

January 28, 2009

REGULAR MEETING OF THE COMMON COUNCIL

JANUARY 28, 2009

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 28th day of January 2009 at 8:25 p.m. in the Common Council Chambers, City Hall.

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

Two members were absent: Ald. Magnuszewski and Ald. Cruz.

Peter J. Denuzze, City Clerk, gave the invocation: O God, our Heavenly Father, bless the city of New Britain and all its citizens. Bless this Common Council and the work they are engaged in. Grant that they work together for the betterment of our City. We ask this in Thy name. Amen.

Dr. Eugene Ciccone, Director of Health, led the pledge to the flag.

Ald. Trueworthy moved to amend the agenda by moving 30448(B) and 30449(C) to the end of the agenda, by adding 30463(7) and by substituting 30454(H), seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members present voted in favor. Approved January 30, 2009 by Timothy T. Stewart, Mayor.

CONSENT AGENDA

CITY CLERK

30447 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

- Arvanetaki, Barbara E.
- Irizarry, Omar

Peter J. Denuzze
City Clerk

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OFFICE OF THE CORPORATION COUNSEL

30446-1 RE: FAIRVIEW CEMETERY – FENCE REPLACEMENT

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

By way of background, on December 17, 2007, the City of New Britain Purchasing Agent advertised Public Bid No. 3392 for the demolition of the perimeter fence at Fairview Cemetery and installation of a replacement fence. According to the bid offering, the usable sections of the old fence would remain with the City and the contractor was responsible for removal of the remaining sections.

The purchasing agent selected Martello III, LLC (the “contractor”) as the lowest responsible bidder, as required by the Code of Ordinances. On February 13, 2008, the Common Council authorized the Purchasing Agent to enter into an agreement with the contractor and issue a purchase order for \$99,999.00 for the purchase and installation of a replacement fence at Fairview Cemetery per the terms and conditions of Public Bid No. 3392 (the “Bid”). Pursuant to the agreement, the City agreed to provide the contractor with an initial payment of \$78,976.36 for the purchase of the fence and commencement of the work to be performed. In return, the contractor agreed to provide the City with a Payment Material Bond or Letter of Credit from its financial institution and further agreed to commence and complete work within 60 business days of delivery of the fence by the manufacturer.

The City tendered payment as required, but the contractor failed to comply with the terms and conditions of the Bid. Consequently, the matter was referred to the New Britain Police Department on or about September 23, 2008.

Following its investigation, the Police Department prepared an arrest warrant application against the contractor. The application was forwarded to the Office of the State’s Attorney for review. On January 15th, the State’s Attorney informed the City that he would not pursue an arrest warrant because this case appeared to involve a civil dispute between the City and the contractor. In declining to sign off on an arrest warrant application, the State’s Attorney cited partial performance by the contractor as a potential impediment to proving larcenous intent.

Further, at this point, the City’s argument that the contractor’s actions amounted to larceny has been significantly undermined by Petitions and comments by officials as reported in the media implying that the City was culpable in mishandling its procurement process. The City’s only recourse now is a civil action against the contractor. In that respect, the Office of Corporation Counsel is preparing to file suit against the contractor immediately. Any questions regarding said action should be directed to the undersigned.

In response to the specific requests set forth in Petition No. 30446, I offer the following:

- **Minutes of the Park Board meetings that pertain to this contract.** Based on discussions with the Director of Parks and Recreation, it is my understanding that there are no Board of Parks and Recreation meeting minutes that relate to this issue.
- **Who determined the successful bidder was qualified to do the job? What criteria were used?** The Purchasing Agent and the Common Council determined that the successful bidder was qualified to do the job. The criteria to be used by the Purchasing Agent to determine the lowest responsible bidder is set forth in Section 2-578 of the Code of Ordinances. The Common Council approved the selection and authorized the agreement when it accepted and adopted Report No. 29993, which was presented to the Council by the purchasing agent on February 13, 2008.
- **The name of the individual(s) who approved the change order, be it verbally or in writing and the complete disclosure of those documents.** Based on discussions with the Director of Finance, it is my understanding that there were never any change orders authorized with respect to this matter.
- **Why weren’t the Charter procedures for issuing PO’s followed in regards to a surety bond being provided?** There are no provisions in the City Charter which required the contractor to submit a surety bond to the City. The agreement did call for the contractor to provide the City

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with a Payment Material Bond or Letter of Credit. The contractor provided a promissory note and insurance certificate in lieu of a Bond.

- **Who approved the removal of the existing fence and its disposition?** According to the bid offering, the usable sections of the old fence would remain with the City and the contractor was responsible for removal of the remaining sections.
- **An estimated end date for the installation of the fence and Fairview Cemetery by Parks and Recreation employees.** The expected completion date of the fence is unknown because the City has not yet determined whether its employees will assume responsibility for the project.
- **The estimated increase in cost, both labor and materials, in having city workers complete a project that a private contractor had been paid to complete.** The Department of Parks and Recreation advises that the estimated costs of completing the fence are unknown at this time. Should the City elect to complete the installation using municipal employees, the Department of Parks and Recreation would need to undertake a thorough review of the work performed to date and the remaining scope of the project before providing the requested estimates.

In response to your comment that “[a]ll of this should be public information and available to anyone,” I wish to note that most of the information contained herein was either previously provided to the Common Council in a Report from the undersigned to the Common Council dated October 22, 2008, under Item No. 30325-1 or is information that the Common Council already knows by virtue of its role in approving the Bid. Further, most of the information contained herein was provided to a local newspaper Reporter pursuant to a request made in October 2008. Hence, the information has always been public.

Gennaro Bizzarro
Corporation Counsel

FINANCE DEPARTMENT

30450 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET – 1/7/2009 THRU 1/21/2009

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 21, 2009

16. Department: Fire
From: 001-1221-2211-110 (Full Time Salaries)
To: 001-1221-2210-373 (Equip., Furn., Maint. & Repairs)
Amount: \$17,088.00
Brief Description: Funds needed for vehicle maintenance and communication system

17. Department: Town Clerk
From: 001-1154-1540-211 (Election Supplies)
To: 001-1154-1540-373 (Equip., Furn., Maint & Repairs)
Amount: \$585.00
Brief Description: Funds needed for printer maintenance contracts

Robert Curry
Finance Director

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PURCHASING DEPARTMENT

30452 RE: MOBILE LICENSE PLATE READER FOR THE NEW BRITAIN POLICE DEPARTMENT

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-541 a purchase order has been requested by the New Britain Police Department for the Purchase of a Mobile License Plate Reader.

<u>Supplier</u>	<u>Item</u>	<u>Quantity</u>	<u>Price</u>
ELSAG North America Law Enforcement Systems, LLC Brewster, NY.	Mobile License Plate Reader #MPH-900X2 Operations Center Software License	1	\$19,975.00
	Additional Ethernet Cable	1	\$ 100.00
	Additional Power Cable	1	\$ 125.00
Total Cost			\$21,175.00

The Purchasing Agent has verified that ELSAG North America Law Enforcement Systems, LLC is the sole source provider of this Mobile License Plate Reader. The Purchasing Agent has also been in direct contact with the company and has received documentation from the supplier stating this fact. ELSAG North America Law Enforcement Systems, LLC also has a Multi-State Cooperative Contract, #PC62119, for this Mobile License Plate Reader with the National Association of State Procurement Officials (NASPO). Other States and some Connecticut Municipalities have purchased this Mobile License Plate Reader from them for their public safety needs. ELSAG North America Law Enforcement Systems, LLC has agreed to charge the New Britain Police Department the NASPO Contract Pricing for this Mobile License Plate Reader. Bid solicitation for the purchase of this unique product would not be beneficial to the City because ELSAG North America Law Enforcement Systems, LLC is the sole source provider of this Mobile License Plate Reader. A Budget Transfer to pay for the Mobile License Plate Reader was approved by the Common Council at their January 14, 2009 meeting, Resolution # 30442 and is available in account 001-1600-1807-442.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a Purchase Order for \$21,175.00 to ELSAG North America Law Enforcement Systems, LLC of Brewster, NY for the purchase on one (1) Mobile License Plate Reader, with Operations Center Software License, and an additional Ethernet and Power Cables for the New Britain Police Department.

Jack Pieper
Purchasing Agent

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OFFICE OF THE MAYOR

30454 RE: THE APPOINTMENT OF MARGARET C. RODEN TO THE ZONING BOARD OF APPEALS

To the Common Council of the City of New Britain: the undersigned beg leave to report the following:
I hereby appoint the following individual to the Zoning Board of Appeals for the term as specified:

<u>NAME</u>	<u>ADDRESS</u>	<u>TERM</u>
Margaret C. Roden (D) (Replaces Sean Deverse) (R)	110 Roslyn Drive	2/1/2009 – 12/31/2009

Mayor Timothy T. Stewart

POLICE DEPARTMENT

30455 RE: THE REMOVAL OF POLICE ACCIDENT REPORTS FROM THE “FREE” CATEGORY

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

The Records Bureau of the New Britain Police Department reports that between December 17, 2008 and January 17, 2009, 977 pages of Police Accident Reports were handed out.

I request that Police Accident reports be removed from the “free” category and the Police Department be allowed to charge per report page in accordance with State guidelines.

Chief William Gagliardi
New Britain Police Department

TAX COLLECTOR

30456 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.

Cheryl S. Blogoslowski
Tax Collector

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSION AND DEPARTMENTS

PURCHASING DEPARTMENT

30451 RE: COOPERATIVE PURCHASING – JACOBSON MOWER – 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:

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:

<u>Supplier</u>	<u>Item</u>	<u>Qty</u>	<u>Total Price</u>
Steven Willard, Inc. Brookfield, CT.	Jacobsen AR-3 Mower with Lift Arm Seal Kits	1	\$27,534.00

The New Britain Parks and Recreation Department requested the purchase of one (1) Jacobsen Mower with Lift Arm Seal Kits utilizing the State of Connecticut's Contract Award #04PSX0211. The MRSP of this Jacobsen Mower with the Liftarm Seal Kits is \$36,712.00. The supplier is giving the City a 25% Discount off of the MRSP per the contract that they have with the State of Connecticut. Funding is available for this purchase from Account Number 201-1335-2120-442.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$27,534.00 to Steven Willard, Inc of Brookfield, CT for the purchase of one (1) Jacobsen AR-3 Mower with Lift Arm Seal Kits for the New Britain Parks and Recreation Department, utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #04PSX0211.

Jack Pieper
Purchasing Agent

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

30453 RE: NEW DIGITAL MICROWAVE SYSTEM, TWO PHASES, FOR THE PUBLIC SAFETY 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. 3462 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for a new Digital Microwave System, Two Phases, for the Public Safety Department. Funding available for the Digital Microwave System is in Account Number, 008-2408-2209-442.

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 six (6) Digital Microwave System providers. The Purchasing Agent did not receive any letters from the Digital Microwave System providers on the mailing list who indicated that they could not respond to the bid request. The responses received are on file in Town Clerk's Office.

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The Public Safety Telecommunications Director and the Purchasing Agent reviewed the bids for conformance to specifications. The proposals were segmented into two phases. Phase one consists of a single hop microwave system between the Hospital of Central Connecticut and Police Headquarters. This hop was segregated because most of the costs associated with it are being reimbursed by Pocket Communications LLC as a result of a Frequency Rebanding Agreement pending with the City. Phase two consists of the remaining hops in the system. An option for hot standby on the closed loop portion of the system is included as are the costs for maintenance starting in year four. Therefore, the Public Safety Telecommunications Department is recommending that the bid for the new Digital Microwave System be awarded to New England Communications Systems of Windsor, CT who was the lowest bidder and meets all bid specifications.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and to issue a Purchase Order not to exceed \$1,026,201.00 to New England Communications Systems of Windsor, CT for the new Digital Microwave System for the proposed new radio system contingent upon site confirmation based on proposals to be received for the replacement 800 MHZ P25 Phase II system which will be issued in the next thirty days and successful completion of the rebanding agreement with Pocket Communications per the pricing, terms and specifications of Public Bid No 3462.

Jack Pieper
Purchasing Agent

Ald. Bielinski moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

PARKS AND RECREATION DEPARTMENT

30357-2 RE: FREE WOOD PLAN

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

In response to the City Council's petition #30357, a report was prepared by the parks and recreation administration for the Common Council Meeting of December 10, 2008 as requested. (See the attached copy of the report). Because of the time allowed there wasn't an opportunity to present the petition to the Parks and Recreation Commission prior to creating the report. The petition and the parks and recreation administrative report was presented to the Parks and Recreation Commission at their December 11, 2008 meeting and their decision is as follows:

The Commission reviewed the petition #30357 and also the parks and recreation report and requested a second report be sent to the Common Council with their decision. The Parks and Recreation Commission's decision is that the department has a feasible plan in place and that due to severe budget constraints the city cannot afford to expand a wood distribution plan when the one the department has in place at this time works in an efficient manner. However, the Parks and Recreation Commission would welcome any suggestions from the Common Council that would not use additional manpower, equipment or funds and that would not expose the City and/or Parks and Recreation Department to any risk of liability and any loss of funds to the city due to injuries of residents and/or city employees due to workman's compensation claims.

William A. DeMaio, Director
Parks and Recreation

Ald. Hermanowski moved to accept, seconded by Ald. Bielinski. So voted. Ald. Hermanowski opposed. Approved January 30, 2009 by Mayor Timothy T. Stewart.

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NEW BUSINESS

RESOLUTIONS

30457 RE: BUDGET AMENDMENT – CORPORATION COUNSEL - \$5,400

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 has paid an occupational tax in the amount of \$450 annually for each of its 4 (four) full time attorneys for the calendar years of 2005, 2006, 2007,

WHEREAS, it was discovered that, as municipal employees, our attorneys are exempt from paying this tax,

WHEREAS, the Department of Revenue Services has refunded all payments made for the calendar years of 2005, 2006 and 2007 amounting to \$5,400,

WHEREAS, Corporation Counsel has been allocated limited resources to run their office over the past several years. Salaries and longevity account for 95.6% of their present budget. Currently, the Technical Publications line item is over budget by \$2,840 and additional monies are needed in this account for the remainder of the fiscal year.

THEREFORE, BE IT RESOLVED, that a budget amendment be made to increase the G/F budget (both revenues and expenditures) as follows:

Increase:

001-0500-9015-025	Misc Revenue	\$5,400
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Increase:

001-1155-1550-376	Technical Publications	\$5,400
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Alderman Louis Salvio

Ald. Salvio moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

30458 RE: APPROVAL OF \$1,000 DONATION TO THE NEW BRITAIN POLICE DEPARTMENT FROM THE KLINGBERG FAMILY CENTERS

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 Klingberg Family Centers, on behalf of the children and staff, wishes to honor the officers of the New Britain Police Department with a token of their appreciation for support rendered, and,

WHEREAS, the officers have always been very sensitive to the complex needs of the children and have been a tremendous resource for the staff, and

WHEREAS, Rosemarie Burton, President of the Klingberg Family Centers, has presented Chief William Gagliardi, a donation of \$1,000 to the New Britain Police Department, and THEREFORE BE IT

RESOLVED, that the Common Council approves the receipt of the donation from the Klingberg Family Centers by the New Britain Police Department.

Ald. Suzanne Bielinski - Police Liaison

Ald. Roy Centeno - Police Liaison

Ald. Lawrence Hermanowski- Police Liaison

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Ald. Bielinski moved to accept and adopt, seconded by Ald. Centeno. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

30459 RE: BUDGET TRANSFER – LOCIP \$133,855.90

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, Section 7-536 of the Connecticut General Statutes provides the authorization and reimbursement procedure for LOCIP Projects. It provides, in part, "If a municipality fails to request payment within seven years of such authorization for a project, the secretary shall make no payment for such project unless the municipality requests and receives a waiver for such project on such terms and conditions as the secretary deems appropriate." It also requires OPM to notify communities of ongoing projects, at least five years old, which may eventually fall under the seven year waiver requirement. In an effort to finalize older but still pending LOCIP projects, the State has notified the City of these projects (amounting to \$133,855.90) which are being closed out and reallocated below,

WHEREAS, via Resolution #29321 dated 9/27/2006, the Mayor has been authorized to sign a contract with the Greater Hartford Transit District for a grant in the amount of \$159,428. Per Resolution #29321-1, an additional \$39,900 of General Fund monies were allocated to this project to fulfill the requirement of a 20% cash match. The bids for the bus shelters have come in over budget. An additional \$67,463 is estimated to be required to complete this project.

WHEREAS, the Dog Pound, constructed in 1999, is in need of renovations to address various code violations. There is \$8,753.55 remaining in the original appropriation to construct the new facility (LOCIP A/C # 213-1800-1848-G55) available for reallocation. There is also \$40,000 available for these renovations via the 08/09 annual LOCIP appropriation. It is anticipated that \$65,000 will be needed to complete the necessary renovations. Therefore, an additional \$16,246.45 will be necessary to complete this project.

WHEREAS, the purchasing agent went out to competitive bid for the Martha Hart construction of a new softball/little league field with lights and a basketball court with lights. The lights for both the court and the field came in at \$210,000. The City has applied for a grant through the Baseball Tomorrow Fund to cover this expenditure, however, in order to receive funding, the City needs a match. Therefore, approximately \$41,393 must be put toward the installation of the lighting systems within these fields,

THEREFORE, BE IT RESOLVED that a budget amendment within the LOCIP fund be approved as follows:

FROM:		
213-1800-1847-E54	Stanley Quarter Park dock construction	\$ 1,137.50
213-1800-1848-G55	Animal Pound Construction, Part 2	8,753.55
213-1800-1846-E99	Chesley Park Baseball Field Lighting	380.43
213-1800-1856-S35	New Scoreboards, Beehive and Veteran's Stadiums	475.48
213-1800-1857-P32	Reconstruct Willow Brook Pool	979.07
213-1800-1857-M04	Replace Cellblock Windows at Police Dept	15,000.00
213-1800-1857-M05	Roof Replacement at Police Hdqtrs	5,892.06
213-1800-1856-K03	Running Track Upgrade, Veteran's Park	6,674.00
213-1800-1858-N02	Fire Dept Hdqtrs Roof Replacement	432.58
213-1800-1858-N03	Veteran's Stadium Rehab and Relamping	232.00
213-1800-1858-N04	Chesley, Osgood, Stanley Pool Repairs	2,717.00
213-1800-1858-N14	Signal Replacement @ Slater and Farmington Ave	78,133.77
213-1800-1858-N07	ADA Playscape Willow Brook and Osgood Bathhouse	1,323.84
213-1800-1858-N16	DPW City Yard Improvements	7,540.93
213-1800-1858-N17	Batting Cages	1,350.38
213-1800-1858-UTA	Underground Tank Assessment	1,485.70

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213-1800-1860-L16	Traffic Signal Holy Cross Intersection	1,000.00
213-1800-1861-G22	P&R Veteran's Lighting	347.61
	TOTAL PROJECTS CLOSED/REALLOC	<u>133,855.90</u>

TO:		
213-1800-1864-BUS	Bus Shelter	67,462.95
213-1800-1864-805	Dog Pound Renovations Part 2	25,000.00
213-1800-1864-H26	Martha Hart Field and Court Lighting Pt 3	41,392.95
	TOTAL NEW PROJECTS/REALLOC	<u>133,855.90</u>

Alderman Louis Salvio

Ald. Salvio moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

30460 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:

Where As The New Britain Fire Department has applied for thermal imaging camera equipment under the 2008 Assistance to Firefighters Grant (AFG) program to improve its operational effectiveness, work efficiency and firefighter safety and:

Where As the New Britain Fire Department has requested funding to replace its two (2) thermal imaging cameras which due to their overall condition and unreliable performance, increases the level of risks from undetected fire spread, searching and rescue of persons and animals and firefighter safety and ,

Where As the New Britain Fire Department in obtaining nine (9) thermal imaging cameras allows each fire company to enhance its self contained breathing apparatus (SCBA) firefighting and rescue activities in addition to supporting firefighter health and safety and,

Where As the New Britain Fire Department has been awarded a total of \$72,001.00

Where As, in order for the New Britain Fire Department to meet its responsibilities of funding 20% of the total grant award of \$72,001.00, a transfer of \$18,000.00 must be made to meet the acceptance of the Year 2008 Department of Homeland Security Assistance to Firefighters grant.

THEREFORE, BE IT RESOLVED, that the Mayor be authorized to enter into an agreement with the Department of Homeland Security in order to secure this grant, and BE IT FURTHER,

RESOLVED, that monies be transferred from the General Fund Fire Department Operations Vehicle Damage and Equipment Supply Account and appropriated within a special revenue fund as follows:

FROM:		
001-1221-2210-222	Fire Ops Veh and Equip Repair	\$ 18,000
TO:		
001-1910-9001-380	Grants and Contributions	\$ 18,000

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INCREASE:		
226-1221-xxxx-442	Equipment	\$ 90,001
INCREASE:		
226-0500-xxxx-074	Revenue General Fund	\$ 18,000
226-0500-xxxx-959	Revenue Federal Gov't	<u>\$ 72,001</u>
	TOTAL REVENUE	\$ 90,001

Alderwoman Suzanne Bielinski
Alderwoman Tonilynn Collins

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

30461 RE: AUTHORIZING THE MAYOR TO ENTER INTO A FREQUENCY REBANDING AGREEMENT WITH POCKET COMMUNICATIONS OPERATED BY YOUGHIOGHENY COMMUNICATIONS FOR RELEASE OF THE CITY'S ASSIGNED MICROWAVE RADIO CHANNEL

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 in the process of acquiring a new radio system for its public safety and public service workers; and

WHEREAS, Pocket Communications operated by Youghioghenny Communications of San Antonio, Texas was the successful bidder for radio spectrum in the Federal Communications Auction of PCS licenses; and

WHEREAS, a portion of that reconfigured radio spectrum has been used for the past twenty years in the microwave radio system operated between the Police Headquarters building at 125 Columbus Boulevard and the Hospital of Central Connecticut at 50 Grand Street; and

WHEREAS, the City has recently publicly bid a replacement microwave system for its radio systems; and

WHEREAS, this timely spectrum transfer and cost reimbursement represents a substantial savings to the City of New Britain; NOW, THEREFORE, BE IT

RESOLVED, that the Mayor may enter into a Frequency Rebanding Agreement with Pocket Communications operated by Youghioghenny Communications for release of the City's assigned microwave radio channel; and be it further

RESOLVED, that any revenues which evolve from such agreements shall be deposited in the capital account 008-2408-2209-xxx associated with the procurement and installation of a new public safety and public service radio system.

Alderwoman Suzanne Bielinski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Rocha. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

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30462 RE: COLEMAN BROTHERS CARNIVAL 4/3/2009 – 4/13/2009

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 and he is hereby authorized to issue to the Italian American War Veterans of the U.S. Bernardino-Badolato Post #2, Inc. together with the 169th Infantry Association such license to hold the Coleman Bros. Carnival as may be issued under Article II – Amusement Activities - Section 5-16. License – Required of the Ordinances of the Common Council for the period of April 3 - 13, 2009. Permission to use the former Greenfields lot at 327 Main Street for this event has been given by the State of Connecticut Department of Transportation.

Alderman Mark H. Bernacki

Alderman Bernacki moved to accept and refer to the License Committee. Seconded by Ald. Salvio. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

30463 RE: GRANTING THE FRIENDSHIP CENTER OF NEW BRITAIN LLC DEFERRAL OF ALL BUILDING PERMIT FEES FOR 85 ARCH ST. AND 57-61 ARCH ST.

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 at its November 12, 2008, meeting granted a deferral of building permit fees to the Friendship Center of New Britain, Inc. located at 241 Arch Street; and

WHEREAS, The Friendship Center of New Britain, Inc. is building new housing units to help shelter those in need; and

WHEREAS, The Friendship Center of New Britain, Inc. is a not for profit corporation and serves the needs of the homeless in our community;

WHEREAS, The construction project is located at 85-87 Arch Street including portions of 101 and 105 Arch Street (collectively called “85 Arch Street”) and 57-61 Arch Street and was not referenced in the original resolution; now, therefore, be it

RESOLVED, That the Friendship Center of New Britain, Inc. housing project located at 85 Arch Street and 57-61 Arch Street shall be granted a deferral of all building permit fees for this development. The annual payment of the fees are to be determined through the Office of the Mayor and to be paid over a five year period.

Alderman Michael W. Trueworthy
Alderwoman Suzanne Bielinski
Alderwoman Tonilynn Collins
Alderwoman Lori A. Rocha
Alderman Roy Centeno
Alderwoman Shirley Black
Alderman Lawrence J. Hermanowski
Alderman Paul D. Catanzaro
Alderman Adam Platosz
Alderwoman Eva Magnuszewski
Alderman Gregory Gerratana
Alderman Phil Sherwood
Alderwoman Silvia J. Cruz

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved January 30, 2009 by Mayor Timothy T. Stewart.

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Ald Trueworthy moved to accept items 30448 and 30449, seconded by Ald. Bielinski. Ald. Trueworthy moved the Council enter into Executive Session to discuss pending litigation and that they be accompanied by Mayor Stewart, and Gennaro Bizzarro, Corporation Counsel. Motion seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

Executive Session began at 9:32 p.m.

The Council voted to return to order at 9:44 p.m. on motion of Ald. Trueworthy, seconded by Ald. Salvio.

OFFICE OF THE CORPORATION COUNSEL

30448 RE: LINDA ABATE ET AL 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:

A report on the status of the above-referenced lawsuit will be presented to the Common Council at its meeting on Wednesday, January 28, 2009.

Irena J. Urbaniak
City Attorney

Motion to accept carried. Approved January 30, 2009 by Timothy T. Stewart, Mayor.

30449 RE: WALTER J. PRYMAS 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 28, 2009.

Irena J. Urbaniak
City Attorney

Motion to accept carried. Approved January 30, 2009 by Timothy T. Stewart, Mayor.

There being no further business to come before the Council, Ald. Bernacki moved to adjourn, seconded by Ald. Trueworthy. So voted. Meeting adjourned at 9:45 p.m.

ATTEST: Peter J. Denuzze, City Clerk