

October 22, 2008

## **REGULAR MEETING OF THE COMMON COUNCIL**

**OCTOBER 22, 2008**

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 22nd day of October 2008 at 8:04 p.m. in the Common Council Chambers, City Hall.

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

Peter J. Denuzze, City Clerk, gave the invocation: O God, our Heavenly Father, bless this Common Council during this political season. Bless the voters and give them the wisdom to elect the most qualified candidates so that the City of New Britain and the United States will be the ultimate winners. We ask this in Thy name. Amen.

Jamie A. Giantonio led the pledge to the flag.

A moment of silence was observed in memory of Patrick McNamara of Fiduciary Investment Advisors, LLC.

The Council stood at ease while the Mayor was presented a certificate designating New Britain as a HEARTSafe Community. The Mayor said that as a result of our designation as a HeartSafe Community, our residents and visitors have the best possible chance of survival if confronted with a cardiac event. New Britain EMS, in collaboration with several City Departments and The Hospital of Central Connecticut is committed to training all residents and businesses with lifesaving skills to use when confronted with a cardiac emergency.

Ald. Trueworthy moved to amend the agenda by adding 30325-1(A1), by substituting 30345(J), and by acting on 30355(9) following resolution 30318-2(1). Motion seconded by Ald. Bernacki. Roll call vote – all members voted in favor.

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members voted in favor. Approved October 28, 2008 by Timothy T. Stewart, Mayor.

### **CONSENT AGENDA**

#### **CITY CLERK**

#### **30336 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**

- Lugli, Gerald by Atty. Martin McQuillan
- Rector, Doreen by Progressive Casualty Insurance Company
- Rector, Jason by Atty. Michael P. Foley Jr.
- Scalise Jr., James J.
- Wodnicki, Wladyslawa

Peter J. Denuzze  
City Clerk

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## FINANCE DEPARTMENT

### 30338 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET – 9/26/08 THRU 10/14/2008

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 October 14, 2008

<b>6. Department:</b>	<b>Registrar of Voters - Republican</b>		
From:	001-1125-1251-113	\$1,000.00	(Part Time Salaries)
	001-1125-1251-373	\$1,000.00	(Equip., Furn, Maint. & Repairs)
To:	001-1125-1251-210		(Office Supplies)
Amount:	\$2,000.00		
Brief Description:	Funds needed to replenish office supplies		

Robert Curry  
Finance Director

## PURCHASING DEPARTMENT

### 30339 RE: EMERGENCY PURCHASE ORDER – REPAIR TO STEAM BOILER AT CITY GARAGE

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 V, Section 2-606a, an emergency purchase order was authorized by the Mayor and issued to the below listed vendor for the purpose specified on September 30, 2008:

Dave Grigsby Heating & A/C, LLC Enfield, CT.	\$6,700.00	Repair to the Steam Boiler
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The Purchasing Agent reports that no formal bid solicitation and advertisement as outlined in the Purchasing Ordinances was made for this item. In accordance with Section 2-606b of the City Code of Ordinances, the Purchasing Agent reports:

An emergency purchase order was requested by the New Britain Public Works Department. There was no heat at the City Garage. It was found that the steam boiler was not operational. The heating system was looked at by three (3) heating contractors. The heating contractors found that three (3) sections of the burner plate in the steam boiler had cracks in them and needed to be replaced and this was the cause of the system not being operational. The heating contractors provided a price to make the needed replacements and repairs. The created burner plates needed to be replaced as soon as possible so that the City Garage could have heat to operate and to protect the water pipes from freezing if cold weather did set in. Dave Grigsby Heating and AC LLC provided the lowest cost to replace the three (3) cracked sections of the burner plates. Funding for these emergency repairs was available from Accounts 001-1330-3112-373, 001-1330-3113-373 and 208-0003-1515-373.

Jack Pieper  
Purchasing Agent

**30340 RE: ON-CALL ENGINEERING SERVICES FOR THE PUBLIC WORKS DEPARTMENT**

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

Public Bid No. 3440 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the engagement of Professional On-Call Engineering Services for the Public Works Department for a two (2) year period, with the option for an extension for one (1) additional year. The solicited services are intended to supplement City resources and not to provide a substitute for specific project requests for proposals where the size and complexity dictates a unique solicitation. The Public Works Department at its option may select an outside firm other than those to whom an award was made when a specific expertise is warranted through a request of Common Council authorization. On-call Engineering engagements may be no greater than ten percent of a budgeted project construction costs or \$50,000 whichever is less. Funding will be available for this purchase in various project accounts

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 eighty (80) engineering firms. The Purchasing Agent did not receive any letters from the engineering firms who were on the mailing list that indicated they could not provide a response to the bid request. Responding firms are listed on the attached

The bids were reviewed for conformance to specifications by the Public Works Department Administration and the Purchasing Agent. Each proposal submitted was evaluated and scored on the basis of the following criteria:

- Consultant's technical understanding of the scope of services as evidenced by the quality of the proposal submitted.
- Background and experience of the firm in providing the range of services requested.
- Demonstrated effectiveness of the consultant's proposed delivery system to ensure quality service and timely completion of services. Client references.
- Background, education, qualifications and relevant experience of key personnel to be assigned to this contract.
- Competitiveness of proposed fees and costs.

The following firms were selected for recommendation of a contract award:

AI Engineers, Inc	Middletown, CT.
Anchor Engineering Services, Inc.	Glastonbury, CT.
BETA Group, Inc.	Rocky Hill, CT.
BL Companies	Meriden, CT.
Cardinal Engineering Associates, Inc.	Meriden, CT.
CDM	Wethersfield, CT.
Civil Strategies, LLC	Farmington, CT.
CMG Environmental, Inc.	Southbridge, MA.
Fuss & O'Neil	Manchester, CT.
HRP Associates, Inc.	Farmington, CT.
Jacunski Humes Architects, LLC	Berlin, CT.
JGI Eastern, Inc.	Rocky Hill, CT.

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Kaestle Boos Associates, Inc.	New Britain, CT.
LEA	Plainville, CT.
Lenard Engineering, Inc.	Storrs, CT.
Maguire Group, Inc.	New Britain, CT.
Medina Consultants	Hartford, CT.
Malone & MacBroom	Cheshire, CT.
PB	Glastonbury, CT.
Purcell Associates	Glastonbury, CT.
Quisenberry Arcari Architects, LLC	Farmington, CT.
Tata & Howard, Inc.	Marlborough, MA.
Tighe & Bond	Westfield, MA.
To Design, LLC	New Britain, CT.
TRC	Windsor, CT.
URS Corporation	Rocky Hill, CT.
VHB, Inc.	Middletown, CT.
Walker Restoration Consultants	Boston, MA.
Weston & Sampson	Rocky Hill, CT,

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract with the above-listed firms for the provision of On-Call Engineering Services for a two (2) year period, November 1, 2008 to October 31, 2010 with the option for an extension for one (1) additional year per the terms and conditions of Public Bid No. 3440.

Jack Pieper  
Purchasing Agent

**30341 RE: TIRES, TUBES, ROAD SERVICES AND REPAIRS FOR THE PUBLIC WORKS DEPT., MUNICIPAL GARAGE**

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. 3448 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the furnishing and delivery, on a city-wide basis of new Tires, Tubes, Road Services and Repairs for City cars, trucks and off-road vehicles and equipment for the Public Works Department, Municipal Garage. Funding is available for this purchase from Account Number 001-1330-3113-222.

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 ten (10) local tire dealers. The Purchasing Agent received one (1) letter from a local tire dealer that was on the mailing list who indicated that they could not provide a response to the bid request because they could not provide all of the tires, tubes or services in the bid specifications. The responses received are on file in Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department Administration, City Fleet Manager and the Purchasing Agent. Pricing of Road Services, Repairs and percentage discounts off of tire manufacturer's published prices for tires were compared for the items

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quoted by all bidders. Bristol Tire did not provide, per bid specifications, a percentage discount on tires but a price for them. Stated in their bid response, this tire price was only good for thirty (30) days. Therefore the Public Works Department's Director is recommending that the bid be awarded to Connecticut Tire because they were the only bidder to quote on all items specified in the bid, provided the City with the best overall tire discounts and pricing for most services and repairs. Connecticut Tire has provided excellent service to the City for Tires, Tubes, Road Services and Repairs since 2004.

RESOLVED: That the Purchasing Agent be and is hereby authorized to issue a standing purchase order and enter into a contact per the attached discounts and pricing for a period of two (2) years from November 1, 2008 to October 31, 2010 with Connecticut Tire of Berlin, CT for the purchase of Tires, Tubes, Road Services and Repairs for City cars, trucks and off-road vehicles and equipment per the terms and specifications of Public Bid No. 3448.

Jack Pieper  
Purchasing Agent

**30342 RE: RECOVERY OF CHLOROFLUOROCARBONS FOR THE PUBLIC WORKS DEPT. –  
N.B. LANDFILL AND RECYCLING CENTER**

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. 3452 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the Recovery of Chlorofluorocarbons for the Public Works Department, New Britain Landfill and Recycling Center. Funding is available for this purchase from Account Numbers 001-1338-3240-389.

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 fourteen (14) Refrigerant and Chlorofluorocarbon Recovery Companies. The Purchasing Agent did not receive any letters from Refrigerant and Chlorofluorocarbon Companies indicating that they could not provide a response to the bid request. The responses received are on file in Town Clerk's Office.

The bids were reviewed for conformance to specifications by the Public Works Department Administration and the Purchasing Agent. Therefore the Public Works Director is recommending that the bid be awarded to VF Environmental Services of New Britain, CT who was the lowest bidder for this service.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract with VF Environmental Services of New Britain, CT for a period effective from November 1, 2008 to October 31, 2009 for Recovery of Chlorofluorocarbons at the City Landfill and Recycling Center at a price of \$4.00 per CFCs/HCFs Removal and Capacitor Removal per the terms and specifications of Public Bid No. 3452

Jack Pieper  
Purchasing Agent

**TAX COLLECTOR**

**30347 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. Blogoslawski  
Tax Collector

**REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS**

**OFFICE OF THE CORPORATION COUNSEL**

**30325-1 RE: REPORTING ON PROGRESS OF THE INSTALLATION OF THE FENCE AROUND FAIRVIEW CEMETERY**

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

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 of approximately 3,786 feet. 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. No bid bond was required according to the bid offering.

On February 13, 2008, the Common Council accepted and adopted item No. 29993 which authorized the Purchasing Agent to enter into a contract with Martello III, LLC and issue a purchase order for \$99,999.00 for the purchase of a replacement fence at Fairview Cemetery per the terms and conditions of Public Bid No. 3392. Martello III, LLC was selected as the lowest responsible bidder in accordance with Section 2-576 of the Code of Ordinances.

Due to the contractor's failure to comply with the terms and conditions of Bid No. 3392, this matter has been referred to the New Britain Police Department and the expected completion date of the fence installation is not known at this time.

Gennaro Bizzaro  
Corporation Counsel

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**CITY PLAN COMMISSION**

**30337 RE: CITY ACCEPTANCE OF VILLAGE GREEN DRIVE**

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

The City Plan Commission, at its Regular Meeting on September 8, 2008, voted 4 to 0, to adopt the following resolution:

WHEREAS, the Village Green III Subdivision was duly approved by the City Plan Commission on May 5, 2000; and

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WHEREAS, despite long delays due to economic conditions and ultimately the transfer of the subdivision from the original subdivider to the current developer, all public improvements—street paving, curbs, public utility infrastructure, etc., have been completed and are ready for formal conveyance to the City; and

WHEREAS, these improvements have been inspected by appropriate City staff from the Board of Public Works, City Water Department and Planning Office, and found to be completed satisfactory;

NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission does, hereby, recommend to the Common Council that the street right-of-way known as Village Green Drive be approved and accepted as a City street.

Following Council action, full conveyance of the street to the City will be complete upon the filing of a warranty deed for the street right-of-way.

G. Geoffrey Bray, Chairman  
City Plan Commission

Ald. Bielinski moved to accept and adopt, seconded by Ald. Rocha. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

## **PURCHASING DEPARTMENT**

### **30343 RE: LANDSCAPE IMPROVEMENTS AT BADOLATO PARKING GARAGE**

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. 3444 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for Landscape Improvements at the Badolato Parking Garage for the Property Management Department. Funding available for the Landscape Improvements at the Badolato Parking Garage is in Account Number, 008-1972-1998-322.

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) Landscaping Companies. The Purchasing Agent did not receive any letters from the Landscaping Companies 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.

The bids were reviewed for conformance to specifications by the Superintendent of Property Management, the On-call Engineering firm associated with this project and the Purchasing Agent. Therefore, the Superintendent of Property Management is recommending that the bid for the Landscape Improvements at the Badolato Parking Garage be awarded to DiCioccio Brothers, Inc of Wethersfield, CT who was the lowest bidder.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract and to issue a Purchase Order for \$10,240.00 to DiCioccio Brothers, Inc of Wethersfield, CT for the Landscape Improvements at the Badolato Parking Garage per the pricing, terms and specifications of Public Bid No. 3444.

Jack Pieper  
Purchasing Agent

Ald. Rocha moved to accept and adopt, seconded by Ald. Sherwood. DEFEATED by voice vote.

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**30344 RE: COOPERATIVE PURCHASING, MAILING MACHINE – MAIL ROOM AT CITY HALL**

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

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

<u>Supplier</u>	<u>Model</u>	<u>Qty</u>	<u>Total Price/Term of Lease</u>
CT Mailing Systems, Newington, CT.	Hasler IM460 Mailing System	48 Month Lease and Meter Rental	\$17,060.52/Includes maintenance

The Finance Department, Central Administration Division is in need of a new mailing machine for the mailroom in City Hall. The existing mailing machine, a Hasler Model, is old technology. Per the Federal Postal Service this mailing machine cannot be utilized after December 31, 2008. This has been verified by the Purchasing Agent who has been in contract with the Federal Postal Service. The State of Connecticut along with eight (8) other states went out to bid together to obtain better contract pricing from mailing machine manufacturers. The contract, 07PSX0117, that the State of Connecticut entered into with Hasler, Inc of Milford, CT is 25.4% off the manufacturer's list pricing. This price is available through one of their many area dealers. These local dealers apply this discount to quotes supplied to State Agencies and Municipal Governments. The Purchasing Agent was able to obtain quotes from three (3) area Hasler, Inc mailing machine dealers. Ct Mailing Systems who the City leases the existing mailing machine system from submitted the lowest overall lease and maintenance price for this new mailing system. Funding is available for this lease from Account Number 001-1192-1922-373.

RESOLVED: That the Purchasing Agent is hereby authorized to issue a purchase order for \$17,060.52 and enter into a lease agreement with CT Mailing Systems of Newington, Ct for a forty-eight (48) month lease for a Mailing Machine, that includes full maintenance, and meter rental utilizing the State of Connecticut's Cooperative Purchasing Plan, Contract Award #07PSX0117.

Jack Pieper  
Purchasing Agent

Ald. Centeno moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**30345 RE: PROFESSIONAL SERVICES – NEW INTEGRATED FINANCIAL SOFTWARE SYSTEM FOR THE FINANCE 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 2-531 a purchase order was requested by the Finance Department for a New Integrated Municipal Financial Software System.

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<u>Supplier</u>	<u>Services</u>	<u>Price</u>
BlumShapiro Consulting, LLC West Hartford, CT.	Computer Software Consulting Services	\$75,000.00

BlumShapiro Consulting, LLC was contracted to develop the City's IT Strategic Plan. They are very familiar with the financial and computerized operations of the City. BlumShapiro Consulting, LLC will assess the current financial management workflow practice used by the City and School District to process, manage and report financial information. They will then identify the functional requirements of a financial management system. This will enable them to create a comprehensive Request for Proposal for a new integrated municipal financial software and assist in the software selection process. This highly technical computer software consulting service is very unique. With BlumShapiro Consulting, LLC having knowledge of the City's financial reporting requirements, it would be very difficult to find another computer software consulting service company in the area to submit a bid for this very unique professional service at a reasonable price. Bid solicitation for the purchase of this unique service would not be beneficial to the City. Funding to pay for this computer software consulting service is available in account 008-2105-1532-368.

Resolved: that the Purchasing Agent be and hereby authorized to issue a Purchase Order for \$75,000.00 and enter into a contract with BlumShapiro Consulting, LLC of West Hartford, CT for Computer Software Consulting Services for the Finance Department.

Jack Pieper  
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, second by Ald. Bielinski. So voted. Ald. Platosz opposed. Approved October 28,, 2008 by Mayor Timothy T. Stewart.

**30346 RE: TWO TRAILER MOUNTED PORTABLE MESSAGE SIGNS 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:

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-541 a purchase order has been requested by the Public Works Department for the purchase of two (2) Trailer Mounted Portable Variable Message Signs. The manufacturer of these Portable Variable Message Signs is the sole source vendor for the sales and distribution of them.

<u>Vendor</u>	<u>Item</u>	<u>Unit Price</u>	<u>Total Price</u>
Daktronics, Inc. Brookings, SD	Vanguard Trailer Mounted Portable Variable Message Signs	\$12,500.00	\$25,000.00

The Purchasing Agent has verified that Daktronics, Inc is the manufacturer and sole source supplier for the sales and distributor of these Trailer Mounted Portable Variable Message Signs. The Purchasing Agent has been on Daktronics' website as well as being in direct contact with the area sales representative. These Trailer Mounted Portable Variable Message Signs are state of the art and designed to meet the highest standards of the transportation industry. They will be utilized by the Public Works Department for work zone safety and traffic management applications. The Public Works Department will be better able to inform motorists of street construction and or closures. Bid solicitation for the purchase of these Trailer Mounted Portable Variable Message Signs would not be beneficial to the City because Daktronics, Inc of Brookings, SD is the manufacturer and sole source supplier for the sales and distribution of these Trailer Mounted Portable Variable Message Signs in the United States. Funding for

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the purchase of these Trailer Mounted Portable Variable Message Signs is available in account 001-1330-3112-221.

Resolved: that the Purchasing Agent be and hereby authorized to issue a purchase order for \$25,000.00 to Daktronics, Inc of Brookings, SD for the Purchase of two (2) Trailer Mounted Portable Variable Message for the Public Works Department.

Jack Pieper  
Purchasing Agent

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Accepted and adopted with Ald. Hermanowski, Centeno, Catanzaro and Gerratana opposed. Approved October 28, 2008 by Mayor Timothy T. Stewart.

### **COMMITTEE ON PLANNING, ZONING AND HOUSING**

#### **30318-1 RE: AGREEMENT WITH HUMAN RESOURCES AGENCY OF NEW BRITAIN, INC. FOR LEASE OF OSGOOD PARK PROPERTY – OPERATION OF FOOD PANTRY**

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

The Committee on Planning, Zoning and Housing held a meeting and public hearing on Tuesday evening, October 7, 2008 at 6:30 p.m. in the Council Chambers to which was referred the matter of Item #30318 – Enter into agreement with Human Resources Agency of New Britain, Inc. for lease of Osgood Park property for sole purpose of operation of a food pantry voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderwoman Suzanne Bielinski  
Acting Chair

Ald. Bielinski moved to accept and adopt, seconded by Ald. Black. Ald. Trueworthy and Ald. Catanzaro recused themselves – Ald. Trueworthy because his wife is employed by the Human Resources Agency, and Ald. Catanzaro because he is a member of the Human Resources Board. Report accepted with Ald. Salvio opposed. Approved October 28, 2008 by Timothy T. Stewart, Mayor.

### **RESOLUTION RETURNED FROM COMMITTEE**

#### **30318-2 RE: AGREEMENT WITH HUMAN RESOURCES AGENCY OF NEW BRITAIN, INC. FOR THE LEASE OF THE OSGOOD PARK PROPERTY – FOOD PANTRY**

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, Human Resources Agency of New Britain, Inc. desires to lease from the City of New Britain the real property known as Osgood Park and the Osgood Park pool house located at 460 Osgood Avenue for use as a food pantry; and

WHEREAS, On Thursday, September 11, 2008, the Parks and Recreation Commission approved a draft of the proposed lease; and

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WHEREAS, The duration of the proposed lease agreement is for a period of one (1) year with an option to renew for two (2) additional one (1) year extensions at the sole option of the City of New Britain; and

WHEREAS, Section 17-2 of the Code of Ordinances provides that the Common Council may not vote on any resolution that provides for the lease of any City-owned park property without holding a public hearing; and

WHEREAS, Such public hearing must be held not more than thirty (30) days nor less than three (3) days prior to the consideration of such resolution for approval; and

WHEREAS, On October 7, 2008, the Common Council held a public hearing and this matter was also taken up by the Committee on Planning, Zoning and Housing on said date; now, therefore, be it

RESOLVED, By the Common Council of the City of New Britain that the Mayor of the City of New Britain be and is hereby authorized to negotiate the final terms and enter into an agreement with the Human Resources Agency of New Britain, Inc. for the lease of the Osgood Park property for the sole purpose of operation of a food pantry.

Alderman Shirley A. Black  
Alderman Tonilynn Collins

Ald. Black moved to accept and adopt, seconded by Ald. Collins. So voted. Ald. Salvio opposed. Approved October 28,, 2008 by Mayor Timothy T. Stewart.

Ald. Trueworthy and Ald. Catanzaro returned to the Chambers.

## **NEW BUSINESS**

### **RESOLUTIONS**

#### **30355 RE: FINANCIAL ASSISTANCE TO NEW BRITAIN EMS, INC.**

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 12-46 of the Code of Ordinances provides that the City of New Britain may choose to either provide ambulance service to its citizens or contract with a third party to do so;

WHEREAS, New Britain EMS, Inc. ("NBEMS"), a non-profit entity founded in 1977 to provide 9-1-1 medical rescue service, is the lead agency for the Emergency Medical Service System within the City of New Britain, working closely with Public Safety Telecommunications, the New Britain Fire Department and the Hospital of Central Connecticut.

WHEREAS, the core of NBEMS's operation consists of 9-1-1 emergency calls, but excludes more profitable services such as transporting patients between hospitals.

WHEREAS, nearly seventy-five percent (75%) of NBEMS's services are billed to Medicaid and Medicare, which have low reimbursement rates and slow collection periods, resulting in reduced and/or slow recovery of accounts receivable, periodic cash flow shortages and an inability to procure capital assets required for operation without assistance.

WHEREAS, in order for NBEMS to construct a new building and acquire additional emergency vehicles, the City has issued its bonds and notes, including \$1,800,000 in bonds in April 2006 outstanding BANS in the amount of \$1,080,000 issued April 2008, to finance such construction and acquisition, and NBEMS has agreed to reimburse the City for the related debt service costs incurred (currently, the repayments are scheduled through fiscal year 2024).

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WHEREAS, in spite of sound financial management which has enabled NBEMS to survive in environment of increasing call volume and decreasing collections and reimbursements, NBEMS cannot continue to operate without additional assistance from the City.

WHEREAS, it is in the best interests of the City to retain the medical rescue services, as well as the knowledge and expertise of New Britain EMS, Inc. by purchasing and leasing back the capital assets of New Britain EMS, Inc.

NOW, THEREFORE, BE IT RESOLVED THAT:

(a) The Mayor is authorized to negotiate the purchase of the capital assets of New Britain EMS, Inc., including its building and entire fleet of vehicles, for a nominal amount to be determined (with an agreement to come before and approved by the Council in completed form).

The Mayor is authorized to negotiate a settlement of all reimbursements due and which may become due from New Britain EMS, Inc. for debt service payments made and to be made by the City to fund the costs incurred by New Britain EMS for the capital assets (with an agreement to come before and approved by the Council in completed form).

(c) The Mayor is authorized to negotiate a lease agreement, indemnification agreement and any other agreement deemed necessary to lease the capital assets back to New Britain EMS provided New Britain EMS agrees to indemnify and hold the City harmless from any liability there from (with an agreement to come before and approved by the Council in completed form).

(d) The Mayor is authorized to execute any documents, which may be requested by the State of Connecticut Department of Health Services in connection with these transactions.

Alderman Louis G. Salvio

Ald. Bernacki recused himself because he is a member of the E.M.S. board.

Ald. Salvio moved to accept and adopt, seconded by Ald. Bielinski. Ald. Trueworthy moved to amend the RESOLVED paragraph (a), (b), and (c), by adding after the word "before" the words "and approved by the". Amendment seconded by Ald. Bielinski. So voted. Resolution as amended adopted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

Ald. Bernacki returned to the Chambers.

**30348 RE: BUDGET APPROPRIATION – POLICE DEPT. – GRANT FROM STATE OF CONNECTICUT – DUI ENFORCEMENT EFFORTS**

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 percentage of alcohol related fatalities in Connecticut during 2006 (44%) was higher than the national percentage of 41% and slightly above the 41% in the other New England States. Of the Connecticut fatal crashes, 39% were estimated to involve drivers above the legal alcohol limit. National statistics also reveal that almost 38% of such crashes occurred from Friday at 8:00 pm to Sunday at 6:00 am. The number of statewide Driving Under the Influence (DUI) arrests has increased from 10,481 in 2005 to 11,997 in 2006. In an effort to further reduce alcohol related accidents, the Federal government has continued its Driving Under the Influence (DUI) Enforcement Program.

WHEREAS, the Connecticut Department of Transportation's Division of Highway Safety has made available Federal highway safety funds for overtime to support DUI law enforcement efforts from November 20, 2008 to September 12, 2009, and

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WHEREAS, in accordance with Federal requirements, all initial allowable expenses will be provided for by the City and reimbursable on a 75% basis with the City's 25% match coming from monies budgeted for this purpose in the Police Department's Cash Match Grants Account, and

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 for the Expanded Driving Under the Influence (DUI) Enforcement Program grant in the sum of \$169,100 to provide Federal dollars for overtime to target those that choose to drive under the influence, thus making City streets safer, and,

RESOLVED, that the sum of \$169,100 be appropriated within the special revenue account structure as follows:

**Increase Revenue:**

288-0500-419X-023	State Department of Transportation	\$126,825
288-0500-XXXX-074	General Fund	\$42,275

**Increase Expenditures:**

288-1600-419X-111	Overtime	\$169,100
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Ald. Suzanne Bielinski - Police Liaison  
Ald. Roy Centeno - Police Liaison  
Ald. Lawrence J. Hermanowski - Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**30349 RE: DEFERRAL OF ALL BUILDING PERMIT FEES – MARION HEIGHTS HOUSING PROJECT**

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

Whereas: The Congregation of the Daughters of Mary of the Immaculate Conception was founded in New Britain in 1904 to help the less fortunate, the orphaned children and the elderly and these initiatives continue today, and

Whereas: In 1934 the Mother House on Osgood Ave was built to accommodate over 200 Sisters, and the population has diminished to approximately 15 today, and

Whereas: In order to keep perpetuate the vision of the Right Reverend Lucian Bojnowski, the founder of the Daughters of Mary they have decided to share their residence with the community by offering to convert the Mother House into affordable units for the elderly, along with a child and elderly day care center, NOW, THEREFORE, BE IT

Resolved; That the Marian Heights Housing Project be granted a deferral of all the Building Permit fees for this commendable project. The annual payment terms are to be arranged through the Mayor and are to be spread over a five (5) year period.

Alderman Lawrence J. Hermanowski  
Alderman Michael Trueworthy  
Alderman Suzanne Bielinski  
Alderman Paul Catanzaro  
Alderman Tonilynn Collins  
Alderman Adam Platosz  
Alderman Lori Rocha  
Alderman Gregory Gerratana

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Alderwoman Eva Magnuszewski  
Alderman Phil Sherwood  
Alderman Roy Centeno  
Alderwoman Shirley Black

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**30350 RE: JOINT FUNDING AGREEMENT WITH THE U.S. DEPARTMENT OF THE INTERIOR – WATER RESOURCES INVESTIGATIONS**

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 Board of Water Commissioners has participated for a number of years with the U.S. Department of the Interior in the water resources investigations, including collection and analysis of surface water data at the stream-gaging station located in Burlington; and,

Whereas, the project is jointly funded from Water Dept. and federal funds; for the period October 1, 2008 through September 30, 2009, funding for the program will be as follows:

New Britain Water Department	\$4,325
U.S. Department of the Interior	\$2,500

and,

Whereas, the Board of Water Commissioners at its August 12, 2008 meeting approved the program agreement; therefore, be it

Resolved, that the Board of Water Commissioners is hereby authorized to enter into a joint funding agreement with the U.S. Department of the Interior for the above-stated purpose.

Ald. Lawrence Hermanowski  
Common Council Liason -  
Water Dept.

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**30351 RE: BUDGET AMENDMENT – DOG FUND/ANIMAL ALLIANCE - \$3,500 SPAYING AND NEUTERING OF CATS**

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 Animal Alliance is a registered, non-profit organization, staffed almost entirely by volunteers. They rescue cats, dogs, kittens and puppies from overcrowded, overburdened animal shelters and animal control holding facilities and place them into the safety of our foster care network; and

WHEREAS; foster care program includes many private homes where singles, couples, or families with children welcome in foster animals who will reside with them until adoption; NOW, THEREFORE, BE IT

RESOLVED; that monies be used for spaying and neutering of cats appropriated from the Dog Fund balance and going to the Veterinary Clinic for the procedures in the amount of \$3,500.00 as follows:

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Increase Revenue: 205-0500-0505-077	Fund Balance	\$3,500.00
Increase Expenditure 205-1200-5112-GTR	Grants/Transfers	\$3,500.00

Alderwoman Eva Magnuszewski

Ald. Magnuszewski moved to accept and adopt, seconded by Ald. Gerratana. So voted. Ald. Salvio opposed. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**30352 RE: GRANT RENEWAL – “EXERCISE THE RIGHT CHOICE” AFTER SCHOOL 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:

Program Objective: The City, through its Parks and Recreation Department, has received a grant renewal for its “Exercise the Right Choice” after school program at three middle schools (Pulaski, Roosevelt, and Slade). The funding has been provided from the State of Connecticut – Office of Policy and Management. 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 education, recreation, and cultural arts.

Initial Year of Grant Funding: September 1, 2008.

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

Resolution Purpose: The Parks and Recreation Department is requesting approval of State Office of Policy and Management funding in the amount of \$199,772. The Parks and Recreation Department is respectfully requesting that the Finance Department set up expenditures and revenue accounts for this program.

WHEREAS, the City, its Parks and Recreation Department, will be receiving a Office of Policy and Management Exercise the Right Choice grant for the middle school programs for a one year grant. Funding has been granted for this program that will provide services such as athletic and recreational activities, tutoring, and mentoring to City youths in a safe environment, and

WHEREAS, the State will provide \$199,772, and the City will match \$12,300 of In-Kind services for a total amount of \$212,072. Examples of these in-kind services are Recreation Superintendent time, equipment rental, facility rental and Hepatitis B shots, and

WHEREAS, the Office of Policy and Management monies will pay for personnel and administrative cost associated with the proposed programming strategy for the period of October 14, 2008 through June 20, 2009, therefore, be it

RESOLVED, that the amount of \$212,072 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 Office of Policy and Management for evaluation, computerization, and training purposes, fully funded by the grant money, then it be further

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

		<u>Original</u>
237-0500-0504-959	Revenue – State of CT	\$ 199,772
237-0500-0505-889	In-Kind	<u>\$ 12,300</u>
	Total Revenue	\$ 212,072

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237-1511-5111-110	Full-time Salaries	\$ 55,554
237-1511-5111-119	Health and Life Insurance	\$ 16,800
237-1511-5111-120	MERF	\$ 1,799
237-1511-5111-125	Workman's Compensation	\$ 128
237-1511-5111-142	Medicare	\$ 522
237-1511-5111-113	Part-time Salaries	\$ 95,624
237-1511-5111-142	Medicare	\$ 1,302
237-1511-5111-210	Office Supplies	\$ 400
237-1511-5111-221	Supplies	\$ 9,243
237-1511-5111-310	Advertising and Printing	\$ 1,500
237-1511-5111-330	Rental and Leasing of Property	\$ 15,500
237-1511-5111-350	Data Processing	\$ 500
237-1511-5111-373	Equipment Maintenance	\$ 300
237-1511-5111-374	Fees, Memberships, Conferences	\$ 600
237-1511-5111-889	In-Kind	\$ 12,300
	Total Expenditures	\$ 212,072

Alderman Shirley Black  
Alderman Tonilyn Collins

Ald. Black moved to accept and adopt, seconded by Ald. Collins. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**30353 RE: THE APPOINTMENT OF JAMIE A. GIANTONIO TO THE BOARD OF EDUCATION TO FILL THE VACANCY CREATED BY THE RESIGNATION OF MARILYN C. KRACZKOWSKY**

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, there is a vacancy on the Board of Education due to the resignation of Marilyn Kraczkowsky; and

WHEREAS, Jamie A. Giantonio of 185 Birchwood Drive, New Britain is a lifelong New Britain resident who has ably served the New Britain community in many capacities, including a member of the Board of Education of St. Francis School and most recently as a member of the City's Board of Parks and Recreation; and

WHEREAS, Mr. Giantonio is the father of a daughter who is a first grade student at Lincoln School and the father of a three year old son who is interested in working to enhance future educational opportunities for all of New Britain's children; and

WHEREAS, In accordance with the City's Charter, Section 3-2 (f) (b), Mr. Giantonio is a registered Republican, the same political party affiliation as Mrs. Kraczkowsky, and he received the unanimous recommendation of the New Britain Republican Town Committee at its meeting on October 7, 2008; NOW, THEREFORE BE IT

RESOLVED, that Jamie A. Giantonio be appointed to the Board of Education to fill the unexpired term of Marilyn Kraczkowsky ending November 10, 2009.

Alderman Louis G. Salvio  
Minority Leader

Alderman Mark H. Bernacki  
Assistant Minority Leader

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Ald. Bernacki moved to accept and adopt, seconded by Ald. Salvio. Ald. Trueworthy moved to table, seconded by Ald. Bielinski. So voted. Ald. Salvio opposed. TABLED.

**30354 RE: THE APPOINTMENT OF MARK J. FORTIN AS CONSTABLE TO FILL THE VACANCY CREATED BY THE RESIGNATION OF JUDITH E. OLSON**

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, there is a vacancy to the elected position of Constable due to the resignation of Judith Olson; and

WHEREAS, Mark J. Fortin of 78 Linden Street, New Britain is a New Britain resident who has ably served the New Britain community in many capacities, including as member and chairman of the Commission on Community and Neighborhood Development and member of the Eastside NRZ; and

WHEREAS, Mr. Fortin wishes to further his service to the community through the position of Constable; and

WHEREAS, In accordance with the City's Charter, Section 3-2 (f) (b), Mr. Fortin is a registered Republican, the same political party affiliation as Mrs. Olson, and he received the unanimous recommendation of the New Britain Republican Town Committee at its meeting on October 7, 2008; NOW, THEREFORE BE IT

RESOLVED, that Mark J. Fortin be appointed as Constable to fill the unexpired term of Judith Olson ending November 10, 2009.

Alderman Louis G. Salvio  
Minority Leader

Alderman Mark H. Bernacki  
Assistant Minority Leader

Ald. Bernacki moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

**UNFINISHED BUSINESS**

Ald. Trueworthy moved to take from the table Resolution 30302, seconded by Ald. Bielinski. So voted.

**30302 RE: THE ABANDONMENT OF A PORTION OF WILLOW STREET BETWEEN NORTH STREET AND PUTNAM STREET**

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 provisions of Ordinance 2-173(d), the Board of Public Works held a public hearing on September 8, 2008 into the matter of the abandonment of Willow Street between North Street

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and Putnam Street and with full consideration of written and/or verbal comments received, recommends that the Common Council:

Abandon Willow Street between North Street and Putnam Street.

Mark E. Moriarty, Director

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved October 28, 2008 by Mayor Timothy T. Stewart.

There being no further business to come before the Council, Ald. Bernacki moved to adjourn, seconded by Ald. Trueworthy. So voted. Meeting adjourned at 10:38 p.m.

ATTEST: Peter J. Denuzze, City Clerk