

March 10, 2010

REGULAR MEETING OF THE COMMON COUNCIL

MARCH 10, 2010

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 10th day of March 2010 at 7:32 p.m. in the Common Council Chambers, City Hall.

Thirteen members were present at roll call: Ald. Trueworthy, Sherwood, Salvio, Platosz, Pabon, Marrocco, Magnuszewski, Hermanowski, Centeno, Catanzaro, Carlozzi Jr., Black and Bernacki.

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

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.

Girl Scouts of Connecticut Trails Council led the pledge to the flag.

A moment of silence was observed in memory of Nelson Banos, Housing Inspector for the City of New Britain who died on February 24, 2010.

Mayor Stewart read a proclamation honoring the 98th anniversary of Girl Scouting and presented it to the Scout Leader representing the local Troop. She thanked the Mayor for the recognition and presented him a box of Girl Scout cookies.

The Council remained at ease while Mayor Stewart delivered his State of the City Address.

OFFICE OF THE MAYOR

30921 RE: STATE OF THE CITY 2010

Members of the common council, elected officials, city employees and citizens of New Britain:

For the past six years, it has been my honor to serve as mayor of New Britain. While it is not always an easy job, it is always a rewarding one as we continue to make steady improvements in all aspects of life in our community.

While the changes we make cannot always be dramatic, it is steady progress made by working with one business at a time or listening to resident concerns or working to change how the city approaches service delivery. There are many examples over the past six years of how we have changed New Britain's local government and in the process, positively changed attitudes on New Britain itself.

Whether it is jobs created at new enterprises like Celebration Foods or jobs created by our many medium and small businesses like award winning Admill Machine expanding their operations, New Britain continues to hold its own on the economic front.

It means taking the time to meet with and listen to these businesses to hear what their needs are and then cut through any bureaucratic red tape to get those needs met.

I am proud to say that a lot of my time is spent in these meetings and conversations. This business friendly attitude has not gone unnoticed by local businesses and those looking to relocate to our city.

In today's competitive economic environment, we need to be ready to respond quickly to opportunities. The recent Stanley Works/Black and Decker merger is one example of a chance to expand employment opportunities for New Britain residents. I plan on meeting with Stanley

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Works executives in the near future to discuss their future plans, particularly bringing manufacturing back to their now dormant buildings here in New Britain.

Going that extra mile is what drew Tartaglia Associates to purchase Pinnacle Heights even in these challenging economic times. I am happy to report that contrary to the doom and gloom portrayed recently by The Herald, negotiations are underway with businesses eager to locate in the Pinnacle Heights development.

New Britain's strong commitment to public private partnerships is also what drew Arete Development, our downtown developer, to our city. Arete has been working diligently behind the scenes arranging financing and working on preliminary designs for our police station/commercial complex on Main Street. Despite naysayers who say this project will not be done, the work of rebuilding and revitalizing our downtown is moving forward with the recent bond authorization for the police station and construction will begin this year to create new residential, commercial and retail space downtown.

The sight of ice skating in our downtown this winter along with our arts and entertainment triangle at Main, Arch and Chestnut Streets featuring Trinity on Main, the Hole in the Wall Theater and South Church, shows the promise of new life and excitement in the heart of our city.

To enhance the downtown experience, Vito's Restaurant will open in April in the former Hardware City Tavern location, which should bring even more people to our downtown every night. Also in April, Newbrite Plaza will welcome Ocean State Job Lots to its expanding list of shopping opportunities.

In addition to working to increase jobs and quality of life, issues have been addressed including the semi-automatic trash collection system that is in place and working well. A new transfer station is in the works that will provide a major source of new revenue for our community as other cities and towns pay us to dispose of their refuse.

Our efforts to be a greener community will soon include single stream recycling which will make it easier for residents and businesses to recycle resulting in cleaner streets and sidewalks as well as reduced costs for recycling waste.

Blighted buildings have been torn down and many more have been renovated and restored making our neighborhoods more attractive and livable. A new clean and lien ordinance allows for quicker action on dilapidated buildings and reimbursement of enforcement costs to the city by non-compliant property owners. These anti-blight measures mean more stable neighborhoods that might otherwise have deteriorated.

An unprecedented number of roads have been repaved and sidewalks replaced through our bonding program making the streets more attractive to residents and visitors alike. While pothole season is upon us now, public works will soon be back to work on important infrastructure improvements on Broad Street, Hart Street, Shuttle Meadow and throughout the city.

Major upgrades to our parks have been initiated and new facilities brought on line such as the new park on Willow Street and new lights approved for Beehive Field. In addition, the driving range at Stanley Golf Course now boasts of lights and heaters bringing many new golfers to our community. and hundreds of visitors to our city have enjoyed the great food and service at Whinstone Tavern.

New Britain's police department has continued to be a leader in the use of technology. Our latest crime fighting tool is a license plate scanner that can also be used to catch those scofflaws who are delinquent on car taxes or who have racked up unpaid parking tickets.

With the addition of officers from our latest police academy, our full compliment of police officers continue to have success in not only reducing crimes committed, but working with business owners and residents to thwart potential thefts through prevention education. Several grants have also contributed to successful crime prevention such as the national award winning town and gown dui enforcement with CCSU and domestic violence counseling in conjunction with Prudence Crandall.

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And most of all, we have seen stability in our tax base and our property taxes, something most other cities in Connecticut cannot claim. While some may have scoffed at the slight decrease in our 2009 grand list, to me it means that our hard work has paid off with stability that other towns that saw dramatic decreases in their property bases can only wish for.

While we have those I've mentioned and many other positive developments and changes here in New Britain, all is not rosy. Like communities throughout Connecticut due to forces beyond our control, mainly the dismal economic conditions in our nation and state, we are facing a year of uncertainty. We have seen this throughout the past 18 months with continued high unemployment and home foreclosures that are affecting so many of our residents.

As the old saying goes, desperate times call for desperate measures. In response to the economic downturn, we have made an incredible effort over the past two years to reduce the cost of government in New Britain. We have won concessions from our employees, we cut positions, frozen job openings, limited promotions.

We have instituted efficiencies that have lowered costs, we have restructured our utility contracts and our bonding to reduce our expenses. We have done everything we can to expand our tax base and to hold the line on property taxes.

But the time has come for our congressional delegation in Washington and our governor and state legislators to step forward and provide the kind of support our residents need in these trying times.

So much of New Britain's economic future is tied to Hartford and to Washington.

Much of that future depends on the swift completion of the Hartford to New Britain Busway and we cannot let that project die now. We have come too far and have come too close to have outside forces bring a halt to this project.

Developers have expressed interest in moving to our city but that is predicated on new transit initiatives, including funding for transit oriented development that can make New Britain the centerpiece of central Connecticut.

Our legislative leaders in Hartford must stand and deliver on this project. Our congressman and our U.S. Senators must make the federal funding for this project a reality.

In addition, Governor Rell and our legislators must step forward with needed dollars for education and essential services that our citizens require.

They cannot pass the buck back to local taxpayers by forcing higher property taxes on those who cannot afford tax increases on top of our already high tax burden.

We have seen remarkable progress in New Britain over the past Six years and we are in a position to continue moving forward if the support is there from Hartford and from Washington.

I am proud of what we have accomplished and I remain optimistic about New Britain's future. But we all need to put aside our political agendas and work together, particularly in these dark economic times.

Over the past year, many of us in this room have undergone significant personal, life changing events. Some were joyous, such as the addition of a new baby or the wedding of a child. Others were causes for sadness, such as illness or death of a parent or loss of a job.

It is especially during those times of sorrow that the New Britain community responds. We need to respond to these tough times as well we need to see beyond what divides to what unites us: our desire to make our community a better place in which to live, work and raise a family.

Thank you for your kind attention.

God bless all of you and may God continue to bless the city of New Britain.

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Ald. Sherwood moved to amend the agenda by adding 30907(E1), 30898-1(G1), 30920(9) and 30898-2(10), seconded by Ald. Trueworthy. Roll call vote –all members present voted in favor.

PETITIONS

30922 ALD. HERMANOWSKI FOR INVESTIGATING THE OCCUPANCY OF 179 FRANCIS STREET AND ENFORCE SECTION 13-178 OF THE CODE OF ORDINANCES. REFERRED TO THE DEPT. OF LICENSES, PERMITS AND INSPECTIONS.

30923 ALD. TRUEWORTHY AND HERMANOWSKI FOR REPORTS FROM THE FINANCE DEPT. AND PROPERTY MANAGEMENT ON EXPANDING THE CURRENT ENERGY PURCHASING POOL ABILITY AVAILABLE TO CITY HALL AND BOARD OF EDUCATION TO THE RESIDENTS, HOMEOWNERS AND BUSINESSES OF NEW BRITAIN. REFERRED TO FINANCE DEPT., PROPERTY MANAGEMENT AND THE COMMITTEE ON ADMINISTRATION, FINANCE AND LAW.

Ald. Sherwood moved to adopt the Consent Agenda, seconded by Ald. Trueworthy. Roll call vote – all members present voted in favor. Approved March 15, 2010 by Mayor Timothy T. Stewart.

CONSENT AGENDA

CITY CLERK

30905 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

- Harris, Lillian B.
- Ziolkowska, Bogumila
- Wade, Dina M.

Peter J. Denuzze
City Clerk

CITY PLAN COMMISSION

30859-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES SEC. 270-20-50 TO EXTEND THE TIMEFRAME FOR OBTAINING A BUILDING PERMIT FOR CONSTRUCTION PERMITTED BY ZBA ACTION

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

The City Plan Commission, at its regular meeting held on March 1, 2010, voted 6 to 0 to approve the following report:

BACKGROUND: The purpose of this zoning amendment is to lengthen the timeframe within which an applicant must apply for a building permit after receiving a variance or special exception

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approval from the Zoning Board of Appeals, and to allow a one-time, administrative extension of this timeframe by the Director of Licenses, Permits and Inspections.

FINDINGS: Section 270-20-50 of the zoning ordinances currently requires that any building permit authorized by variance or special exception approval from the Zoning Board of Appeals must be applied for within 90 days of the ZBA action. This is apparently intended to ensure that ZBA applicants are acting seriously, with good faith intent of actually undertaking the action within a reasonable period of time, not just speculatively seeking an approval for something that may improve the marketability or value of their subject property. In practice, the 90-day timeframe has often proved to be too short to allow applicants with legitimate projects adequate time to finalize site and architectural plans and to arrange financing, etc. Consequently, many projects, particularly those that are larger and more complex in design or that need to obtain state or federal financing approvals, find that they need to seek multiple extensions from the Zoning Board of Appeals. This often adds to the ZBA agenda and occasionally poses problems when an approved applicant misses the deadline and is required to re-apply for the original variance or special exception.

The proposal would lengthen the timeframe from 90 days to 180 days and then additionally allow the Director of Licenses, Permits and Inspections to issue a one-time, 90 day extension, for situations where the applicant is working to finalize the plans, or to obtain financing, and has shown good faith reason or basis for the delay. Any further extension of time beyond that could only be granted by the Zoning Board of Appeals.

CONCLUSION: The proposed amendment strikes a balance of allowing a more reasonable period of time for the larger, more involved projects to be finalized to the point of being ready to be submitted for building permit approval, while still retaining an adequate level of control to guard against applicants who do not have truly legitimate projects that they are intending to carry out on their own, or those applicants that are unable to obtain financing, or are otherwise not capable or prepared to undertake the action they presented to the Zoning Board of Appeals.

RECOMMENDATION: The City Plan Commission is of the opinion that these changes would address current problems that relate to the short timeframe for obtaining a building permit authorized by ZBA action. The Commission, therefore, recommends that the amendment be adopted.

G. Geoffrey Bray, Chairman
City Plan Commission

30860-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES REVISING SECTION 300-20 & 280-90-20 RELATING TO FEES ASSOCIATED WITH ZONING BOARD OF APPEALS APPLICATIONS AND AMENDMENTS TO THE ZONING ORDINANCES

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

The City Plan Commission, at its regular meeting held on March 1, 2010, voted 6 to 0 to approve the following report:

BACKGROUND: The purpose of this zoning amendment is to remove the establishment of fees for zone changes, zoning amendments and Zoning Board of Appeals applications from the zoning ordinances and, instead place them in the Code of Ordinances, Article IX, Section 9-130. Article IX, Section 9-130 of the Code of Ordinances is presently being amended (Resolution #30876-1) to contain all of the fees the City charges for land use related applications, including zone change and zoning amendment petitions; variances, special exceptions and other applications to the Zoning Board of Appeals; subdivision applications made to the City Plan Commission and wetlands permit applications to the Conservation Commission. The purpose of

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this change is to consolidate all land use fees into one place and make them subject to revision by Council action, rather than by the several individual boards and commissions.

FINDINGS: This change to allow the setting of land use fees by Council is specifically permitted pursuant to Section 22a-27j of the Connecticut General Statutes. It would serve to centralize these development related fees and would help streamline the periodic update of fees, that is routinely done when it is found that legal notice and application processing costs have increased to exceed the fees being charged. Aside from the added convenience in having these fees in one location, there would be a minor savings to the City in the cost for legal advertisements when adjustments to the fees need to be made.

RECOMMENDATION: The City Plan Commission recommends adoption of this amendment.

G. Geoffrey Bray, Chairman
City Plan Commission

30861-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES REVISING SECTION 300 CONCERNING PROCEDURES FOR 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 City Plan Commission, at its regular meeting held on March 1, 2010, voted 6 to 0 to approve the following report:

BACKGROUND: The purpose of this zoning amendment is to remove outdated language from the zoning ordinances regarding the process for zone changes, and amendments to the zoning ordinances. Section 300 of the zoning ordinances currently references sections of the 1963 City Charter that were eliminated with the charter revision that became effective in November 2000. The proposed amendment would reference the proper sections of the revised charter, the city ordinances and state statutes governing procedures for zone changes and zoning ordinance amendments. The amendment to subsection 300-15 changes the previous timeframe of the referral of a zoning petition to the City Plan Commission from 30 to 35 days, to conform to current state statutes.

FINDINGS: Since adoption of the zoning ordinances in 1967, Section 300 has referenced sections 3134 and 3135 of the City Charter that were in effect at that time. Charter revision in 2000 modified the processes under which the Common Council acts in its capacity as zoning authority, in large part moving the zoning amendment processes from charter to the Code of Ordinances, Article II, Sections 2-45, and adding specific language referencing that the powers and duties of the Council are as specified in state statutes.

RECOMMENDATION: The City Plan Commission is of the opinion that this change would serve to clarify the zoning amendment and zone change processes. The Commission, therefore, recommends that this amendment be adopted.

G. Geoffrey Bray, Chairman
City Plan Commission

PURCHASING DEPARTMENT

30906 RE: SALE OF SAW TIMBER AND CORDWOOD AT THE BRADLEY MOUNTAIN RESERVOIR PROPERTY IN PLAINVILLE – WATER DEPT.

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

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A Public Bid was solicited by Conwood Foresters Inc and received in accordance with the Purchasing Ordinances of the City of New Britain for the sale of Saw Timber and Cordwood on the Property of the New Britain Water Department at their Bradley Mountain Property in Plainville, CT. Conwood Foresters Inc has a contract with the Water Department to provide professional forestry services, which includes the marketing and sale of timber. Their forest inventory and management planning services have determined that 519 marked trees (containing an estimated 168 mbf) on the Water Department's property at the Bradley Mountain in Plainville, CT that need to be harvested. The value of the 168mbf is \$32,250.00.

Invitations to bid were solicited by Conwood Foresters Inc. The bids when received by Conwood Foresters Inc were reviewed, and checked for conformance. The responses received are file in the Town Clerk's Office. The responses were also presented to the Water Commission at their March 9, 2010 meeting. The Water Commission at this meeting voted and approved that the sale of the Saw Timber and Cordwood be awarded to J&J Logging and Lumber Dover Plains, NY, the highest bidder for the wood at the Water Department's Bradley Mountain location.

Jack Pieper
Purchasing Agent

LICENSE COMMITTEE

30898-1 RE: POPE JOHN PAUL II BAZAAR/CARNIVAL – 6/16/2010 THROUGH 6/19/2010

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 March 8, 2010 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, 2010 through June 19, 2010 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

OFFICE OF THE MAYOR

30910 RE: FIVE APPOINTMENTS TO THE ZONING BOARD OF APPEALS: ROMAN J. NOWAK, MARGARET C. RODEN, JOHN J. MURPHY, CATHERINE M. SPANO AND KATHY W. OLANDT

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

I hereby appoint the following individuals to the Zoning Board of Appeals for the term as specified:

Roman J. Nowak	145 Torkum Drive	1/1/2010 – 12/31/2013
Margaret C. Roden	110 Roslyn Drive	1/1/2010 – 12/31/2013
John J. Murphy	12 Chamberlain Street	1/1/2010 – 12/31/2013
Zoning Board of Appeals Alternate		
Catherine M. Spano	178 Oak Street	1/1/2010 – 12/31/2010
Kathy W. Olandt	46 Blake Road	1/1/2010 – 12/31/2010

Timothy T. Stewart
Mayor

COMMITTEE ON ADMINISTRATION, FINANCE AND LAW

30911 RE: SETTLEMENT OF CLAIMS

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 and the standing claims sub-committee of the Committee on Administration, Finance and Law at a regular meeting held on Wednesday evening, March 3, 2010 at 6:30 p.m. in Room 201, City Hall having held public hearings and made investigations of said claims, respectfully begs leave to recommend the following:

RESOLVED; that Franco Allocca of 8 Lyons Street, New Britain, Conn. be given leave to withdraw his claim for property damage sustained in an accident on December 13, 2008; and be it further

RESOLVED; that the sum of \$1,997.60 be paid to Carmen Navarro of 35 Maxine Court, New Britain, Conn. in full settlement of her claim for property damage sustained in an accident on January 30, 2010.

Alderman Paul D. Catanzaro
Chair

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

PURCHASING DEPARTMENT

30907 RE: ENGINEERING AND CONSTRUCTION OVERSIGHT SERVICES FOR THE REHABILITATION OF THE WHIGVILLE RESERVOIR – WATER 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. 3526 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Engineering and Construction Oversight Services for the Rehabilitation at the Whigville Reservoir for the Water Department. Funding is available for this purchase from Account Number 930-1000-9136-XEG Water Department's Capital Improvement Account.

Invitations to bid were solicited and the bid was duly advertised in the Hardware City Journal, the City and State of Connecticut's Department of Administration Services websites and mailed to sixty-one (61) Engineering Companies. The Purchasing Agent did not receive any letters from Engineering Companies on the mailing list indicating they could not provide a response 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 Water Department Administration and the Purchasing Agent. Therefore the Director of the Water Department is recommending the bid be awarded to Maguire Group Inc of New Britain, CT who submitted the lowest responsible bid for this service. The Maguire Group Inc also provided this service for the Shuttle Meadow Reservoir repairs last year. The bid results have also been presented to the Water Commission at their March 9, 2010 meeting. At this meeting they approved the Director of the Water Department's recommendation to award the Engineering and Construction Oversight Services for the Rehabilitation at the Whigville Reservoir to Maguire Group, Inc.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and issue a purchase order to Maguire Group, Inc of New Britain, CT for Engineering and

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Construction Oversight Services for the Rehabilitation of the Whigville Reservoir for the Water Department for a project management cost of \$4,000.00, and a resident project representation cost of \$30,000.00 for a total project cost of \$34,000.00 per the terms and specifications of Public Bid No. 3526.

Jack Pieper
Purchasing Agent

Ald. Sherwood moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30908 RE: ON CALL ENGINEERING SERVICES – PUBLIC WORKS DEPT - TRAFFIC SIGNAL DESIGN SERVICES AT CORBIN AVE AND CLINTON STREETS

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:	Traffic Signal Design Services at Corbin Avenue and Clinton Streets
Vendor:	Tighe & Bond, Inc.
Amount:	\$9,900.00
Line Items:	008-2910-2615-320, Capital Bond Appropriation, Professional Services
Requested By:	Public Works Department, Engineering Division

Scope: Tighe & Bond, Inc will conduct a field investigation of the site to verify conditions, observe traffic operations, record existing signage and pavement marking information and identify potential issues that should be addressed in the signal design. This field investigation will help Tighe & Bond, Inc to prepare a design of the signal layout of traffic signal equipment needed for this intersection to be in conformance with Conn DOT guidelines. They will create preliminary signal designs for this intersection and meet with the Public Works Department, Engineering Division, to review and approve of the signal design. Once approved Tighe & Bond, Inc will prepare construction documents, sketches, develop bid specifications and prepare the required signal modification applications that are required by the State Traffic Commission. Once the project is started Tighe & Bond, Inc will provide construction site visits while the improvements are being conducted, conduct final inspections of the work and attend the traffic signal test and activation field meeting.

Jack Pieper
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30909 RE: RIGHT AWAY IMPROVEMENT PROGRAM FOR THE 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. 3514 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Right Away Improvement Program for the Public Works Department. Funding is available for The Right Away Maintenance Program within the Public Works Department's from Account Number 008-2910-2617-322, Capital Improvements, Construction Contracts and supplemented with LOCIP and HUD funds as they become available.

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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-nine (39) Construction Companies. The Purchasing Agent did not receive any letters from Construction Companies on the mailing list indicating that they could not provide a response 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 Public Works Department Administration and the Purchasing Agent. Therefore the Public Works Director is recommending that the bid be awarded on an On-Call basis to Colossale Concrete of New Britain, CT and Martin Laviero Contractors of Bristol CT for this service, which will enable the Public Works Department to have the needed right away improvements or repairs started within ten (10) days of notification to the contractors.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract with and authorized to issue purchase orders for individual assignments up to a total of \$300,000.00 with Colossale Concrete of New Britain, CT and Martin Laviero Contractors of Bristol CT on an On-Call basis for a period effective from April 1, 2010, to February 28, 2012 with an option for the City to extend the term through February 28, 2013 if approved and agreed upon by the Public Works Director for the Right Away Improvement Program at the pricing on the attached and per the terms and specifications of Public Bid No. 3514.

Jack Pieper
Purchasing Agent

Alderman Sherwood moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

COMMITTEE ON PLANNING, ZONING AND HOUSING

Ald. Catanzaro, Carlozzi and Bernacki recused themselves from voting on the following reports – they did not attend the meeting of the Planning, Zoning and Housing Committee, nor did they listen to the tapes.

30859-2 RE: AMENDMENT TO THE ZONING ORDINANCES REVISING SECTIONS 270-20-50 REGARDING BUILDING PERMITS AUTHORIZED BY ACTIONS OF ZONING BOARD OF APPEALS TO INCREASE LENGTH OF TIMEFRAME IN WHICH BUILDING PERMITS MUST BE SOUGHT

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 gave due and legal notice of a time and place for a public hearing in reference to Item #30859 – Amend Zoning Ordinances to revise Sections 270-20-50 regarding building permits authorized by actions of Zoning Board of Appeals to increase length of timeframe in which building permits must be sought. Said hearing was held on Tuesday evening, March 2, 2010 at 7:00 p.m. in the Council Chambers of City Hall, 27 West Main Street, New Britain, Connecticut.

The City Plan Commission, at its regular meeting held on March 1, 2010 voted 6 to 0 to approve the amendment to the Zoning Ordinances.

The Common Council as the Zoning Authority of the City of New Britain voted to accept the following amendment to the Zoning Ordinances and refer back to the Common Council with a favorable recommendation.

To amend Zoning Ordinances to revise Sections 270-20-50 regarding building permits authorized by actions of Zoning Board of Appeals to increase length of timeframe in which building permits must be sought.

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Alderman Michael W. Trueworthy
Acting Chair

Alderman Trueworthy moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30860-2 RE: AMENDMENT TO THE ZONING ORDINANCES REVISING SECTIONS 280-90-20 AND 300-20 REGARDING FEES ASSOCIATED WITH ZONING BOARD OF APPEALS APPLICATIONS AND AMENDMENTS TO THE ZONING ORDINANCES

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 #30860 – Amend the Zoning and City Ordinances to revise Sections 280-90-20 relating to fees associated with Zoning Board of Appeals applications and to revise Section 300-20 relating to fees for amendments to the zoning ordinances and changes to zoning map. Said hearing was held on March 2, 2010 in the Council Chambers of City Hall, 27 West Main Street, New Britain, Connecticut.

The City Plan Commission, at its regular meeting held on March 1, 2010 voted 6 to 0 to approve the amendment to the Zoning and City Ordinances.

The Common Council as the Zoning Authority of the City of New Britain and the Planning, Zoning and Housing Committee of the Common Council voted to accept the amendment to the Zoning and City Ordinances and refer back to the Common Council with a favorable recommendation.

Alderman Michael W. Trueworthy
Acting Chair

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30861-2 RE: AMENDMENT TO THE ZONING ORDINANCES REVISING SECTION 300 REGARDING PROCEDURES FOR 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 Common Council as the Zoning Authority of the City of New Britain and 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 #30861 – Amend Zoning Ordinances to revise Section 300 relating to amendments to zoning ordinances and changes to zoning map to be consistent with current City Charter, Code of Ordinances and Connecticut State Statutes. Said hearing was held on March 2, 2010 at 7:00 p.m. in the Council Chambers of City Hall, 27 West Main Street, New Britain, Conn.

The City Plan Commission, at its regular meeting held on March 1, 2010 voted 6 to 0 to approve the amendment to the Zoning Ordinances.

The Common Council as the Zoning Authority of the City of New Britain and the Planning, Zoning and Housing Committee of the Common Council voted to accept the amendment to the Zoning Ordinances and refer back to the Common Council with a favorable recommendation.

Alderman Michael Trueworthy
Acting Chair

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

Ald. Catanzaro, Carlozzi and Bernacki returned to the Chambers.

NEW BUSINESS

RESOLUTIONS

30912 RE: BUDGET TRANSFER AND CONTRACT AUTHORIZATION WITH CHARLES B. FELDMAN AND ASSOCIATES, LLC FOR PERSONAL PROPERTY AUDITS

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 12-53 (3) of the State of Connecticut General Statutes states that a municipal assessor may designate a State-qualified firm to perform an audit of personal property taxpayer records; and

WHEREAS, The City of New Britain has maintained an audit program for more than twenty (20) years to insure accuracy of personal property declarations supplied by the taxpayers.

WHEREAS, a proposal has been received by the City's Tax Assessor's office from Charles B. Feldman and Associates, LLC for the performance of personal property audits at a cost of \$10,000.00 for audits selected by the City Assessor. The Charles B. Feldman and Associates, LLC is certified by the State of Connecticut to conduct audits of personal property and has conducted personal property audits for forty-seven (47) other municipalities in this State. This professional service is very unique. This company has performed personal property audits since 2006 for the City, which has generated over \$285,000 in additional tax revenue.

WHEREAS, Charles B. Feldman and Associates, LLC meets City Standard Insurance requirements with the exception of professional liability coverage, which provides for damages sustained as the result of consultant errors and omissions, the City's risk management consultant has offered the opinion that due to the nature and small amount of the proposed contract exposure to the City is minimal;

WHEREAS, the City Assessor has \$5,000 budgeted for Professional Services for FY 09-10 in account number 001-1151-1511-320. Given the success of past audits, the City would benefit from an additional \$5,000 making the total \$10,000. Additional funding would be transferred from Contingency.

WHEREAS, the City Assessor requests authorization for the City to enter into a contract with the Charles B. Feldman and Associates, LLC for the performance of personal property audits.

RESOLVED, that the City's standard insurance requirements for professional liability coverage is hereby waived for the Charles B. Feldman and Associates, LLC.

AND FURTHER RESOLVED, that the amount of \$5,000 be transferred within the General Fund budget as follows:

FROM:	001-1910-9001-073	Contingency	\$5,000
TO:	001-1151-1511-320	Professional Services	\$5,000

AND FURTHER RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract for the amount of \$10,000.00 with the Charles B. Feldman and Associates, LLC for the performance of personal property audits.

Alderman Louis G. Salvio
Alderman Phil Sherwood
Alderman Michael W. Trueworthy

Ald. Salvio moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30913 RE: PROPOSED AMENDMENT TO THE ORDINANCES, ADDING SEC. 22-21 - WAIVER OF PENALTY UPON RECEIPT OF LATE FILING OF INCOME AND EXPENSE REPORT

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: Public Act 09-196 authorizes a municipality to adopt an ordinance which waives a penalty in the event an owner of real property used primarily for the purposes of producing rental income subsequently files an income and expense report after the filing due date.

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

[NEW] SEC. 22-21: Effective for the Grand List of October 1, 2009 and thereafter, information required to be filed with the Assessor pursuant to Section 12-63c of the Connecticut General Statutes shall be requested by the Assessor at least forty five (45) days prior to the June 1st deadline for filing. The information required is for the calendar year preceding the June 1st deadline and is due on June 1st. If an owner does not file or submits information in incomplete or false form with intent to defraud, the owner shall be penalized an amount equal to 10% of the assessment on the grand list preceding the June 1st filing deadline.

This penalty shall be waived if the current owner provides verification that it was not the owner on the assessment date to which such penalty shall be applied.

This penalty shall also be waived if, on or before September 30th of said assessment year, such information is provided to the Assessor which complies with Section 12-63c of the Connecticut General Statutes.

Alderman Louis G. Salvio
Alderman Phil Sherwood
Alderman Michael W. Trueworthy

Ald. Salvio moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Trueworthy. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30914 RE: MAYOR'S APPOINTMENT OF ELEVEN MEMBERS TO THE COMMISSION ON COMMUNITY AND NEIGHBORHOOD DEVELOPMENT

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 2-267 of the Code of Ordinances provides that the Commission on Community and Neighborhood Development shall be comprised of eleven (11) members appointed by the Mayor; and

WHEREAS, The terms of eleven (11) members of the Commission on Community and Neighborhood Development have expired; and

WHEREAS, Timothy T. Stewart, Mayor of the City of New Britain, has appointed the following individuals to the Commission on Community and Neighborhood Development for two (2) year terms from January 1, 2010, through December 31, 2011:

Louis G.	Amodio, Jr.	500 Shuttle Meadow Ave.	R
Tammy L	Bacho	232 Birchwood Dr.	U
Robert M.	Bruzas	40 Lawrence Street	D

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David H.	Buckwell	15 Streamside Lane	R
Anthony A.	Cane	110 Brook St	R
Ronald I.	Marold	39 Garry Drive	R
Richard L.	Rose	44 No. Wellington St.	U
Joe D.	Shilinga	20 William Street	R
Peter	Spano	9 So. Mountain Drive	D
Erin E.	Stewart	60 Wightman Road	R
Alphonse	Wright	70 Greenwood St..	R

NOW, THEREFORE, BE IT

RESOLVED, That the Common Council approves said mayoral appointments for two (2) year terms from January 1, 2010, through December 31, 2011.

Alderman Louis G. Salvio
Minority Leader

Ald. Salvio moved to accept and adopt, seconded by Ald. Pabon. So voted with Ald. Trueworthy opposed. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30915 RE: BUDGET AMENDMENT – POLICE DEPT. \$1,000 – DRUG INVESTIGATION FUND

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 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 one (1) motor vehicle from the United States Marshals Service pool of seized evidence for a total price of \$1,000, and

WHEREAS, a vehicle currently being used by the Special Services unit can be declared surplus and disposed of, 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	\$1,000
Increase Expenditures:		
289-1431-4039-442	Equipment	\$1,000

Ald. Carlo Carlozzi- Police Liaison
Ald. Roy Centeno – Police Liaison
Ald. Silvia J. Cruz – Police Liaison
Ald. Lawrence J. Hermanowski – Police Liaison
Ald. Wilfredo Pabon – Police Liaison

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30916 RE: STATE OF CONNECTICUT OPM GRANT OF \$10,000 TO THE NEW BRITAIN POLICE DEPT FOR POLICE AND YOUTH PROGRAM

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

WHEREAS, the State of Connecticut Office of Policy and Management (OPM), has funding available under a continuation of a Police and Youth Program, similar to a very successful program administered by the Police Department's Youth Bureau, and

WHEREAS, these funds are to be used to increase or enhance opportunities for troubled youths, 12 - 18 years of age, and police to work together to build trust with positive affirming interaction, over a twelve month period, thereby benefiting the community, and

WHEREAS, these funds, in the amount of \$10,000, will be used as set forth in a budget developed by the Supervisor of the New Britain Police Department's Youth Bureau in conjunction with the Klingberg Family Center, and require no cash match from the City. The budget, available on the application date, will include a portion for police overtime, trust building activities and refreshments. The period of the grant is from July 1, 2010 through June 30, 2011, and THEREFORE BE IT

RESOLVED, that Mayor Timothy Stewart be authorized to execute all grant documents with the State of Connecticut OPM on behalf of the City of New Britain for the Police and Youth Program in the sum of \$10,000.

- Ald. Carlo Carlozzi - Police Liaison
- Ald. Roy Centeno - Police Liaison
- Ald. Silvia Cruz - Police Liaison
- Ald. Lawrence J. Hermanowski- Police Liaison
- Ald. Wilfredo Pabon - Police Liaison

Ald. Carlozzi moved to accept and adopt, seconded by Ald. Centeno. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

30917 RE: SPECIAL REVENUE FUND FOR MAINTENANCE OF FORECLOSED PROPERTY – DEPT. OF PROPERTY MANAGEMENT

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, even foreclosed property, 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.

WHEREAS, the City acquires real property in connection with foreclosures. The Department of Property Management is in charge of maintaining and repairing these properties and future properties once the foreclosure process is complete and the City takes the title of the property.

Therefore, Be it Resolved, that a Special Revenue Fund be created for the purpose of maintaining foreclosed properties that have been acquired by the City of New Britain. Any revenues associated with the foreclosed properties would be used to offset the maintenance costs according to the following appropriation:

Increase Expenditures:		
254-1122-5120-372	Foreclosed Property - Building, Ground Maintenance, and Repairs	\$ 5,000
Increase Revenues:		
254-0500-0511-025	Foreclosed Property - Miscellaneous	\$ 5,000

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Alderman Michael W. Trueworthy
Alderswoman Silvia Cruz

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Sherwood. So voted.
Approved March 15, 2010 by Mayor Timothy T. Stewart.

**30918 RE: STATE DEPARTMENT OF EDUCATION AFTER SCHOOL GRANT – PARKS
AND RECREATION 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:

Program Objective: This State Department of Education After School grant provides comprehensive after school programming at two middle schools (DiLoreto Dual Language School and Pulaski Middle School). Students in grades six through eight are targeted to attend the after school program from 2:45 to 5:45 p.m. The three major components of the after school program are academics, wellness, and parent involvement.

Initial Year of Grant Funding: February 1, 2010.

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

Resolution Purpose: The Parks and Recreation Department is requesting approval of a State Department of Education After School Grant in the amount of \$150,000 for the first year of a two year grant. The Parks and Recreation Department is respectfully requesting that the Finance Department set up expenditures and revenue accounts.

WHEREAS, the City, through its Parks and Recreation Department, will be receiving a State Department of Education After School Grant for middle school after school programs for a two year grant period, this being the first year. The total funding over two years is over \$300,000. Funding has been granted for this program that will provide services such as individualized tutoring, service learning opportunities, recreational activities, and mentoring to City youth in a youth center environment, and

WHEREAS, the State will provide \$150,000 and the City will not be required to provide a cash match, and

WHEREAS, the State Department of Education After School Grant monies will pay for all program costs including personnel and administrative costs associated with the proposed programming strategy for the period of February 1, 2010, through June 30, 2010, and

WHEREAS, licenses for literacy software entitled ReadAbout were a specific component of the grant and will be purchased by the City from Scholastic Inc., as a sole source provider, to be utilized at DiLoreto and Pulaski, and therefore, be it

RESOLVED, that the amount of \$150,000 be appropriated in the City's special revenue fund account structure in accordance with the requirements of the grantor agency. The account number is to be established by the Finance Director, then it be further

RESOLVED, that the Finance Department is authorized to enter into agreement with required consultants specified by the State of Connecticut Department of Education for evaluation, computerization, and training purposes, fully funded by the grant money, NOW, THEREFORE BE IT

RESOLVED, that the Common Council authorizes Mayor Timothy Stewart to sign appropriate documents required for this grant.

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State of CT		
237-1511-5111-110	Salaries	\$ 17000
237-1511-5111-113	Part-time Salaries	\$ 55275
237-1511-5111-120	MERF	\$ 2925
237-1511-5111-125	Worker's Comp	\$ 156
237-1511-5111-140	Health/Life Insurance	\$ 10150
237-1511-5111-142	Medicare	\$ 246
237-1511-5111-210	Office Supplies	\$ 1500
237-1511-5111-221	Supplies	\$ 14750
237-1511-5111-310	Advertising and Printing	\$ 1000
237-1511-5111-330	Rental and Leasing of Property	\$ 43748
237-1511-5111-350	Data Processing	\$ 2000
237-1511-5111-373	Equipment Maintenance	\$ 500
237-1511-5111-374	Fees, Memberships, Conferences	\$ 750
	Total Expenditures	\$ 150,000

Alderman Shirley Black
Alderman Eva Magnuszewski
Alderman Louis G. Salvio

Ald. Black moved to accept and adopt, seconded by Ald. Magnuszewski. So voted.
Approved March 15, 2010 by Mayor Timothy T. Stewart.

30919 RE: PREMIUM DECORATIVE LIGHTING AT WALNUT HILL PARK - \$125,000

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: Increase payment authorization to Connecticut Light and Power (CL&P) for decorative lighting at Walnut Hill Park.

Whereas, the City is currently performing construction at Walnut Hill Park including the installation of decorative lighting around the inner loop, and

Whereas, authorization for this park improvement was provided through Resolution # 30607 at the May 13, 2009 meeting of the Common Council, and

Whereas, the number of lights has been increased in order to comply with consultants recommendations for proper public safety in the entire inner loop area, 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 Walnut Hill Park in the amount of approximately \$125,000.00.

Aldermen Shirley Black
Aldermen Eva Magnuszewski
Alderman Louis G. Salvio

Ald. Black moved to accept and adopt, seconded by Ald. Magnuszewski. So voted.
Approved March 15, 2010 by Mayor Timothy T. Stewart.

30920 RE: "PUTTING ON AIRS ASTHMA HOME VISITATION PROGRAM" GRANT – NEW BRITAIN 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; The New Britain Health Department (NBHD), is a partner of the New Britain Asthma Initiative Case Management Program (NBAI), in conjunction with The Hospital of Central

Connecticut. Case management services provided include asthma education, environmental home assessment as well as program filings and reporting.

WHEREAS; The NBHD and NBAI are also members of the Region II Asthma Coalition (RAC). The RAC has received a grant from the State Department of Public Health to conduct the "Putting on Airs Asthma Home Visitation Program". The NBAI participates in this program.

WHEREAS; This grant will provide reimbursement for sanitarian hours to assist with the environmental home assessment portion of the program

WHEREAS; Central Connecticut Health District (CCHD), administrator of the "Putting on Airs Grant" will provide compensation to the NBHD on a budgetary basis at the rate of \$33.00/per hour not to exceed two (2) hours per visit up to a total of twenty six (26) visits for the grant period. The funding period for the grant is October 1, 2009 through September 30, 2012. THEREFORE BE IT

RESOLVED, that Timothy T. Stewart, Mayor, be and is hereby authorized to enter into a contract on behalf of the City of New Britain for professional services between the Central Connecticut Health District and the New Britain Health Department for the period October 1, 2009, to September 30, 2012.

RESOLVED, that the monies in the amount be appropriated within a special revenue fund as follows:

Revenues:			
223-0500-0503-HSP	Central Connecticut Health District		\$1,716
	Total Revenue		\$1,716
Expenditures:			
223-1411-4110-110	Full Time Salaries		\$ 1,716
	Total Expenditures		\$ 1,716

Alderman Adam Platosz
Alderwoman Mary Marrocco
Alderman Phil Sherwood
Liaisons

Ald. Platosz moved to accept and adopt, seconded by Ald. Marrocco. So voted. Approved March 15, 2010 by Mayor Timothy T. Stewart.

RESOLUTION RETURNED FROM COMMITTEE

30898-2 RE: POPE JOHN PAUL II BAZAAR/CARNIVAL LICENSE – 6/16/2010 through 6/19/2010

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 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, 2010 through June 19, 2010 for the purpose of conducting a bazaar/carnival on the Pope John Paul II Catholic School grounds, 221 Farmington Avenue, New Britain, Conn.

Alderman Mark H. Bernacki
Assistant Minority Leader

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Ald. Bernacki moved to accept and adopt, seconded by Ald. Hermanowski. Ald. Trueworthy moved to amend by adding -2 to the end of the item number, seconded by Ald. Hermanowski. So voted. RESOLUTION AS AMENDED ADOPTED. Approved March 15, 2010 by Mayor Timothy T. Stewart.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Salvio. So voted. Meeting adjourned at 8:47 p.m.

ATTEST: Peter J. Denuzze, City Clerk