

February 22, 2006

## **REGULAR COMMON COUNCIL MEETING**

**FEBRUARY 22, 2006**

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 22<sup>nd</sup> day of February 2006 at 7:48 p.m. in the Common Council Chambers, City Hall.

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

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

Peter J. Denuzze, City Clerk, gave the invocation: Father in Heaven, Father of us all, we ask that you bless the work of this Common Council. We pray that differences may not lead to discord, but rather to harmony. We ask this in Thy name. Amen.

The pledge to the flag was led by Julie L. Swan.

The Council stood at ease while Mayor Stewart presented certificates to the members of P.A.L. Raiders – Midget Division Cheer Squad who competed and won 2<sup>nd</sup> place in the National Championship in Arizona.

Ald. Trueworthy moved to amend the agenda by substituting 28899-2(U), 28900-2(V)), 28901-2(W) and 28988(5), motion seconded by Ald. Bielinski. Roll call vote – all members present voted in favor.

### **PETITIONS**

**28992 ALD. COLLINS FOR INVESTIGATING COMPLAINTS OF LOUD NOISE LEVELS AND DIESEL FUMES IN THE AREA OF 138 CITY AVENUE DURING EARLY MORNING HOURS. REFERRED TO THE BOARD OF POLICE COMMISSIONERS.**

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bielinski. Roll call vote – all members present voted in favor. Approved February 23, 2006 by Timothy T. Stewart, Mayor.

### **CONSENT AGENDA**

#### **CITY CLERK**

**28977 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**

- Kostin, Trudy by Travelers Insurance Company
- Kot, Dariusz J.
- Sposato, Michael A.

Peter J. Denuzze

#### **CITY PLAN**

**28899-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES CREATING A NEW ZONING DISTRICT "B-1R" (NEIGHBORHOOD BUSINESS REVITALIZATION)**

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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 meeting on Monday, February 6, 2006, voted 6 to 0 to recommend the approval of the amendment, based upon the following:

**BACKGROUND:** The proposed zoning amendments would create a new zoning district to be titled "B-1R, Neighborhood Business Revitalization". The purpose of the amendments is to provide a new type of zoning district that is intended to be applied, at least initially, in the Oak Street area. The intent is to create a zoning district that is most compatible and complementary to an older, mostly residential neighborhood, but which allows for the creation of small-scale neighborhood businesses with reasonable restrictions.

**FINDINGS:** The concept for this zoning district originated from a study of the North and Oak Street area undertaken by the City Plan Commission over the past year. This was done in response to Council petition #28431, which sought zoning changes to expand business opportunities in the area and to correct some of the zoning nonconformities created by the 1995 re-zoning of the area to T, two-family. After an analysis of existing land uses and zoning, several proposals originated. They include the proposed zone changes described in more detail in zone change petition #28902 and consist of properties at the intersection of Broad, Beaver and North Street; along North Street; along portions of Oak Street; along the western side of Stanley Street near Peck and Long Streets; and at the intersection of Washington, Beaver and Farmington Avenue. In all other locations it was determined that the existing B-3, Secondary Business, classification was an appropriate zoning classification to change to, from the current T zoning. Along Oak Street, however, it was felt that the B-3 zoning would allow for businesses that would be too intensive and inappropriate for the neighborhood and would also allow the potential for excessive residential density. The B-1 zone was considered; however, since it does not allow residential use and has a 40 foot front yard requirement, it was not seen as being a reasonable fit for maintaining the desired character for the neighborhood.

The proposed B-1R zone was formed as a hybrid of the existing T and B-1 zoning districts, having the same 6,000 square foot minimum lot size and 3,000 square foot of lot area per dwelling unit density standards as the T zone, while allowing some small-scale business uses, similar to those in the B-1, by special exception. The basic uses permitted by right in the B-1R zone would be single and two-family residential structures (existing three or more unit residential buildings and existing businesses are grandfathered). Neighborhood business uses, such as small stores, offices, bank branch offices or credit unions, restaurants, etc., all limited in size to 2,000 or 3,000 square feet in floor area, would be permissible by special exception. Residential units would be permitted on upper floors, over first floor businesses, subject to meeting the lot area per dwelling unit density factor and providing reasonable off-street parking accommodations. The more intensive B-3 type uses, such as used auto sales, drive-through fast food restaurants or any retail, service or office operation over 3,000 square feet in area would not be permitted. The fact that any proposed business would be subjected to a public hearing for permission as a special exception, would serve to ensure neighboring residents the opportunity to express their support, concerns and/or opposition relative to any proposed business use. The residential density factor of one unit per 3,000 square feet of lot area would remain same as the T, as compared to the potential of one unit per 1,250 square feet of lot area that would be allowed in the B-3 district. The yard requirements for the B-1R zone would be the same as the T zone, except that the front yard setback would be reduced to 10 feet, rather than the T zone's 25 foot minimum and is reflective of the existing actual conditions for most of the properties in the proposed zone change area. Parking would not be allowed within required front yards

**CONCLUSION:** These proposed amendments offer a balance of protecting the moderate density residential character of the area, while allowing for the creation of new businesses designed to serve the neighborhood residents. The fact that the basic zone requirements are the same as the existing and surrounding T zone means that there will be no effect on creating any new nonconformities. The overall result is expected to be continuation of a character similar to what has historically existed in the

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neighborhood. The type of businesses likely to arise will probably be similar to the small neighborhood markets that have existed historically or that have been allowed by variance in recent years.

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**RECOMMENDATION:** The City Plan Commission is of the opinion that the amendments are desirable and supportive of the City efforts to revitalize the Oak Street area and protect and improve the residential character of the neighborhood. The Commission, therefore, recommends that these amendments be adopted.

G. Geoffrey Bray, Chair  
City Plan Commission

**28900-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES TO UPDATE THE USES IN THE A-1 ZONING DIST. AND TO ALLOW SINGLE-FAMILY DETACHED DWELLINGS AS PART OF A CONDOMINIUM OR COMMON INTEREST COMMUNITY DEVELOPMENT**

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 meeting on Monday, February 6, 2006, voted 6 to 0 to recommend the approval of the amendment, based upon the following:

**BACKGROUND:** The purpose of these amendments is to modify the existing provisions regarding the multi-family condominium complexes in the A-1 Garden Apartment zoning district. Specifically, the principal change is that in addition to allowing standard townhouse and garden apartment style developments in which several individual units are joined side-by-side, single-family detached houses would be allowed as part of a condominium or common interest ownership community. While some minor modifications are proposed along with this, all applicable A-1 zone height, density, open space, parking and yard requirements would remain the same

**FINDINGS:** These changes are intended to modernize the City's zoning regulations for the A-1 zone condominium and common interest ownership complexes, by adding a new type of use not foreseen at the time our current regulations addressing condo complexes were drafted. Basically it simply allows detached single-family dwelling units within a condominium type complex. This is apparently a recent trend in development for individuals seeking a community setting where all exterior amenities, landscaping and maintenance is managed and taken care of by an association or similar entity, where the dwelling units are not attached, but separated with open space on all four sides.

In order to clearly allow this use in the A-1 zone without confusing or impacting other zoning districts, specific changes are proposed to the definitions of single-family detached dwelling (differentiating the single-family detached condo unit from a single-family house on an individual lot) and a definition of residential condominium or common interest ownership community, inclusive of single-family detached dwelling units, is proposed to be added. "Residential condominium or common interest ownership community" is proposed as a permitted use in the A-1 zoning district. Minor additional amendments would simply include residential condominium or common interest ownership communities in the supplemental use and parking requirement sections, with the one proposed change being that currently garden apartment, condominium and similar complexes are currently required to have 30 foot spacing between buildings and this spacing is proposed to be reduced to 20 feet or the height of the taller building. Finally, Section 280-50-20, which currently appears to require subdivision approval in order to have more than one building situated on a single property, is proposed to be changed to accommodate common interest ownership communities and similar type developments with multiple buildings on a single property.

**CONCLUSION:** The overall effect of these changes would be relatively minor. The major effect is that in a residential common interest ownership community, single-family detached dwelling units could be permitted. At present, as ordinances currently read, these types of developments could only be comprised of multi-family, garden apartment, townhouse or similar style buildings consisting of at least three or more joined units. In a practical sense there would be no change to neighboring property owners. The exterior 30 foot yard setbacks would remain along all property lines and the height, density, open space and parking requirements would all remain the same. The only difference would be that the single-

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family detached units would be allowed, which to some degree serves to further limit the number of units that could be fit on a property, when compared to what might be possible using typical 5 to 8 unit townhouse condo buildings. This type of single-family detached dwelling, common interest ownership community is seen as fulfilling a new market demand, attracting buyers who want to be free of exterior maintenance and landscaping responsibilities, but still having the added privacy of a detached dwelling.

**RECOMMENDATION:** The City Plan Commission views this as being a desirable and minor modification to the zoning ordinances and consistent with Master Plan goals of providing a wide and varied range of desirable housing opportunities. The Commission therefore recommends adoption of these proposed amendments.

G. Geoffrey Bray, Chair  
City Plan Commission

**28901-1 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES TO ADD PROVISIONS WHICH ALLOW OUTDOOR DINING SPACE AS AN ACCESSORY USE TO A RESTAURANT**

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 meeting on Monday, February 6, 2006, voted 6 to 0 to recommend the approval of the amendments, based upon the following:

**BACKGROUND:** These proposed zoning amendments would serve to establish basic guidelines to allow outdoor dining as an accessory to a permitted or special exception restaurant use in all zoning districts in which restaurants are permitted. The purpose of the amendments is to address a desire expressed by a number of restaurant owners to establish some form of deck or patio for outdoor dining.

**FINDINGS:** Currently, the zoning ordinances do not address outdoor dining explicitly in any regard. A few restaurants have informally created outside seating areas, setting out tables and chairs, either in an unused yard area or on the front sidewalk area near the building. In other locations, variances have been needed to allow the creation of the outside patio or deck area. The interest in outdoor seating areas appears to be at least partly related to recent state legislation taking effect, banning smoking inside most restaurants and bars.

Where variances have been requested, they are usually related to the structural elements, such as the deck location relative to the required yard setbacks or to fence height restrictions, etc. These proposed amendments are intended to explicitly allow outdoor dining areas as an accessory use to any restaurant, while establishing reasonable controls to minimize the potential for negative effects to adjoining neighbors or for unattractive visual impacts.

The amendments, as proposed, simply state that outdoor dining space is a permissible accessory use; that it shall not be allowed in any required yard area which abuts a residential zoning district; that any structure (deck or terrace) used for outside dining shall be required to conform to applicable codes and ordinances to prevent outdoor dining space from blocking doorways needed for required access or from being located within the public right-of-way portion of a City sidewalk, unless specifically permitted by the Bureau of Public Works. Finally, it stipulates that any outdoor dining related construction (deck, terrace or fence, etc.) may, at the discretion of the Director of Licenses, Permits and Inspections, be required to provide a full plot plan to ensure that the structural improvements do not create any zoning violation.

**CONCLUSION:** The ability to offer an outdoor dining option for its patrons is becoming an important element for the restaurant business, and in some cases is said to be almost a necessity for the restaurant to remain competitive. These amendments make it clear that outdoor dining is permissible as an accessory use to a standard restaurant. The restrictions are relatively minor so as not to place undue burden on an owner seeking to establish an outdoor dining space. The primary intent is to ensure that these outdoor dining spaces do not impact negatively on residential neighbors, do not create obstructions

to the public sidewalk or to needed building access and do not create any structural violation of the building or zoning ordinances.

Most of these outdoor dining spaces are expected to be relatively limited in size. They will provide an alternative dining option mostly for patrons already frequenting the restaurant and most likely will not result in any substantial increase in the number of diners at any individual restaurant.

**RECOMMENDATION:** The City Plan Commission is of the opinion that the amendments are desirable and not in conflict with any goal or policy of the Master Plan. The Commission, therefore, recommends that these amendments be adopted, with minor modifications that serve to clearly establish that any outdoor dining areas are to be essentially open to the sides and that any roof, awning or other similar covering constructed over an outdoor dining space, must conform to all applicable zoning, building and fire codes.

G. Geoffrey Bray, Chair  
City Plan Commission

**28902-1 RE: PROPOSED ZONE CHANGE TO CORRECT NONCONFORMITIES CREATED BY THE 1995 AREA-WIDE REZONING TO "T" (TWO FAMILY), (GREATER BROAD, BEAVER, NORTH AND OAK STREET NEIGHBORHOODS)**

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 meeting on Monday, February 6, 2006, voted 6 to 0 to recommend the approval of the amendments to the Zoning Map, based upon the following:

**BACKGROUND:** These proposed zone changes are intended to protect and encourage desirable and compatible business growth in the greater Broad, Beaver, North and Oak Street neighborhoods and to address some of the problems of nonconformities created by the 1995 area-wide rezoning to T, Two-family. Four separate zone change locations are proposed:

1. From T, Two-family and B-1, Neighborhood Business to B-3, Secondary Business: All properties along the north side of Broad and North Streets, eastward from Washington Street to the existing B-1 zone line near 230 North street and all properties on the southern side of North Street between Clark and Spring Streets.
2. From T to B-1R, Neighborhood Business Revitalization (a new zoning district, subject of petition #28899): All properties along both sides of Oak Street from and inclusive of #'s 230 and 233 Oak Street southward to and inclusive of #'s 99 and 104 Oak Street.
3. From T to B-3: All properties along the western side of Stanley Street, from and inclusive of #1204 Stanley Street, running southward to and inclusive of #1104 Stanley Street.
4. From T and A-2, multi-family houses, to B-3: Several properties surrounding the intersection of Washington Street, Beaver Street and Farmington Avenue.

The concept for these zoning amendments originated from a study of the North and Oak Street area undertaken by the City Plan Commission over the past year. This was done in response to Council and NRZ proposals which sought zoning changes to expand business opportunities in the area and to correct some of the zoning nonconformities created by the 1995 re-zoning of the area to T, two-family.

**FINDINGS:** For the most part, the anticipated effects of the proposed zone changes are minor, mostly serving to maintain and protect the existing character of the individual zone change location. At location #1, the proposed change to B-3 zoning would be an extension of the current B-3 zoning that encompasses nearly the entire Broad Street corridor, allowing the potential for similar business development to take place eastward along North Street. Included in this area are large city-owned development parcels on the northwestern corner of Broad and Beaver Streets, a gasoline service station on the opposite corner that was made nonconforming with the 1995 re-zoning and numerous other

nonconforming properties along North Street that are at present more consistent in character to the B-3 zoning than to their current T or B-1 zoning.

At location #2, a new B-1R zoning district (subject of zoning report #28899) is proposed, which will maintain the basic underlying T zone level densities and primarily residential use, but will allow small-scale neighborhood business to be permitted by special exception. The proposed zone change area, recreates the old Business "C" zoning that existed along parts of Oak Street prior to 1967, the period during which much of the street was developed. Many of the older multi-story buildings originally had small first floor commercial spaces that were converted to residential use over the years. It is anticipated that there is potential for neighborhood businesses to reclaim some of this floor space. In recent years there has been some interest in small neighborhood bodegas, with at least one location being allowed by variance. With the proposed B-1R zoning such uses would be allowed by special exception. Adopting the B-1R zone legitimizes this process, ensures that such uses would not be allowed without a public hearing and standardizes a general parking requirement for such uses. Given the residential character of the area, caution was taken to ensure that the uses would be smaller in scale and more oriented toward serving neighborhood convenience needs, such as the corner markets, service shops and small restaurants that historically existed in this neighborhood.

Location #3 involves several Stanley Street properties in the vicinity of Long and Peck Streets that have been in commercial use, for many years, including a gasoline station repair garage, a convenience store and a car wash. Re-zoning from T to B-3 would essentially serve to make these uses conforming, facilitating the owners in making business related improvements and in financing and insuring the properties, if they were to be sold.

Similarly, location #4 would serve to put in place B-3 zoning on properties that have long been established commercial uses, including a gasoline station, a used auto dealer, an auto repair shop and a restaurant.

**CONCLUSION:** The proposed zoning changes are consistent with the Master Plan intent of protecting the character of established residential neighborhoods, while encouraging compatible business growth in established and appropriate locations. The effect of the re-zoning will be in large part dependent on market demand for business space in the various locations, particularly in the North and Oak Street zone change locations. On the northwest corner of Broad and Beaver Streets, the re-zoning to B-3 improves the opportunity to market a sizeable City-owned parcel for development that would complement the existing Broad Street commercial corridor and restore commercial uses that historically existed at this location. At locations #3 and #4, Stanley Street and the Washington, Beaver Farmington Avenue area, the re-zoning would simply reflect the actual long-established land use in these locations.

**RECOMMENDATION:** The City Plan Commission is of the opinion that the amendments are desirable and supportive of the City efforts to encourage and allow reasonable and compatible economic growth in appropriate locations. The Commission, therefore, recommends that these zone changes be adopted.

G. Geoffrey Bray, Chair  
City Plan Commission

## **CORPORATION COUNSEL**

### **28941-3 RE: COLEMAN BROTHERS CARNIVAL – DATE CORRECTION**

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

Resolution No. 28941-2 regarding the Coleman Brothers Show was approved by the Common Council on February 8, 2006. The dates set forth in the resolution for the show were from April 16-30, 2006, with the permit to operate from April 17-23, 2006. The actual dates of the show are April 10-16, 2006.

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Joseph E. Skelly, Jr.  
Assistant Corporation Counsel

**FINANCE DEPARTMENT**

**28978 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT’S BUDGET 2/2/06 THRU 2/15/06**

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) states: “the mayor shall be authorized to transfer monies within a departmental budget upon written request of the petitioning department” and within the transfer guidelines specified in the ordinance provision. Intra-departmental transfers must specify the source of surplus monies proposed to offset the increase in a budget line item citing the necessity of the transfer.

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 ordinance listed above for the period ending February 15, 2006.

- 23. Department: Parks and Recreation
  - From: 001-1511-5301-110 \$3,500.00 (Full Time Salaries)
  - 001-1511-5300-110 \$3,500.00 (Full Time Salaries)
  - To: 001-1511-5301-380 \$2,000.00 (Grants & Contributions)
  - 001-1511-5301-372 \$5,000.00 (Bldg, Gr. Maint & Repairs)
  - Amount: \$7,000.00
  - Brief Explanation: To reflect donations to non-profit organizations for sign sales plus new promotional sign and other general maintenance
  
- 24. Department: Fire
  - From: 001-1221-2210-110 (Full Time Salaries)
  - To: 001-1221-2210-375 (Recruitment & Training)
  - Amount: \$22,500.00
  - Brief Explanation: Fund academy tuition for recent new hires.

Pattie Lewis  
Finance Department

**BOARD OF FINANCE AND TAXATION**

**28979 RE: CALENDAR YEAR 2006 SCHEDULE OF MONTHLY MEETINGS**

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

At a Special Meeting of the Board of Finance and Taxation held on January 30, 2006 the following is the schedule of dates for monthly meetings of the Board of Finance and Taxation, approved for 2006. The meetings will be held in City Hall, 27 West Main Street, Room 305 at 6:00 p.m.

- Monday, February 27, 2006
- Monday, March 27, 2006
- Monday, April 24, 2006
- Monday, May 22, 2006
- Monday, June 26, 2006
- Monday, July 31, 2006
- Monday, August 28, 2006
- Monday, September 25, 2006
- Monday, October 30, 2006

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Monday, November 27, 2006  
Monday, December 18, 2006

Pattie Lewis  
Clerk, Board of Finance and Taxation

**PURCHASING DEPARTMENT**

**28980 RE: COOPERATIVE PURCHASING – WOOD GRINDING – PUBLIC WORKS**

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

In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), purchase orders are requested for the following under the State of Connecticut cooperative purchasing plan:

<u>Supplier</u>	<u>Description</u>	<u>Hourly Rate</u>	<u>Total Price</u>
GreenCycle of the Northeast, Inc. New Britain, CT	Wood Grinding at City Landfill	\$345.00	\$15,000

The Department of Public Works is requesting to enter into a one-year agreement with GreenCycle of the Northeast, Inc. for rental of wood grinding and disposal equipment beginning on July 1, 2006, based on available funding and utilizing State of Connecticut Contract Award #05PSX0030.

The vendor service utilizes a 2002 Morbark Tub Grinder Model 1300 or equivalent with a self-contained recycler. The vendor will service the New Britain landfill facility on an as-needed basis.

Therefore, the following is recommended:

RESOLVED: That the Acting Purchasing Agent or his designee be authorized to issue a purchase order not to exceed \$15,000 to GreenCycle of the Northeast, Inc. New Britain, CT for wood grinding at the landfill on an as-needed basis by the Department of Public Works, utilizing State of Connecticut Contract Award #05PSX0030.

Mitchell R. Goldblatt  
Acting Purchasing Administrator

**28981 RE: COOPERATIVE PURCHASING – POLICE CRUISERS**

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), purchase orders are requested for the following under the State of Connecticut cooperative purchasing plan:

<u>Supplier</u>	<u>Model</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total Price</u>
Warnock Automotive East Hanover, NJ	2006 Ford Crown Victoria Police Cruiser	8	\$20,670	\$165,360

The New Britain Police Department is requesting the purchase of eight vehicles based on available funding and utilizing State of Connecticut Contract Award #05PSX0209.

Funding is available for the purchase of eight (8) 2006 Ford Crown Victoria Police Cruisers in, Account Number 215-2286-0513-P76.

After delivery, eight vehicles will be cycled out of service by the fleet manager and sold as surplus equipment:

Therefore, the following is recommended:

RESOLVED: That the Acting Purchasing Agent or his designee be authorized to issue a purchase order totaling \$165,360.00 to Warnock Automotive, East Hanover, NJ for the purchase of eight (8) Ford Crown Victoria Police Cruisers for use by the Police Department, utilizing State of Connecticut Contract Award #05PSX0209.

Mitchell R. Goldblatt  
Acting Purchasing Administrator

**28982 RE: LARSON CABINETS – TOWN & CITY CLERK’S VAULT**

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. 3237 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for purchase and installation of Larson Cabinets for the Town and City Clerk Vault. Funding of up to \$10,700 is available for this purchase from a State Grant, which is included in Account Number 249-1154-1540-442.

Invitations to bid were solicited, and the bid was duly advertised. Responses were received as follows:

<u>Vendor</u>	<u>Price</u>
Joseph J. Marotti Co, Inc. Milton, Vermont	\$10,452.50
Adkins Printing Company New Britain, CT	\$11,400.00

The bids were reviewed for conformance to specifications by the Town and City Clerk and the Acting Purchasing Administrator. Therefore, the following is recommended:

RESOLVED: That the Acting Purchasing Agent or his designee be and is hereby authorized to issue a standing purchase order in the amount of \$10,452.50 to Joseph J. Marotti Co, Inc. for the purchase of Larson Cabinets for the Town and City Clerk Vault, per the specifications of Public Bid No. 3237.

Mitchell R. Goldblatt  
Acting Purchasing Administrator

**28983 RE: ON-CALL PURCHASE ORDER – REPLACEMENT TRAFFIC SIGNAL – BURRITT & MYRTLE 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 Acting Purchasing Administrator hereby reports that a Purchase Order has been issued for one of the on-call engineering firms approved by the Common Council on August 10, 2005 as part of Public Bid #3185 and Report Item #28712.

Luchs Consulting Engineers, LLC, New Britain, Connecticut has been selected as the on-call civil engineering firm for the preliminary and final design of the replacement traffic signal at the intersection of Burritt and Myrtle Streets.

Funding for this procurement is budgeted in Account Number 219-130-0517-346.

Mitchell R. Goldblatt

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Acting Purchasing Administrator

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**28984 RE: FIRE SAFETY TRAILER – FIRE DEPARTMENT**

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

Public Bid No. 3240 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for purchase and delivery of a 30' Single Level Unit Fire Safety Trailer for the Fire Department. Funding is available for this purchase in Account Number 215-1221-2210-TLR as a result of Common Council passage of Resolution #28488 on March 28, 2005.

Invitations to bid were solicited, and the bid was duly advertised. Responses were received as follows:

<u>Vendor</u>	<u>Price</u>	<u>Delivery</u>
Surrey Fire Safety House Napoleon, OH	\$25,945.00	16 Weeks
Mobile Concepts Mount Pleasant, PA	\$39,085.00	52 Weeks

The bids were reviewed for conformance to specifications by Fire Department Administration and the Acting Purchasing Administrator. Therefore, the following is recommended:

RESOLVED: That the Acting Purchasing Agent or his designee be and is hereby authorized to issue a purchase order in the amount of \$25,945.00 to Surrey Fire Safety House, Napoleon, OH for the purchase of a 30' Single Level Unit Fire Safety Trailer for the Fire Department, per the specifications of Public Bid No. 3240.

Mitchell R. Goldblatt  
Acting Purchasing Administrator

**27630-2 RE: EXTENSION OF CONTRACT WITH AQUARION SERVICES COMPANY – WATER SERVICE LINE PROTECTION PLAN**

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. 3034 was solicited, received, and issued in accordance with the Purchasing Ordinances of the City of New Britain for a residential water service line protection plan. This contract was approved for a three-year period with two one-year options by the Common Council by Resolution Number 27630 at a meeting in August 2003.

The following report is hereby made:

WHEREAS, Public Bid Number 3034 included an option for a one year renewal contingent upon an annual funding appropriation by the Common Council and recommendation of the Water Department; and

WHEREAS, according to the Water Department, the current vendor Aquarion Services Company, Bridgeport, CT is performing satisfactorily to the present contract by providing this water service line protection plan to the public; and

WHEREAS, the current vendor Aquarion Services Company, Bridgeport, CT has agreed in writing, to hold the current pricing for an additional twelve-month period; and

WHEREAS, at its meeting of February 7, 2006, the Board of Water Commissioners voted unanimously to recommend that the Acting Purchasing Agent extend the contract with Aquarion Services Company for one year from September 2006 to September 2007; therefore be it

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RESOLVED, that the Acting Purchasing Agent or his designee be and is hereby authorized to enter into a one year extension from September 2006 to September 2007 with Aquarion Services Company, Bridgeport, CT for a water service line protection plan in accordance with the original terms and conditions of Public Bid No. 3034.

Mitchell R. Goldblatt  
Acting Purchasing Administrator

### **PARKS AND RECREATION DEPARTMENT**

#### **28926-1 RE: INSPECTION OF DANGEROUSLY CLOSE TREES TO POWER LINES – 41 MARBELLE COURT**

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 Arborist inspected the trees at 41 Marbelle Court on January 26, 2006. He noted on his report that there are not any City owned trees that are dangerously close to the power lines at this address. The trees that are near the power lines are on the abutting property of Beth Alom Association and are inside their fence.

William A. DeMaio  
Director of Parks and Recreation

### **TAX DEPARTMENT**

#### **28986 RE: TAX ABATEMENTS, CORRECTIONS AND REFUNDS**

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

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

Fred J. Menditto  
Tax Collector

### **COMMITTEE ON ADMINISTRATION, FINANCE AND LAW**

#### **28154-2 RE: PROPOSED AMENDMENT ADDING SEC. 14-6 TO THE ORDINANCES CONCERNING FEE WAIVERS AND DEFERRALS**

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

The Committee on Administration, Finance and Law at a public hearing/special meeting held on February 9, 2006 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28154-1 – Amend Code of Ordinances to prohibit fee waivers for licenses and permits; allow fee deferrals for building permits for non-profit organizations upon approval by majority of entire Common Council voted to accept and adopt as amended and recommend that the following resolution be referred back to the Common Council with a neutral recommendation.

Alderman James F. Sullivan  
Chair

February 22, 2006

**28854-1 RE: PROPOSED AMENDMENT TO SEC. 2-41 OF THE ORDINANCES – COUNCIL SUBJECT MATTER COMMITTEES**

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 held a public hearing/special meeting on Thursday evening, February 9, 2006 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28854 – Amending Section 2-41 of the Code of Ordinances of the City of New Britain regarding Council subject matter committees voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman James F. Sullivan  
Chair

**28874-1 RE: PROPOSED AMENDMENT TO SEC. 17-61 OF THE ORDINANCES PROHIBITING ANY INDIVIDUAL AFFILIATED WITH A FUNERAL HOME FROM SERVING AS A MEMBER OF THE FAIRVIEW CEMETERY COMMISSION**

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 held a public hearing/special meeting on Thursday evening, February 9, 2006 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28874 – Code of Ordinances be amended regarding Section 17-61 – Establishment, composition. Prohibit individual affiliated with funeral home from serving as member of Fairview Cemetery Commission voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman James F. Sullivan  
Chair

**COMMITTEE ON PLANNING, ZONING AND HOUSING**

**28899-2 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES CREATING A NEW ZONING DISTRICT, B-1R (NEIGHBORHOOD BUSINESS REVITALIZATION)**

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 #28899 – An amendment to the Zoning Ordinances to create a new zoning district, "B-1R (Neighborhood Business Revitalization)". Said hearing was held on February 7, 2006 in the Council Chambers of City Hall, 27 West Main Street, New Britain, Connecticut.

The City Plan Commission, at its regular meeting held on February 6, 2006 voted 6 to 0 to recommend the approval of the amendment.

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 following amendment to the Zoning Ordinances and refer back to the Common Council with a favorable recommendation.

To Amend the Zoning Ordinances to Create a New Zoning District, "B1-R", as follows:

[NEW]

**Section 145. B-1R NEIGHBORHOOD BUSINESS REVITALIZATION**  
(6,000 sq. ft. lots)

**145-10 Permitted Uses.**

Within any B-1R District, a building, structure, or lot shall only be used for one of the following permitted uses, except as provided in Section 145-20 Special Exception Uses, Section 145-30 Accessory Uses, and Section 260 Nonconforming Uses and Nonconforming Buildings or Structures. For all listed uses other than a single family or two family detached dwelling, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

**145-10-10** Two family detached dwelling.

**145-10-20** Single family detached dwelling.

**145-10-30** Conversion from single-family detached dwelling to two family detached dwelling.

**145-10-40** Conversion of an existing multi-family house, which is nonconforming due to an excessive number of dwelling units and/or inadequate off-street parking or open space, into a multifamily house containing fewer dwelling units, but which is still nonconforming to the provisions of these ordinances.

**145-10-50** Public park, playground or recreational area.

**145-10-60** Bus Passenger Waiting Shelter.

**145-20** Special Exception Uses.

Within any B-1R District, the following special exception uses shall be permitted, subject to approval by the Zoning Board of Appeals pursuant to Section 270-40 Special Exception Uses. For all listed special exception uses, the site plan shall be submitted and reviewed, pursuant to Section 280-60.

**Community Facility Uses**

**145-20-10** Church or similar place of worship, Sunday school, parish house, convent, monastery.

**145-20-20** Public or semi-public building for civic, political, social or recreational purposes.

**145-20-30** School, public elementary or high, or a private school having a curriculum equivalent to that ordinarily given in such a public school.

**Business Uses**

**145-20-40** Funeral home.

**145-20-50** Bank, credit union, savings and loan association, etc, not exceeding 3,000 square feet in gross floor area, and excluding any with drive-through facilities.

**145-20-60** Office or office building, not exceeding 3,000 square feet in gross floor area, for business use by public, semi-public, or government entities or by individuals or firms providing professional service such as: accountants; financial advisers; lawyers; architects; engineers; surveyors; real estate or insurance brokers or agents; and other similar business professions.

**145-20-70** Medical, dental and optician's offices and health care clinics, not exceeding 3,000 square feet in gross floor area, and excluding any facility intended for overnight patient care.

**140-20-80** Grocery store, convenience store, delicatessens, bakery, or similar food store, not exceeding 2,000 square feet in gross floor area, and including the service of food, only within a building at a counter or at tables as an accessory use.

**145-20-90** Retail store, not exceeding 2,000 square feet in gross floor area, which sells one or more types of merchandise for personal or household use, such as: books; stationery; clothing; dry goods; baked goods; flowers; jewelry; newspapers; magazines; audio records, cassettes and/or cd's or dvd's; and other such consumer goods.

**145-20-100** Restaurant or cafe, including both sit-down and take-out establishments, not exceeding 3,000 square feet in gross floor area, and including catering service or outdoor dining as an accessory use, but excluding restaurants with drive-through service or food service to parking lots.

**145-20-110** Personal service shop, not exceeding 2,000 square feet in gross floor area, including such businesses as barber shops, beauty parlors, nail salons; tailors, shoe repair, and other similar shops providing services to the consumer.

**145-20-120** Pharmacy or drug store, not exceeding 3,000 square feet in gross floor area.

**145-20-130** Retail dry cleaners or retail laundry establishments, not exceeding 2,000 square in gross floor area, including self service or coin-operated laundries or laundromats, provided that all such establishments must be continuously attended by an employee during all periods when the business is open to the public.

**Residential Uses.**

**145-20-140** Mixed use, apartments over first-story, or first and second-story, non-residential uses, or in a separate building, subject to the specific restrictions of Section 270-40-235.

**145-30** Accessory Uses.

Within any B-1R District, the following accessory uses shall be permitted, subject to the applicable provisions of Section 230.

**145-30-10** Customary accessory uses, buildings, or structures.

**145-30-20** Home occupation.

**145-30-30** Home professional office.

**145-30-40** Private garage, private parking area, pursuant to Section 240.

**145-30-50** Roomers, not exceeding two (2) per dwelling unit, and further subject to the restrictions of the Housing Code.

**145-30-60** Signs, pursuant to Section 250.

**145-30-70** Private Swimming Pool.

**145-40 Dimensional Regulations.**

Within any B-1R District, no building or structure shall be erected, nor any lot used, unless in conformity with the following schedule, except as modified by the provisions of Section 230, Supplemental Use and Dimensional Regulations, where applicable:

145-40-10	Lot Area – Minimum (sq. ft.).....	6,000
145-40-20	Lot Area – Minimum per dwelling unit (sq. ft.).....	3,000
145-40-30	Floor Area Ration – Maximum.....	0.750
145-40-40	Lot Coverage – % of total lot area occupied by main accessory buildings.....	30
145-40-50	Lot Width – Minimum (ft.).....	50
145-40-60	Height – Maximum (ft.).....	40
145-40-70	YARDS – MINIMUM (FT.)	
145-40-70.01	Front.....	10
145-40-70.02	Side.....	7
145-40-70.03	Side -- total for both on interior lot.....	17
145-40-70.04	Side – abutting side street on a corner lot.....	12

145-40-70.05	Rear.....	25
145-40-80	ACCESSORY BUILDINGS	
145-40-80.01	Coverage of required rear yard – Maximum.....	35%
145-40-80.02	Height in required rear yard – Maximum (ft.).....	15
145-40-80.03	Setback from any lot line – Minimum (ft.) .....	3

**ADD TO SECTION 50-10, Classes of Districts**

**Under 50-10-20 Business Districts, between B-1 and B-2:**

**“B-1R (neighborhood business, revitalization)”**

**ADD TO SECTION 230-100.10, Schedule of Permitted Fences and Walls**

**B-1R:** 4 ft. at front lot line; 6 ft. at side lot line; outside rear yard; 6 ft. at rear yard lot lines; 6 ft. not in any minimum required yard.

**ADD: [NEW] SECTION 230-100.30, (restrictions on fences)**

In all residential zoning districts and in the B-1R zoning district, galvanized silver chain-link fences shall be prohibited in the required front yard area, and also, in the case of corner or through-lots, prohibited along any property line adjoining a public street. Permissible types of fencing, in these locations, where allowed, include—dark green or black vinyl-clad chain link fencing, wrought iron or simulated wrought iron or wooden or vinyl picket fences, or other such fencing consistent in appearance to a residential neighborhood setting

**SECTION 230-10-30.40, Regulating Front Yard Parking in Certain Business Districts**

Insert “B-1R”, after “OP” :

In the RO, OP, B-1R and B-3 Districts accessory parking shall not be placed within a required front yard, but may be placed in a required side or rear yard with approved screening...

**CHANGE TO SECTION 240-70-80, Allowing Compact Car Spaces in Business Districts**

**240-70-80** Except in the B-1R and the S1, S2, S3, T, T-6, A1, A2 and A3 residential districts, accessory off street parking areas may have 33% of their total amount of parking spaces designated for Compact Cars. The designated compact car parking spaces must have a minimum width of 7.5 feet and a minimum length of 15 feet. The minimum width of the parking aisle shall be 18 feet

**ADD TO SECTION 250-10, SIGN REGULATIONS (allowing business/ identification signage)**

Insert “B-1R”, after “B-1”

**ADD TO SECTION 250-30-10.10, (restrictions on business/ identification signage, wall signs on front of building)**

Insert new sentence at end: “In the B-1R zone the maximum area shall not exceed 1 square feet per horizontal foot of the building wall on which it is mounted.

**ADD TO SECTION 250-30-20.10, (restrictions on pole mounted business/ identification signage)**

Insert new sentence at end: “In the B-1R”, after B-1 (pole signs in these zones not to exceed 15 feet in height).

**ADD, UNDER SECTION 270-40-40, Specific Conditions and Safeguards for Special Exception Uses:**

[NEW]

**270-40-40.235 Mixed Use Residential Dwellings and Business in the B-1R District**

**270-40-40.235.10** The site shall meet the minimum lot area and width requirements.

**270-40-40.235.20** No business or other nonresidential use shall be allowed on an upper floor over a residential dwelling(s). For new mixed-use development in which the residential use is to be in a separate building on the property, the residential building may not be constructed behind the business use, and in all cases the residential building shall be afforded clear and unimpeded emergency access.

**270-40-40.235.30** The number of dwelling units allowed shall not exceed one (1) per each 3,000 sq. ft. of lot area and shall not exceed a total of two (2) dwelling units, regardless of the lot size, except that nonconforming properties having three (3) or more units may be converted to mixed-use provided there is sufficient off-street parking and provided that at least one (1) of the existing residential units is relinquished to allow the business use.

**270-40-40-235.40** A reasonable amount of off-street parking shall be provided in general accordance with the provisions of Section 240-30 for both the residential and nonresidential uses on the property, except that with due consideration to the character of the neighborhood and the recommendation of the City Plan Commission, the Zoning Board of Appeals may, grant a variance pursuant to section 270-50-40, making an allowance for a reduction in the business-related portion of the required off-street parking. As a minimum guideline, there should be enough parking to meet the requirement for the residential portion of the building, and in no case shall there be fewer than five (5) spaces.

Alderwoman Silvia J. Cruz  
Chair

**28900-2 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES TO UPDATE THE USES IN THE A-1 ZONING DISTRICT AND TO ALLOW SINGLE-FAMILY DETACHED DWELLINGS AS PART OF A CONDOMINIUM OR COMMON INTEREST COMMUNITY DEVELOPMENT**

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 #28900 – An amendment to the Zoning Ordinances to update the uses in the A-1 zoning district and to allow single-family detached dwellings as part of a condominium or common interest community development. Said hearing was held on February 7, 2006 in the Council Chambers of City Hall, 27 West Main Street, New Britain, Conn.

The City Plan Commission, at its regular meeting held on February 6, 2006 voted 6 to 0 to recommend the approval of the amendment.

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 following amendment to the Zoning Ordinances and refer back to the Common Council with a favorable recommendation.

**RE: VARIOUS AMENDMENTS TO THE ZONING ORDINANCES TO UPDATE THE USES IN THE A-1 ZONING DISTRICT AND TO ALLOW SINGLE-FAMILY DETACHED DWELLINGS AS PART OF A CONDOMINIUM OR COMMON INTEREST COMMUNITY DEVELOPMENT**

To amend the zoning ordinances, as follows:

(New text appears in **bold underline**, deleted text appears in ~~strikeout~~)

**ADD, UNDER SEC. 30-20, DEFINITIONS:**

30-20-201 DWELLING, SINGLE FAMILY, DETACHED. A residential building containing not more than one (1) dwelling unit entirely surrounded by open space on the same lot, and with the land and building owned by the same person or entity, **except that, in certain zoning districts as hereinafter specified,**

**more than one single family detached dwelling may be allowed per lot, as part of a residential condominium or common interest ownership community, as provided for in state statutes.**

**30-20-625 RESIDENTIAL CONDOMINIUM OR COMMON INTEREST OWNERSHIP COMMUNITY. An integrated group of townhouses, single family detached dwellings and/or multi-family houses, situated on a single lot, with land ownership rights as provided for in Connecticut General Statutes Sections 47- 67, et seq., or Connecticut General Statutes Sections 47-200, et seq.**

**ADD, UNDER SECTION 100-10, A-1 ZONING DISTRICT PERMITTED USES:**

**100-10-15 Residential Condominium Or Common Interest Ownership Community.**

**MODIFY SECTION 230, SUPPLEMENTAL USE AND DIMENSIONAL REGULATIONS, AS FOLLOWS:**

**230-10-20.30** In any multi-family, garden apartment or townhouse development **or any residential condominium or common interest ownership community** in which individual garages are provided in the same building, beneath or alongside dwelling units, each garage space shall have a full 18-foot parking space provided in front of the garage, exclusive of the required 24-ft. backing space and driveway aisle.

**230-60-10** In the layout of a development of garden apartments, townhouses, **residential condominium or common interest ownership community**, or other multifamily houses on a lot or tract of land, a horizontal distance of not less than **20** ~~30~~ feet or the height of the higher building, whichever is the greater, shall be maintained between all main buildings and between main buildings and major detached accessory buildings or groups of accessory buildings, such as a garage compound having a ground coverage equal to that of a principal building except that where buildings contain two facing walls which do not contain dwelling unit windows, the minimum distance between such walls may be reduced to 15 feet.

**230-60-40** Notwithstanding the requirements of Section 230-60-10 and 230-60-20 above, in situations in which a development of garden apartments, townhouses, **residential condominium or common interest ownership community**, or other multi-family houses involves a layout in which two or more buildings are arranged along opposite sides of an access driveway, and in which one or more buildings contains garage units, sufficient spacing must be provided between the buildings to accommodate the parking and access requirements of Section 230-10-20.30.

**ADD, UNDER SECTION 240-30, PARKING REQUIREMENTS FOR RESIDENTIAL USES:(After “Two Family Houses... 2 per dwelling unit”)**

**Residential Condominium Or Common Interest Ownership Community...2 per dwelling unit.**

**MODIFY SECTION 280-50, BUILDING PERMITS-GENERAL PROCEDURES AS FOLLOWS:**

**280-50-20** The plot plan shall show a separate lot for each main building, provided however, that where a development consists of an integrated arrangement of dwellings, group houses, garden apartments, multifamily houses, or other buildings designed and intended to be maintained in a single ownership, **or as residential condominium or common interest ownership community in accordance with applicable state statutes,** the director of licenses, permits and inspections **shall** ~~may~~ waive the requirement of showing separate lots for each separate main building. ~~provided that such development consisting of three (3) or more buildings shall have been approved as a subdivision or that each building fronts on an approved street.~~

Alderwoman Silvia J. Cruz  
Chair

February 22, 2006

**28901-2 RE: PROPOSED AMENDMENT TO THE ZONING ORDINANCES TO ADD PROVISION WHICH ALLOW OUTDOOR DINING SPACE AS AN ACCESSORY USE TO A RESTAURANT**

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 #28901 – An amendment to the Zoning Ordinances to add provisions which allow outdoor dining space as an accessory use to a restaurant. Said hearing was held on February 7, 2006 in the Council Chambers of City Hall, 27 West Main Street, New Britain, Conn.

The City Plan Commission, at its regular meeting held on February 6, 2006 voted 6 to 0 to recommend the approval of the amendment.

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 following amendment to the Zoning Ordinances and refer back to the Common Council with a favorable recommendation.

**Re: An amendment to the Zoning Ordinance to add provisions which allow outdoor dining space as an accessory use to a restaurant, by adding the following sections:**

**[NEW]**

**230-10-40** Outdoor dining space is permissible, as an accessory use to a permitted or special exception restaurant use, subject to the following provisions:

**230-10-40.10** Outdoor dining space shall not be located in any required rear, side or transitional yard that abuts a residential zoning district. Outside dining space may be allowed as a ground level patio, or a deck or terrace, provided such deck or terrace conforms to applicable zoning, building and fire code restrictions.

**230-10-40.20** All tables and seating in an outdoor dining space shall be movable and not fixed in place. No tables or seating shall be arranged or situated so as to interfere with required access or egress to or from the building. Outside dining space shall be unenclosed and open to the sides, except for conforming fencing or required guard rails. If outside dining space is to be covered by any type of permanent or semi-permanent roofing, awning, overhang or similar covering, said covering shall conform to applicable building, zoning and fire codes.

**230-10-40.30** No outdoor dining area shall be allowed which encroaches onto the City sidewalk right-of-way, unless specifically permitted by the Bureau of Public Works.

**230-10-40.40** In order to ensure compliance with zoning and other applicable ordinances and standards, if the creation of outdoor dining space involves any permanent construction or substantial structural modification, the Director of Licenses, Permits & Inspections shall require that a plot plan prepared in accordance with Section 280-60 be submitted for review and approval, in order to ensure compliance with zoning and other applicable ordinances and standards; and that all applicable permits and approvals be obtained.

Alderwoman Silvia J. Cruz  
Chair

**28902-2 RE: PROPOSED ZONE CHANGE TO CORRECT NONCONFORMITIES CREATED BY THE 1995 AREA-WIDE REZONING TO "T" (TWO FAMILY), (GREATER BROAD, BEAVER, NORTH AND OAK STREET NEIGHBORHOODS)**

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 #28902 – An amendment to the Zoning Map to correct nonconformities created by the 1995 area-wide rezoning to “T” (two-family), and to protect and encourage compatible and desirable business growth in the greater Broad, Beaver, North and Oak Street neighborhoods. Said hearing was held on February 7, 2006 in the Council Chambers of City Hall, 27 West Main Street, New Britain, Conn.

The City Plan Commission, at its regular meeting held on February 6, 2006 voted 6 to 0 to recommend the approval of the amendments to the Zoning Map.

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 divide the question as to each location set forth in the report.

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 as to Location #1 of the Zoning Map and refer back to the Common Council with a favorable recommendation as amended.

Location #1: Re-zone from T (two-family) and B-1 (neighborhood business) to B-3 (secondary business), all properties along the north side of Broad Street and North Street, from Washington Street eastward to the existing B-1 zone line at or near #230 North Street, and all properties that lay along the south side of North Street, between Clark Street and Spring Street; said zone change to include the area as is specifically depicted on the plan titled “Greater Oak and North Street Area Zoning Initiative,

Location #1 – Broad, Beaver and North Streets Proposed Changes T and B-1 to B-3” dated Dec. 2005 by Patrick A. Toscano, City Surveyor.

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 further divide the question as to location.

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 as to Location #2 of the Zoning Map and refer back to the Common Council with a favorable recommendation as amended.

Location #2: Re-zone from T (two-family) to B-1R (neighborhood business revitalization), all properties along both sides of Oak Street, inclusive of and running southward from #'s 230 and 233 Oak Street to, and inclusive of, #'s 99 and 104 Oak Street; said zone change to include the area as is specifically depicted on the plan titled “Greater Oak and North Street Area Zoning Initiative, Location #2 – Oak Street Proposed Change T, Two-family to B-1R Neighborhood Business Revitalization” dated Dec. 2005 by Patrick A. Toscano, City Surveyor.

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 further divide the question as to location.

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 as to Location #3 of the Zoning Map and refer back to the Common Council with a favorable recommendation as amended.

Location #3: Re-zone from T (two-family) to B-3 (secondary business), all properties along the west side of Stanley Street, inclusive of and running southward from #1204 Stanley Street to, and inclusive of #1104 #1164 Stanley Street; said zone change to include the area as is specifically depicted on the plan titled “Greater Oak and North Street Area Zoning Initiative, Location #3 – Stanley Street (West Side) Proposed Change T, Two-family to B-3, Secondary Business” dated Dec. 2005 by Patrick A. Toscano, City Surveyor.

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 further divide the question as to location.

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 as to Location #4 of the Zoning Map and refer back to the Common Council with a favorable recommendation as amended.

February 22, 2006

Location #4: Re-zone from T (two-family) and A-2 (multifamily houses) to B-3 (secondary business), certain properties in the vicinity of the Farmington Avenue, Washington Street, Beaver Street intersection; said zone change to include the area as is specifically depicted on the plan titled "Greater Oak and North Street Area Zoning Initiative, Location #4 – Farmington, Washington and Beaver and North Streets Proposed Changes T and A-2 to B-3" dated Dec. 2005 by Patrick A. Toscano, City Surveyor.

Alderwoman Silvia J. Cruz, Chair

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

### **PURCHASING DEPARTMENT**

#### **28985 RE: EMERGENCY PURCHASE ORDER REPLACEMENT OF ROOF – CITY YARD FACILITY – 77 HARVARD 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 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 February 14, 2006:

Allied Restoration Corporation East Hartford, CT	\$18,000	Replacement of Roof 77 Harvard Street, New Britain
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The Acting Purchasing Agent reports that no formal bid solicitation and advertisement as outlined in the Purchasing Ordinances was made for this item. However, Allied Restoration Corporation was prepared to work on this emergency repair quickly to replace approximately 2,000 square feet of roof and do masonry repairs to the building structure that are required. In accordance with section 2-606b of the City Code of Ordinances, the Acting Purchasing Agent reports:

Due to snow and heavy winds damage, the roof on the Harvard Street City Yard facility is in need of immediate repair. BL Companies, Inc. has conducted an evaluation (Purchase Order #58224) and recommended the action that is proposed to be completed by Allied Restoration Corporation.

Funding of up to \$20,000 has been made available for the evaluation and repair of the roof on the Harvard Street City Yard facility in Streets Division-Repairs and Maintenance Account Number 001-1330-3112-372, based on the action of the Common Council at its meeting of January 25, 2006 per Resolution 28952.

Mitchell R. Goldblatt  
Acting Purchasing Administrator

Ald. Platosz moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved February 23, 2006 by Mayor Timothy T. Stewart.

### **NEW BUSINESS**

### **RESOLUTIONS**

#### **28154-3 RE: AMENDMENT TO THE ORDINANCES ADDING SEC. 14-6 FEE WAIVERS AND DEFERRALS**

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:

February 22, 2006

Resolution Summary: PURPOSE: To amend the Code of Ordinances to prohibit fee waivers for licenses and permits; and allow fee deferrals for building permits for non-profit organizations upon approval by a majority of the entire Common Council

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Article I of Chapter 14 "LICENSES PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS" of the Code of Ordinances, City of New Britain, be amended by adding Sec. 14-6 to read as follows (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

**Sec. 14-6. Fee Waivers and Deferrals. (NEW)**

(a) Fee waivers for the cost of any application, permit, license or related charge shall not be granted under any circumstances by any employee, official, board, commission or committee for any construction or improvement project unless approval has been granted by the Common Council. It is the legislative policy of the Common Council that only deferrals of such construction or improvement fees may be granted. Any deviation from this legislative policy requires a 2/3rds majority vote of the Common Council. Should a fee waiver for construction or improvement projects be sought, such petition for waiver shall follow the same application and review process for fee deferrals as delineated herein.

(b) 1. The Department of Licenses, Permits and Inspections, upon petition by a qualified applicant under the provisions of this ordinance shall refer the permit fee deferral petition to the ~~Office of the Mayor for further referral to the Board of Finance and Taxation~~ Common Council. The request shall specify the construction value and amount of the estimated permit fee deferral. The applicant shall remit to the Building Official a non-refundable fee of \$100.00 in conjunction with the permit fee deferral petition.

2. ~~Upon affirmative recommendation of the Board of Finance & Taxation, the Common Council may~~ shall act upon a building permit fee deferral by resolution in accordance with the schedule of values herein ~~within (30) days.~~

3. The deferral of the permit fee shall be secured with ~~a cash or an~~ insurance bond or other appropriate security in the full amount of the permit fee and formalized through an agreement between the City and applicant organization outlining terms, conditions and penalties in the case of default of the deferral payment contract.

4. Payment of the deferred permit fee shall be in accordance with the schedule of construction/improvement value as outlined below:

- a. construction/improvement cost of less than \$5,000,000.00 no permit fee deferral;
- b. construction/improvement cost between \$5,000,000.00 and \$7,500,000.00 one third due on the date the permit is issued; one-third due one year from that date; and final one-third due two years from the date of issuance of permit;
- c. construction/improvement cost between \$7,501,000.00 and \$10,000,000.00 one fourth due on the date the permit is issued; one-fourth due one year from that date; one-fourth due two years from the date of issuance of permit, and final one-fourth due three years from the date of issuance of permit;
- d. construction/improvement cost in excess of \$10,000,000.00 one-fifth due on the date the permit is issued; one-fifth due one year from that date; one-fifth due two years from the date of issuance of permit; one-fifth due three years from date of issuance of permit; and one-fifth due four years from date of issuance of permit.

Alderman Mark Bernacki  
Alderman Peter Gostin  
Alderman Louis Salvio

Ald. Salvio moved to accept and adopt, seconded by Ald. Gostin. Roll call vote – 3 in favor, 10 opposed. In favor: Ald. Salvio, Gostin and Bernacki. Opposed: Ald. Trueworthy, Black, Cruz, Bonola, Catanzaro, Carroll, Hermanowski, Platosz, Wyskiewicz and Bielinski. RESOLUTION DEFEATED.

**28854-2 RE: AMENDMENT TO SEC. 2-41 OF THE ORDINANCES – COUNCIL SUBJECT MATTER COMMITTEES**

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:

February 22, 2006

Resolution Summary: PURPOSE. To preclude the majority party leader, minority party leader and president pro tempore but not the assistant majority/minority leader from chairing a subject matter committee.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 2-41 of 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]):

**Sec. 2-41. Council subject matter committees.**

The following subject matter committees of the council shall be appointed biennially by the council at the regular meeting in November of odd numbered years. There shall be five (5) subject matter committees of the common council with legislative cognizance and jurisdiction over all matter related to certain specified boards, commissions, departments, agencies, authorities functions of the city and such other functions as may be identified in this section. Each such committee shall have up to nine (9) members selected by the common council and each member of the common council shall be a member of three (3) of such committees, excluding the zoning subcommittee. The common council shall select the chairperson of each such committee. Each such committee shall set and announce the dates and times of its regular meetings. No member of the common council shall be the chair of more than one (1) subject matter committee ~~and no member of leadership of the majority or minority party shall be a chair of a subject matter committee.~~ The majority party leader, minority party leader and president pro tempore shall not be a chair of any subject matter committee. Any member of the council may attend and participate in any committee meeting but shall not have the right to vote unless a member of such committee.

(Ord. No. 27765-1, § 1, 1-28-04)

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved February 23, 2006 by Mayor Timothy T. Stewart.

**28874-2 RE: AMENDMENT TO SEC. 17-61 OF THE ORDINANCES PROHIBITING ANY INDIVIDUAL AFFILIATED WITH A FUNERAL HOME FROM SERVING AS A MEMBER OF THE FAIRVIEW CEMETERY COMMISSION**

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

Resolution Summary: PURPOSE. To prohibit any individual affiliated with a funeral home from serving as a member of the Fairview Cemetery Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Section 17-61 of 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]):

Sec. 17-61. Establishment; composition.

There shall be a Fairview Cemetery Commission. The commission shall be composed of five (5) members who shall be appointed by the mayor as present terms expire. The term of appointment shall be for three (3) years commencing on the first day of January. No owner, director or employee of a funeral home shall be eligible to serve as a commissioner.

(Ord. of 7-01)

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Ald. Gostin moved to amend the last line of Sec. 17-61 to read: "No more than one owner, director or employee of a funeral home shall be eligible to serve as a commissioner." Amendment seconded by Ald. Bernacki. Amendment lost by voice vote. Roll call on original motion. 8 in favor, 5 opposed. In favor: Ald. Trueworthy, Black, Cruz,

Catanzaro, Hermanowski, Platosz, Wyskiewicz and Bielinski. Opposed: Ald. Bonola, Carroll, Salvio, Gostin and Bernacki. RESOLUTION ADOPTED. Returned February 24, 2006 without the approval or disapproval of Mayor Stewart.

**28987 RE: BUDGET TRANSFER – POLICE DEPARTMENT \$215,000**

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:

WHEREAS, the New Britain Police Department is charged to protect and preserve life, safeguard property, enforce laws, and provide public safety services in a lawful, professional and humane manner, with respect for the dignity of all citizens, and

WHEREAS, the New Britain Police Department is currently operating under strength by twenty (20) officers, thirteen (13) in school and seven (7) vacancies, due mainly to retirements and transfers, and

WHEREAS, a budget transfer within the Police budget is requested to cover current shortages in Overtime accounts and to provide overtime funds in Patrol and Detectives accounts for the remainder of the fiscal year, and.

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

RESOLVED, by the Common Council of the City of New Britain, that a budget transfer of \$215,000 be made within the Police Department budget to provide for overtime/part time salary expenses as outlined below:

Transfer from the following account:

001-1600-1808-110	Patrol – Full Time Salaries	<u>\$215,000</u>
	Total	\$215,000

Transfer to the following accounts:

001-1600-1804-111	Management & Admin OT	\$ 2,000
001-1600-1808-111	Uniform Patrol OT	\$190,000
001-1600-1817-111	Investigation Detective-OT	<u>\$ 23,000</u>
	Total	\$215,000

Ald. Suzanne Bielinski  
Common Council Liaison - NBPD

Ald. Paul Catanzaro  
Common Council Liaison - NBPD

Ald. Silvia Cruz  
Common Council Liaison - NBPD

Ald. Larry Hermanowski  
Common Council Liaison - NBPD

Ald. Catanzaro moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved February 23, 2006 by Mayor Timothy T. Stewart.

**28988 RE: BUDGET TRANSFER FROM CAPITAL NON- RECURRING FUNDS TO SENIOR PROPERTY TAX RELIEF PROGRAM - \$69,761.37**

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**

Whereas; Upon a review of existing appropriations, certain line items/projects in the Capital Non-Recurring Fund were funded over 3 years ago, and

Whereas; These items/projects have had no or little activity in over 3 years and no longer seem to be needed, Therefore be it,

Resolved, that the monies be transferred from the Capital Non-Recurring Fund as follows:

**Increase:**

260-1000-0950-S31 SENIOR PROPERTY TAX RELIEF PROGRAM \$69,761.37

**Decrease:**

219-1000-0527-Z95	NBHS BAND UNIFORMS	84.61
219-1111-1110-374	FEES & MEMBERSHIPS-CONFERENCES	219.11
219-1125-1000-113	PART TIME SALARIES	3,500.00
219-1125-1000-V10	CANVAS MAILING & PERMITS	3,500.00
219-1151-1532-360	LIGHT, POWER & TELEPHONE	43.42
219-1151-1532-371	MAINTENANCE CONTRACTS	2,272.73
219-1151-1532-390	OTHER PURCHASE SERVICES	2,000.97
219-1192-1922-232	POSTAGE	10,000.00
219-1300-0517-320	PROFESSIONAL SERVICES	38,775.35
219-1910-2254-374	FEES & MEMBERSHIPS-CONFERENCES	3,469.18
219-2286-2209-375	RECRUITMENT & TRAINING	<u>5,896.00</u>
Total		<b>69,761.37</b>

After this transfer, the balance in the Senior Property Tax Relief Program is as follows:

Amount funded with FY05 Budget Surplus (Resolution #28803)	\$300,000.00
Amount funded per above	<u>69,761.37</u>
Balance	\$369,761.37

Alderman Michael Trueworthy  
Majority Leader

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Roll call vote – 9 in favor, 4 opposed. In favor: Ald. Trueworthy, Black, Cruz, Bonola, Catanzaro, Hermanowski, Platosz, Wyskiewicz and Bielinski. Opposed: Ald. Carroll, Salvio, Gostin and Bernacki. RESOLUTION ADOPTED. Returned February 24, 2006 without the approval or disapproval of Mayor Stewart.

**28989 RE: PROPOSED SALE OF 123 DALY AVENUE TO FRANK KOWALSKI DBA KOWALSKI CUSTOM BUILDERS**

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

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

WHEREAS, The City of New Britain owns a vacant lot known as 123 Daly Avenue; and

WHEREAS, Frank Kowalski dba Kowalski Custom Builders desires to purchase this property and build a one family modular home; and

WHEREAS, The City of New Britain has received a request for transfer of this property from Mr. Kowalski for a total of Nineteen Thousand Three Hundred Dollars (\$19,300.00) and other valuable consideration; and

WHEREAS, The City of New Britain is interested in encouraging economic development and increasing its taxable Grand List; now, therefore, be it

RESOLVED, That Timothy T. Stewart, Mayor, be and is hereby authorized to execute on behalf of the City of New Britain a purchase and sales agreement with Frank Kowalski dba Kowalski Custom Builders for the property known as 123 Daly Avenue and to execute any and all documents necessary for the

conveyance of said property in accordance with the terms of said agreement at a sale price of not less than \$19,300.00.

Alderman Louis Salvio  
Minority Leader

Ald. Salvio moved to accept and adopt, seconded by Ald. Gostin. Ald. Trueworthy amended to accept and refer to the Committee on Planning, Zoning and Housing, seconded by Ald. Bielinski. Amendment carried with Ald. Salvio opposed. Motion as amended carried by voice vote with Ald. Salvio opposed. RESOLUTION ACCEPTED AND REFERRED TO THE COMMITTEE ON PLANNING, ZONING AND HOUSING. Approved February 23, 2006 by Mayor Timothy T. Stewart.

**28990 RE: POLICE DEPARTMENT – GRANT APPLICATION APPROVAL AND BUDGET TRANSFER - \$40,500**

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 Department of Homeland Security (DHS), through its Law Enforcement Terrorism Prevention Program, has grant funding available to assist cities and towns in achieving the DHS national preparedness goal of developing the capability to prevent, protect against, respond to, and recover from major events.

Resolution Purpose:

To approve the application for the DHS grant and to appropriate monies within the City's special revenue account structure.

WHEREAS, the Police Department wishes to apply for a grant offered by DHS through its Law Enforcement Terrorism Prevention Program, and

WHEREAS, the monies received under this grant will be utilized for the purpose of purchasing specialized computer software equipment as well as training and related overtime costs that will allow the department to forensically investigate digital evidence. Digital evidence requires special equipment, software and training and is critical in investigating CNRNE (chemical, biological, radiological, nuclear and explosive) cases, and

WHEREAS, the department intends to submit the grant application for a total of \$40,500. There is no cash match required on the part of the City, THEREFORE BE IT,

RESOLVED, that the Mayor be authorized to sign the necessary documents to execute this grant application, AND BE IT FURTHER,

RESOLVED, that the monies be appropriated within the City's special revenue account structure as follows:

Revenue:		
216-0500-0504-959	Revenue - U.S. Government	\$ 40,500
Expenditures:		
216-1600-1825-111	Overtime	\$ 10,000
216-1600-1825-288	Education and Training	\$ 10,000
216-1600-1825-A04	Computer Software	\$ 8,500
216-1600-1825-E26	Forensic Workstation	\$ 6,500
216-1600-1825-442	Forensic Devices	\$ 5,500
	Total Expenditures	\$ 40,500

Suzanne Bielinski  
Paul Catanzaro

February 22, 2006

Silvia Cruz  
Lawrence Hermanowski

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved February 23, 2006 by Mayor Timothy T. Stewart.

**28991 RE: STANLEY GOLF COURSE ADVERTISING AND BUDGET AMENDMENT**

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:

PURPOSE: To authorize the Mayor to sign necessary documents to enable Stanley Golf Course to produce a thirty second commercial and air it on cable television from April 1, 2006-August 30, 2006. In addition, to receive \$2000 revenue from Zabbara's Restaurant, in order to utilize it toward the cost of advertising.

WHEREAS: Rounds of golf have steadily declined in the past golf seasons;

WHEREAS: Several new golf courses have opened in our immediate area which poses more competition to attract golfers to Stanley Golf Course;

WHEREAS: According to the National Golf Foundation, the growth of golf will remain flat through the next couple of years;

WHEREAS: The total rounds at Stanley Golf Course were down by 9% from the previous year. Moreover, 18 hole non-resident weekday and weekend play was down 30%;

WHEREAS: Attracting new golfers is vital to the fiscal success of the golf course;

WHEREAS: The latest Stanley Golf Course survey shows 92% of our customers are from within a 20 mile radius;

WHEREAS: Surrounding golf courses have had proven success in utilizing cable television for advertising purposes;

WHEREAS: In the Stanley Golf Course survey, it was determined that television influences 29% of golfers;

WHEREAS: Golfers surveyed at Stanley for the last two years indicate that television is a more effective means of advertising than print media;

WHEREAS: This cable television plan can reach 105,789 households in our target markets;

WHEREAS: The 30-second commercial will air over 1200 times throughout the golfing season;

WHEREAS: The commercial will be seen on ESPN, FOX news, NESN, USA, The Weather Channel, Spike and The Golf Channel. In addition, commercials will be aired during 4 major golf tournaments, including the Masters Tournament;

WHEREAS: The commercial advertising will not exceed \$6,200;

WHEREAS: Zabbara's Restaurant according to contract will contribute \$2,000 toward advertising;

WHEREAS: The remaining money will come from the Stanley Golf Course 2005-06 operating budget, account # 201-1335-2120-310;

RESOLVED, the Stanley Golf Course appropriation be amended for the purpose of advertising as follows:

	<b>Increase Expenditure Budget</b>	
201-1335-2120-310	Advertising & Printing	\$2000.00
	<b>Increased Estimated Revenue</b>	
201-0500-0505-025	Miscellaneous	\$2000.00

February 22, 2006

THEREFORE: Let it be resolved that the Common Council authorize Mayor Timothy Stewart to sign all documents pursuant to the cable TV agreement.

Alderman Shirley Black  
Alderman Tonilynn Collins  
Alderman Louis Salvio

Ald. Black moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved February 23, 2006 by Mayor Timothy T. Stewart.

There being no further business to come before the Council, Ald. Bernacki moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 9:58 p.m.

ATTEST: Peter J. Denuzze, City Clerk.