matching funds are available from the Patrol Full Time Salaries account due to officer vacancies, and,

THEREFORE, BE IT RESOLVED, that the Police Department has permission to apply for a State of Connecticut DOT Speed & Aggressive Driving Reduction Program grant in the sum of \$82,205 to provide Federal dollars for overtime to target both aggressive drivers and drivers with bad driving habits that cause accidents, and to reduce aggressive driving and accidents, thus making safer City streets, and

January 24, 2007

RESOLVED, that Mayor Timothy Stewart is authorized to execute all grant documents with the State of Connecticut DOT on behalf of the City of New Britain

RESOLVED, that the sum of \$20,551 be transferred from the Patrol Full Time Salaries account to provide City matching funds as follows:

From:		
001-1600-1808-110	Patrol Full Time Salaries	\$ 20,551
To:		
001-1600-1843-380	Grants and Contributions	\$ 20,551

RESOLVED, that the grant funds as well as the cash match be appropriated in a special revenue fund as follows:

REVENUES

288-0500-4194-023	State Department of Transportation	\$61,654
288-0500-4194-074	General Fund Cash Match	\$20,551

EXPENDITURES

288-1600-4194-111	Overtime	\$82,205
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Ald. Suzanne Bielinski - Police Liaison	Ald. Paul Catanzaro - Police Liaison
Ald. Silvia Cruz - Police Liaison	Ald. Lawrence Hermanowski - Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Cruz. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29476 RE: PROPOSED AMENDMENT TO THE ORDINANCES: SEC. 2-191, 2-306, 2-416, 2-420, 2-436, 2-461, 2-584 AND 13-60 – MAKING THEM COMPLIANT WITH THE CITY CHARTER

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

Proposed ordinance on file in the Town Clerk's Office.

Ald. Gostin moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Salvio. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29477 RE: BUDGET AMENDMENT PROVIDING FUNDS FOR CONNECTICUT CONFERENCE OF MUNICIPALITIES MEMBERSHIP

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:

The City recently received a check from Connecticut Light and Power (CL&P) in the amount of \$297,829 which represents New Britain's share of a refund for incorrect billing on power for streetlights. This refund was received in large part through the efforts of the Connecticut Conference of Municipalities (CCM) who fought on behalf of municipalities for many years to correct this inequity. This refund is just the most recent example of the vital services provided to New Britain by CCM.

The city's FY 2007 budget did not include funding for membership in CCM. This organization is Connecticut's association of cities and towns. CCM represents municipalities at the General Assembly, before the State executive branch and regulatory agencies, and in the courts. CCM provides member cities and towns with a wide array services, including many that have saved the taxpayers of New Britain hundreds of thousands of dollars.

January 24, 2007

WHEREAS, for many years, the City has been an active member of CCM, relying on the organization for representation at the General Assembly, courts as well as various State and Federal agencies and other services,

WHEREAS, due to budget constraints, there has been no funding allocated for membership in CCM in FY 2007 from the General Fund; and

WHEREAS, the services and counsel of CCM have consistently provided value to the taxpayers of New Britain and it would be prudent to continue our relationship with this organization. THEREFORE, BE IT,

RESOLVED, that the sum of \$48,651 for CCM annual FY 2007 membership be transferred from General Fund Contingency account to the Capital Non-recurring Fund resulting in the following budget amendment:

GENERAL FUND BUDGET AMENDMENT:

Increase:		
001-1910-9001-068	Transfer to Capital Non-recurring	\$ 48,651
Decrease:		
001-1910-9001-073	General Fund Contingency	\$ 48,651

CAPITAL NON-RECURRING BUDGET AMENDMENT:

Increase:		
219-0500-0505-074	Transfer from G/F	\$ 48,651
Increase:		
219-1525-5135-CCM	Connecticut Conf of Municipalities	\$ 48,651

Alderman Louis Salvio

Ald. Salvio moved to accept and adopt, seconded by Ald. Bernacki. Roll call vote – 5 in favor, 9 opposed. In favor: Ald. Carroll, Salvio, Gostin, Bernacki and Bielinski. Opposed: Ald. Trueworthy, Black, Cruz, Collins, Bonola, Catanzaro, Hermanowski, Platosz and Wyskiewicz. RESOLUTION DEFEATED.

29416-2 RE: TWO APPOINTMENTS TO THE NEW BRITAIN SCHOOL SAFETY TASK FORCE

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: To appoint members of the community to the "NEW BRITAIN SCHOOL SAFETY TASK FORCE"

WHEREAS, On December 13, 2006, the City Council passed a resolution establishing the New Britain School Safety Task Force; NOW, THEREFORE, BE IT

RESOLVED; That the following 2 individuals are hereby appointed to serve on the "New Britain School Safety Task Force":

NAME	ADDRESS
1) Barbara P. Luchansky	56 Colt Street 06052
2) Francis P. Ziccardi	19 N. Wellington Street 06053
	Alderman James A. Wyskiewicz
	Alderman Larry Hermanowski
	Alderman Paul D. Catanzaro

Ald. Wyskiewicz moved to accept and adopt, seconded by Ald. Catanzaro. Roll call vote – 8 in favor, 6 opposed. In favor: Ald. Trueworthy, Black, Cruz, Collins, Catanzaro, Hermanowski, Platosz and Wyskiewicz. Opposed: Ald. Bonola, Carroll, Salvio, Gostin, Bernacki and Bielinski. RESOLUTION ADOPTED. Returned January 29, 2007 without the approval or disapproval of Mayor Stewart.

29478 RE: BUDGET TRANSFER – PARKS AND RECREATION - \$21,952.00

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 Common Council approved Resolution #26470 on May 23, 2001, Resolution #23888-1 on May 13, 1998 and Resolution #28968 on February 8, 2006 for various equipment replacement for Fairview Cemetery; and,

Whereas, to date, all replacement equipment has been purchased; and,

Whereas, The Parks and Recreation department has requested that any remaining balance be appropriated within the Fairview Cemetery account to purchase a four-wheel drive 31hp utility truck with heater kit and standard tires; and be it

Resolved, that a budget transfer take place within the Capital Equipment Fund for Fairview Cemetery to purchase the utility truck as follows:

Budget Decrease:		
215-2286-0010-442	Fairview Cemetery - Department Equipment	\$15,168
215-2286-0010-A73	Fairview Cemetery - Air Compressor	4,008
215-2286-0010-L43	Fairview Cemetery - Leaf Collection	2,776
	Total	\$21,952
Budget Increase:		
215-2286-0010-xxx	Fairview Cemetery – Utility Truckster	\$21,952

Alderwoman Tonilynn Collins
Alderwoman Shirley Black
Alderman Louis Salvio
Council Liaison

Ald. Collins moved to accept and adopt, seconded by Ald. Black. So voted. Approved January 26, 2007 by Mayor Timothy T. Stewart.

29480 RE: BUDGET TRANSFER – PARKS AND RECREATION - \$3,500.00

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 Common Council approved various resolutions dating back to 1993 appropriating monies for various items for various departments; and,

Whereas, to date, all items listed below have been purchased and came in under budget; and,

Whereas, there are seven little league fields within the city in dire need of a new set of bases; and,

Whereas, the Parks and Recreation has requested that the remaining balances be transferred to an account to purchase the seven little league field bases; and therefore be it

Resolved, that a budget transfer take place within the Capital Equipment Fund to purchase these bases, as follows:

Budget Decrease:		
215-1892-2400-442	Building Dept. – Data Processing	\$ 422
215-2289-2400-442	Building Dept. – Department Equipment	77
215-1891-2209-350	Central Dispatch – Data Processing	3,001
	Total	\$ 3,500

January 24, 2007

29481 RE: THE APPOINTMENT OF EDWARD S. KIREJCZYK, JR. ALDERMAN FROM THE 1ST WARD TO FILL THE VACANCY CREATED BY THE RESIGNATION OF JAMES F. SULLIVAN

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

WHEREAS; pursuant to the charter of the City of New Britain, the Common Council is vested with the authority to fill the vacancy of Alderperson from the 1st Ward; and

WHEREAS; such vacancy on the Common Council was caused by the resignation of Alderman James F. Sullivan; NOW, THEREFORE, BE IT

RESOLVED; that Edward S. Kirejczyk, Jr. of 22 Round Hill Road, be and is hereby appointed Alderperson from the 1st Ward to fill the vacancy left by James F. Sullivan effective upon adoption of the resolution.

Alderman John F. Carroll

Alderman Carroll moved to accept and adopt, seconded by Ald. Salvio. Mayor Stewart relinquished the chair in order to speak on the resolution. Ald. Bielinski, Mayor Pro Tempore, in the chair.

Ald. Bielinski relinquished the chair and left the chambers. Ald. Salvio, Minority Leader, in the chair.

The Council recessed at 9:26 p.m and returned to order at 9:35 p.m. After some discussion Ald. Trueworthy moved for a recess. The chair denied the request. Ald. Trueworthy challenged the ruling of the chair and the challenge was sustained. The Council recessed at 9:40 p.m. and returned to order at 9:48 p.m. Ald. Trueworthy moved to amend the resolution by deleting

“Edward S. Kirejczyk, 22 Round Hill Road” and inserting “Richard P. Lopes, 208 South Mountain Drive”, seconded by Ald. Bonola. Roll call vote – 6 in favor, 6 opposed. In favor:

Ald. Trueworthy, Black, Cruz, Collins, Bonola, and Platosz. Opposed: Ald. Catanzaro, Carroll, Hermanowski, Wyskiewicz, Gostin, and Bernacki. Ald. Salvio, presiding officer, opposed. Amendment defeated. Roll call vote on original motion to accept and adopt – 6 in favor, 6 opposed. In favor: Ald. Catanzaro, Carroll, Hermanowski, Wyskiewicz, Gostin, and Bernacki. Opposed: Ald. Trueworthy, Black, Cruz, Collins, Bonola, and Platosz. Ald. Salvio, presiding officer, in favor. RESOLUTION ADOPTED. Approved Jan. 24, 2007 by Timothy T. Stewart, Mayor.

Ald. Trueworthy moved the Council enter into Executive Session in order to discuss Report of the Corporation Counsel #29457, and that they be accompanied by the Mayor and the Corporation Counsel, seconded by Ald. Bernacki. Roll call vote – all members present voted in favor. Executive Session began at 10:04 p.m. The Council voted to return to order at 10:13 p.m. on motion of Ald. Wyskiewicz, seconded by Ald. Bonola.

OFFICE OF THE CORPORTION COUNSEL

29457 RE: MADELINE FONTANEZ V. CITY OF NEW BRITAIN, ET AL

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

A report on the status of the above-referenced lawsuit will be presented to the Common Council at its meeting on Wednesday, January 24, 2007.

Irena J. Urbaniak
City Attorney

Ald. Trueworthy moved to receive, seconded by Ald. Bielinski. So voted. Approved January 28, 2007 by Mayor Timothy T. Stewart.

January 24, 2007

City Clerk, Peter J. Denuzze, administered the oath of office to the newly appointed Alderman from the 1st ward – Edward S. Kirejczyk.

January 24, 2007

There being no further business to come before the Council, Ald. Wyskiewicz moved to adjourn, seconded by Ald. Bernacki. Meeting adjourned at 10:15 p.m.

ATTEST: Peter J. Denuzze, City Clerk