

June 14, 2006

## REGULAR MEETING OF THE COMMON COUNCIL

**JUNE 14, 2006**

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 14th day of June 2006 at 8:02 p.m. in the Common Council Chambers, City Hall.

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

Peter J. Denuzze, City Clerk, gave the invocation: O God, our Heavenly Father, as we gather here tonight for this regular council meeting, we invoke Thy blessings. May all proceeding be in a spirit of brotherhood and in the best interests of our city. We ask this in Thy name. Amen.

The pledge to the flag was led by Dominick Swieszkowski.

Ald. Trueworthy moved to accept the minutes of the Regular and Special Meetings of April 12, 2006 and the Regular Meeting of April 26, 2006. Motion seconded by Ald. Salvio. So voted.

Ald. Trueworthy moved to amend the agenda by substituting 29098-1 (Z-2), by adding 28878-1 (Z-5), 29151-1 (Z-6), 28878-2 (2-A), 29151-2 (2-B) and by deleting 14. Motion seconded by Ald. Bielinski. Roll call vote – all members voted in favor.

### PETITIONS

**29186 ALD. BONOLA FOR REPLACEMENT OF STREET POLE AT THE CORNER OF KERIN DRIVE AND FAIRLANE DRIVE. REFERRED TO DEPT. OF PUBLIC WORKS.**

**29187 ALD. BONOLA FOR REPLACEMENT OF MISSING STREET SIGN ON KERIN DRIVE. REFERRED TO DEPT. OF PUBLIC WORKS.**

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Bernacki. Roll call vote – all members voted in favor. Approved June 16, 2006 by Timothy T Stewart, Mayor.

### CONSENT AGENDA

#### CITY CLERK

**29162 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

- Bianca, Sebastian J.
- Dziubek, Mark
- Kliman, Gregory
- Ortiz, Angelis Marie by her Atty. Corey Fong
- Sarzynski, Robert

Peter J. Denuzze

#### OFFICE OF THE CORPORATION COUNSEL

**29163 RE: SALVATORE J. PRESUTTI V. CITY OF NEW BRITAIN, ET AL**

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

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leave to report the following:

A Motion for Summary Judgment was filed on behalf of the City of New Britain and a number of its former and current employees and officials. Our Motion for Summary Judgment was granted by Judge Squatrito, United States District Court, District of Connecticut.

The plaintiff's complaint which was also filed against a number of employees and officials of the State of Connecticut alleged a conspiracy between the City of New Britain, State of Connecticut and Connecticut Housing Finance Authority to deprive him of his property without due process of law.

All the defendants filed for summary judgment on several grounds including the statute of limitations. Judge Squatrito granted each defendant's Motion for Summary Judgment on the grounds of statute of limitations and entered judgment in the favor of each defendant.

Mary C. Pokorski  
Associate City Attorney

**29164 RE: AMEX ASSURANCE COMPANY V. CITY OF NEW BRITAIN**

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

The City of New Britain's Motion for Summary Judgment has been granted in the above-captioned matter.

The plaintiff insured the owner of a vehicle whose vehicle was parked in the parking lot of Brittany Farms Apartments visiting a friend when a tree fell onto the vehicle causing damages. The plaintiff alleged damages in the amount of \$12,628.50.

A Motion for Summary Judgment was filed on behalf of the City on the grounds that the City was entitled to governmental immunity.

Mary C. Pokorski  
Associate City Attorney

**FINANCE DEPARTMENT**

**29165 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT'S BUDGET – 5/17/06 THRU 6/7/06**

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), 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 June 7, 2006.

- 46. Department: Parks and Recreation  
From: 001-1511-5121-110 (Full Time Salaries – Forestry)  
To: 001-1511-5128-372 (Bldg, Gr. Maint. & Repairs)  
Amount: \$8,300.00  
Brief Explanation: Funds needed to replace HVAC unit at Darius Miller Band Shell
- 47. Department: Senior Center  
From: 001-1421-4225-373 (Equip, Furniture, Maintenance & Repairs)  
To: 001-1421-4225-113 (Part Time Salaries)  
Amount: \$2,000.00  
Brief Explanation: Funds to cover salaries for the remaining fiscal year due to medical leave and increased program needs
- 48. Department: Police  
From: 001-1600-1804-223 (Uniforms and Clothing)

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- To: 001-1600-1803-380 (Grants and Contributions)  
Amount: \$910.00  
Brief Explanation: Funds needed for City's match for Memorial Day/Fourth of July holidays' DUI Enforcement Grant
49. Department: Town and City Clerk  
From: 001-1154-1540-211 (Election Supplies)  
To: 001-1154-1540-210 (Office Supplies)  
Amount: \$1,000.00  
Brief Explanation: Funds needed to purchase miscellaneous office supplies
50. Department: Town and City Clerk  
From: 001-1154-1540-374 \$111.00 (Fees & MembershipsConf.)  
001-1154-1540-211 \$284.00 (Election Supplies)  
To: 001-1154-1540-442 (Department Equipment)  
Amount: \$395.00  
Brief Explanation: Funds needed to purchase a printer stand with sorter
51. Department: Parks and Recreation  
From: 001-1511-5125-372 (Bldg, Gr. Maint. & Repairs)  
To: 001-1511-5127-373 (Equip., Furn., Maintenance & Repairs)  
Amount: \$3,700.00  
Brief Explanation: Funds needed for emergency repair of aerial truck
52. Department: Parks and Recreation – Exercise the Right Choice  
From: 237-1512-5111-110 \$10,476.00 (Full Time Salaries)  
237-1512-5111-113 \$ 8,903.00 (Part Time Salaries)  
To: 237-1512-5111-221 \$16,179.00 (Oper. Material & Supplies)  
237-1512-5111-330 \$2,200.00 (Rental/Leases of Prop./ Equip)  
237-1512-5111-350 \$ 1,000.00 (Data Processing)  
Amount: \$19,379.00  
Brief Explanation: Funds needed for remaining fiscal year expenses for busing, office supplies and equipment

Pattie Lewis  
Finance Department

## PURCHASING DEPARTMENT

### 29166 RE: EMERGENCY VEHICLE EQUIPMENT - POLICE DEPARTMENT

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

Public Bid No. 3274 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for emergency vehicle equipment, lighting sets and protective barriers for the Police Department. Funding is available for this purchase from Account Number 215-2286-0513-P76.

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

MHQ Municipal Vehicles Marlboro, MA.	\$ 30,824.00
Fair Auto Supply Bridgeport, CT.	\$ 32,934.40
Utility Communications, Inc. Hamden, CT.	\$ 34,490.86

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Adamson Industries Corp.  
Lawrence, MA.

\$ 7,805.92 (Bid on partial  
items only)

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

RESOLVED: That the Purchasing Administrator be and is hereby authorized to issue a standing purchase order in the amount of \$30,824.00 to MHQ Municipal Vehicles, Marlboro, MA for emergency vehicle equipment, lighting sets and protective barriers, for the Police Department, per the specifications of Public Bid No. 3274.

Jack Pieper  
Purchasing Administrator

**29167 RE: EQUIPMENT RENTAL – PUBLIC WORKS**

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

Public Bid No. 3271 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the rental of construction equipment for a one-year period on an as-needed basis by the Public Works Department. Funding request has been included in the FY 2006-07 Public Works Department budget.

Invitations to bid were solicited, and the bid was duly advertised. Bids were submitted as shown are on file in the Town Clerk's Office.

The bids were checked for conformance to specifications by the Public Works Department Director and the Purchasing Administrator. Therefore, the following is recommended:

RESOLVED: That the Purchasing Administrator be and is hereby authorized to issue standing purchase orders to the following companies, B&J Construction, Nations Rent, Rafferty Fine Grading, Able Tool & Equipment, Rain for Rent, East PBE, Penn Rentals, Howard Asal Construction, Acorn-Thompson, and Trash Away Inc., whose prices are on the attachment to provide for the Public Works Department's annual rental of construction equipment on an as-needed basis per the terms and specifications of Public Bid No. 3271.

Jack Pieper  
Purchasing Administrator

**29168 RE: PAINTING OF CROSSWALK AND STOP BAR MARKINGS – PUBLIC WORKS**

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

Public Bid No. 3277 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for painting of crosswalk and stop bar markings of specified City streets for the Public Works Department – Traffic Division. Funding is available for this purchase from Account Number 001-1333-1831-390.

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

Safety Markings Inc.  
Bridgeport, CT.

\$13,447.20

Highway Safety Systems  
Hanover, MA.

\$1,810.20 (Did Not Bid  
Per Specification)

The bids were reviewed for conformance to specifications by the Public Works Department , Traffic Division Administration and the Purchasing Administrator. Therefore, the following is recommended by the Public Works Department, Traffic Division, to award the bid to Safety Markings Inc because Highway Safety Systems did not provide a bid per the specification of the bid. Highway Safety Systems provided a bid to only paint the crosswalks and stop bars with regular paint and not with epoxy paint with glass

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beads for reflective values that meets Connecticut DOT Standards and the specifications of the bid. Regular paint does not last very long under traffic or weather conditions.

RESOLVED: That the Purchasing Administrator be and is hereby authorized to issue a standing purchase order in the amount of \$13,447.20 to Safety Markings Inc of Bridgeport, CT for the painting of crosswalks and stop bar marking of City Streets per the specifications of Public Bid No. 3277.

Jack Pieper  
Purchasing Administrator

**29169 RE: TIRES, TUBES, REPAIRS AND ROAD SERVICES – PUBLIC WORKS**

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

Public Bid No. 3269 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, repairs and road services 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 001-1330-1833-222.

Invitations to bid were solicited, and the bid was duly advertised. Bids were received from the following and the results of the bids attached:

Connecticut Tire	New Britain
Berlin Bandag, Inc.	Meriden, CT.
Bergson Tire	Vernon, CT.
Toce Brothers, Inc.	Torrington, CT.

The bids were reviewed for conformance to specifications by the Public Works Department Administration, City Fleet Manager and the Purchasing Administrator. Pricing and percentage discounts from manufacture’s published prices were compared for the items quoted by all bidders. The Public Works Department is recommending to award the bid to Connecticut Tire of New Britain, CT. because they were the only bidder to quote on all items specified, provided the City with the best overall tire discounts and pricing for most services and is located in the City to provide immediate service when needed.

RESOLVED: That the Purchasing Administrator be and is hereby authorized to issue a standing purchase order and enter into a contact for one (1) year with Connecticut Tire of New Britain, CT. for the purchase of tires, tubes, repairs and road services for City cars, trucks and off-road vehicles and equipment per the specifications of Public Bid No. 3269.

Jack Pieper  
Purchasing Administrator

**29170 RE: EMERGENCY PURCHASE ORDERS**

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, emergency purchase orders were authorized by the Mayor and issued to the below listed vendor for the purpose specified during the period of May 17, 2006 through June 7, 2006:

- |  |             |   |
|--|-------------|---|
| 1. BL Companies<br>Meriden, CT.                | \$10,000.00 | On-call structural engineering consultation, drainage and construction administration for the Public Works Department |
| 2. JEP Engineering Co<br>Woodstock Valley, CT. | \$14,040.00 | Emergency consulting engineering services for the Arch Street culvert system for the Public Works Department          |

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The Purchasing Administrator reports that, no formal bid solicitation and advertisement as outlined in the Purchasing Ordinances was made for these specific items. In accordance with section 2-606b of the City Code of Ordinances, the Purchasing Administrator reports:

Item 1: An emergency purchase order was requested by Clarence Corbin, Director of Public Works for BL Companies to provide a detailed "Scope of Work" that will provide the City with the engineering capacity to assess the structural and drainage issues, propose remedies, develop precise construction specifications and budget amounts for the basement slab failure to the New Britain Fire House Station #1 due to water accumulations because of the recent heavy rains.

Item 2: An emergency purchase order was requested by Clarence Corbin, Director of Public Works for JEP Engineering Company to provide consulting services to expedite Arch Street culvert design modifications to improve the system and eliminate flooding impacts that it has caused during heavy rains. Flooding impacts were extensive and are the subject of on-going claims. Improvements to the system can only proceed after a technical peer review of the proposed modifications.

Jack Pieper  
Purchasing Administrator

**29171 RE: ON-CALL ENGINEERING SERVICES**

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

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

1. Project Name: Phase I Data Collection Software Development Services needed for the Non-Burnable Roadside Collection System.  
Vendor: Fuss and O'Neill Inc.  
Amount: \$4,700.00  
Line Item: Capital Non Recurring Fund  
Line Item 001-1338-3240-320  
Requested by: Public Works – Sanitation Division  
Scope: The development of software required to efficiently and effectively collect resident caller data and create on-call non-burnable collection schedules and routes. Data collection, scheduling and program reporting accountability will be achieved via this new database and web-based software.

The above engagements were made in compliance with on-call rules promulgated by the Common Council and meets the criteria thereof.

Jack Pieper  
Purchasing Administrator

**29172 RE: 2 REFUSE TRUCKS – PUBLIC WORKS AND PARKS AND RECREATION DEPT.**

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

Public Bid No. 3280 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for purchase of Refuse Truck for the Public Works and Parks Departments. The Common Council approved a bond authorization, Resolution #28576-1, for capital equipment purchases that included authorization for the purchase of a Compact Loader Refuse Truck for the Public Works Department in the amount of \$150,000.00 and a Compact Loader Refuse Truck for the Parks Department in the amount of \$115,000.00. At the May 10, 2006 meeting further authorized the transfer of an additional \$30,000.00 to increase the Compact Loader Refuse Truck budget allocation for the Public Works Department to a total amount of \$180,000.00. The funds are available for the purchase of the 2 Compact Loader Refuse Trucks in accounts 215-2291-3100-L76, 215-2291-0512-358 and 215-2291-

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0512-469.

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

<b>Bidders</b>	<b>Price</b>
Gabriella Truck Sales Hartford, CT.	\$151,432.00 for a 2007 Mack-Model MR688S with a Neway King Cobra Refuse Body
Truck Center North Haven, CT.	\$152,429.00 for a 2007 Peterbuilt-Model 320 with a Labrie Refuse Body
Tri State Diesel Enfield, CT.	\$156,858.39 for a 2007 Autocar-Model WX64 with a Heil Dura Pak 5000 Refuse Body
New England Truck Brandford, CT.	\$165,266.00 for a 2007 Freightliner-Condor with a Neway King Cobra Refuse Body

The bids were reviewed for conformance to specifications by the Public Works and Parks Departments, City Fleet Manager and Purchasing Administrator. Therefore, the Public Works and Parks Department Directors are recommending the purchase of the 2 Refuse Trucks from the Truck Center of North Haven, CT. The Truck Center of North Haven, CT. is not the lowest bidder but is the only one that can deliver the needed Refuse Trucks to the City by October 15, 2006 in time for a November 1, 2006 deadline to start to utilize these Refuse Trucks for pick up of leaves from City Streets.

RESOLVED: That the Purchasing Administrator or his designee be and is hereby authorized to issue a purchase order for \$304,858.00 to the Truck Center of North Haven, CT. for the purpose of purchasing 2 new Refuse Truck for the Public Works and Parks Departments per the specifications of Public Bid No. 3280.

Jack Pieper  
Purchasing Administrator

**29173 RE: 4-SIDED TRENCH BOX – PUBLIC WORKS**

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

Public Bid No. 3283 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of a 4-sided Trench Box for the Public Works Department – Sewer Division. Funding is available for this purchase from Account Number 208-0003-1515-221.

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

EPPCO Newington, CT.	\$9,800.00 for 1Trench Box Including Delivery \$19,800.00 for 2 Trench Boxes Including Delivery
American Shoring Inc. Newburgh, NY.	\$6,875.00 for 1 Trench Box Including Delivery \$12,775.00 for 2 Trench Boxes Including Delivery

The bids were reviewed for conformance to specifications by the Public Works Department and the Purchasing Administrator. Therefore, the following is recommended by the Public Works Director, to award the bid to American Shoring Inc. of Newburgh NY.

RESOLVED: That the Purchasing Administrator or his designee be and is hereby authorized to issue a purchase order in the amount of \$12,775.00 to American Shoring Inc. of Newburgh NY. for the purchase of 2 Trench Boxes for the Public Works Department, Sewer Division per the specifications of Public Bid No. 3283.

Jack Pieper  
Purchasing Administrator

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**BOARD OF POLICE COMMISSIONERS**

**28824-1 RE: OVERSIZED TRUCK PARKING AT 273 COUNTRY CLUB ROAD**

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

Members of the Traffic Safety Bureau approached this location on numerous occasions and never encountered an oversized truck parking on the property located at 273 Country Club Road.

The Board voted to accept this petition to look into an oversized truck parking on the property located at 273 Country Club Road.

Jack W. Ferguson II  
Clerk of the Board

**28933-1 RE: SIGNAGE ON KENSINGTON AVENUE TO INFORM DRIVERS OF CURVE IN THE ROAD**

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

The Traffic Safety Bureau reviewed this petition in conjunction with the City Engineer. They found Kensington Avenue to have a curve, just north of Buell Street, with a radius requiring advanced warning signs. They recommended installing warning signs about 325 feet prior to the start of the curve in the northbound direction of Kensington Avenue.

The Board voted to accept this petition to install signage on Kensington Avenue heading north between Buell Street and Andrews Street to inform drivers of a curve in the road.

Jack W. Ferguson II  
Clerk of the Board

**28958-1 RE: "NO PARKING" ON ONE SIDE OF FAIRLANE 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 Traffic Safety Bureau reviewed this petition in conjunction with the City Engineer. They found low traffic volume, no parking restrictions on Fairlane Drive and sufficient road width to allow parking on both sides of the street. No parking restrictions are recommended.

The Board voted to accept the recommendation to make no changes to add parking restrictions.

Jack W. Ferguson II  
Clerk of the Board

**28965-1 RE: REPLACING OF "NO PARKING" AREA BETWEEN C-TOWN AND BURRITT MUSIC SHOP WITH METERED SPACES**

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

The Traffic Safety Bureau reviewed this petition in conjunction with the City Engineer. They found additional parking spaces will decrease visibility of pedestrians in the mid block crosswalk. Approval of this petition was not recommended.

The Board voted to deny this request to replace the "NO PARKING" area between C-town and Burritt Music shop with metered spaces.

Jack W. Ferguson II  
Clerk of the Board

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**28992-1 RE: DIESEL TRACTOR TRUCK IN THE AREA OF 138 CITY AVENUE**

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

Police officers located a 1997 Mack truck belonging to a City resident parked at this location. The owner will move the truck to another location to resolve the noise complaints. No further complaints have been received.

The Board voted to accept this petition to investigate a complaint from a resident in the area of 138 City Avenue regarding a diesel tractor truck that runs for a few hours in the early morning (3:00 a.m.) disturbing residents with loud noise levels and diesel fumes.

Jack W. Ferguson II  
Clerk of the Board

**29020-1 RE: SPEED LIMIT SIGNS ON ROXBURY ROAD**

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

Traffic Safety Bureau officers researched this request and found that Roxbury Road is a "cut through" between Stanley Street to Carlton Street, the speed of vehicles on this street needs to be regulated, speed limit signs allow for more effective enforcement of speeding violations and a 25 mile per hour limit would equal busier adjacent streets. Installation of "SPEED LIMIT 25" signs on both sides of Roxbury Road is recommended.

The Board voted to approve this request to install "SPEED LIMIT 25" signs on both sides of Roxbury Road.

Jack W. Ferguson II  
Clerk of the Board

**29021-1 RE: "NO PARKING" SIGNS ON WOODRUFF COURT**

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

Members of the Traffic Safety Bureau conducted an on site inspection of the petitioned location and found that currently there are "NO PARKING" signs posted on the east side of Woodruff Court. There is no public safety reason to restrict parking on the west side of Woodruff Court. Officers will increase enforcement efforts on this street.

The Board voted to deny this petition to install "NO PARKING" signs on Woodruff Court.

Jack W. Ferguson II  
Clerk of the Board

**29036-1 RE: SPEED LIMIT SIGNS ON ROOSEVELT STREET**

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

Traffic Safety Bureau officers researched this request and found that Roosevelt Street is a residential street with moderate traffic flow to and from businesses on Edgewood Avenue. The speed of motor vehicles on this street needs to be regulated and speed limit signs allow for more effective enforcement of speeding violations. A 25 mile per hour limit would equal the busier, adjacent South Street. Installation of "SPEED LIMIT 25" signs on both sides of Roosevelt Street, at appropriate intervals, along its entire length, is recommended.

The Board voted to approve this request to install "SPEED LIMIT 25" signs on both sides of Roosevelt Street, at appropriate intervals, along its entire length.

Jack W. Ferguson II  
Clerk of the Board

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**29068-2 RE: POLICE PATROL ON OSGOOD AVENUE IN THE AREA OF FORMER ISRAEL PUTNAM SCHOOL**

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

The Traffic Safety Bureau forwarded this petition to the Patrol Division for investigation and enforcement.

The Board voted to accept this petition to have the Police Department patrol the area of the former Israel Putnam School on Osgood Avenue for vandals who have been congregating on the property and breaking windows in the building.

Jack W. Ferguson II  
Clerk of the Board

**29069-1 RE: SPEED LIMIT SIGN ON ROXBURY ROAD**

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

The Board of Police Commissioners voted on April 18, 2006, to install "SPEED LIMIT 25" signs on both sides of Roxbury Road in response to petition #29020.

The Board will take no further action on this petition to install 25 mile per hour speed limit signs on Roxbury Road, since it has previously been approved.

Jack W. Ferguson II  
Clerk of the Board

**29071-1 RE: INSTALLATION OF STREET LIGHT IN FRONT OF 99 O'DONNELL ROAD**

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

The Traffic Safety Bureau recommends forwarding this petition to the Department of Public Works, because they have jurisdiction over street lights.

The Board voted to forward this petition to Public Works.

Jack W. Ferguson II  
Clerk of the Board

**29073-1 RE: "BLIND DRIVEWAY" SIGN – 129 CHARLES STREET**

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

Traffic Safety Bureau officers researched this request and found that the resident at 129 Charles Street, due to a limited line of sight to the south, has difficulty exiting her driveway. Vision to the south, while sitting in the driveway, is less than 100 feet to the south. A motorist traveling northbound on Charles Street, cannot see the driveway at 129 Charles Street until the vehicle crests the hill. Recommend posting a "BLIND DRIVEWAY" sign near 103 - 109 Charles Street, facing southbound on the east side of the street.

The Board voted to approve this request to install a "BLIND DRIVEWAY" sign near 103 - 109 Charles Street, facing southbound on the east side of the street.

Jack W. Ferguson II  
Clerk of the Board

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## **DEPARTMENT OF PUBLIC WORKS**

### **29076-1 RE: STOP SIGN – CORNER OF AUSTIN AND CHAPMAN STREETS**

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

Public Works Traffic Division reported there is no stop sign on file for the corner of Austin Street and Chapman Streets.

A request for installation of a stop sign at this intersection should be referred to the Board of Police Commissioners for consideration.

Clarence W. Corbin, Director

**29039-1)**

### **29158-1)RE: “NEW BRITAIN HIGH SCHOOL” SIGN**

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

Traffic Division of Public Works installed “New Britain High School” sign at the end of Ellis Street exit off Route 9 on June 2, 2006.

Clarence W. Corbin, Director

## **COMMITTEE ON HEALTH AND PUBLIC SAFETY**

### **29098-1 RE: FIRE DEPARTMENT TO COLLECT FUNDS FROM MOTOR VEHICLE INSURANCE CARRIERS FOR ACCIDENTS THAT REQUIRE HAZARDOUS MATERIALS CLEANUP AND RESCUE OPERATIONS**

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 Health and Public Safety held a meeting on Thursday evening, May 18, 2006 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #29098 – Fire Dept. authorize to collect funds from motor vehicle insurance carriers and render charges for such services voted that the resolution not be referred back to the Common Council.

Alderman Paul D. Catanzaro  
Chair

## **COMMITTEE ON PUBLIC WORKS AND INFRASTRUCTURE**

### **29155-1 RE: PROPOSED AMENDMENT TO SEC. 11-1 OF THE ORDINANCES REGARDING THE DEFINITION OF INCOMBUSTIBLE RUBBISH**

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 Public Works and Infrastructure held a special meeting/public hearing on Wednesday evening, May 31, 2006 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #29155 – Amend Section 11-1 of the Code of Ordinances regarding Incombustible Rubbish voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Lawrence J. Hermanowski  
Chair

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**29156-1 RE: PROPOSED AMENDMENT TO SEC. 11-16 OF THE ORDINANCES REGARDING COLLECTION AND REMOVAL OF INCOMBUSTIBLE RUBBISH; PENALTY; LIEN**

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 Public Works and Infrastructure held a special meeting/public hearing on Wednesday evening, May 31, 2006 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #29156 – Amend Section 11-16 of the Code of Ordinances regarding collection and removal of incombustible rubbish; procedure for removal of incombustible rubbish; penalty; lien voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Lawrence J. Hermanowski  
Chair

**COMMITTEE ON ADMINISTRATION, FINANCE AND LAW**

**28878-1 RE: PROPOSED AMENDMENT TO SEC. 2-41, 2-42 AND 2-46 OF THE ORDINANCES CONSOLIDATING FIVE COMMON COUNCILS SUB-COMMITTEES TO THREE**

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 special meeting on Thursday evening, May 4, 2006 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28878 – code of Ordinances be amended regarding Section 2-41, 2-42 and 2-46 – Consolidate five Common Council sub-committees to three by merging Committee on Public Works and Infrastructure, Education Human Services and Parks and Recreation and Health and Public Safety to one committee voted to accept 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**

**29151-1 RE: THE PROPOSED SALE OF THREE VACANT LOTS KNOWN AS 73, 81 AND 87 BROAD STREET TO FARMINGTON SAVINGS BANK FOR NOT LESS THAN \$120,000.00**

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 at a special meeting held on Monday evening, June 12, 2006 at 6:30 p.m. in the Council Chambers to which was referred the matter of Item #29151 – Purchase and Sales Agreement with Farmington Savings Bank for 73, 81 and 87 Broad Street voted to accept and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman Silvia J. Cruz  
Chair

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

**PURCHASING DEPARTMENT**

**29174 RE: COOPERATIVE PURCHASING – RECYCLING OF ELECTRONIC EQUIPMENT**

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 request has been made to issue a Purchase Order for the following under the Tunxis Recycling Operating Committee Regional Electronic Recycling Bid with WeRecycle, Inc. The City of New Britain is a member community of the Tunxis Regional Recycling Operating Committee.

WeRecycle Inc. Meriden, CT	\$5,000	Electronics Recycling
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The Department of Public Works requests that a purchase order be issued so that electronic items, PC, Monitors, Keyboards, Fax Machines, Scanner, Desktop Printers, etc., that are not operational any longer at City Departments can be properly disposed of by recycling them. Funding is available through the Public Work's Department account 001-1338-3240-390.

Therefore, the following is recommended:

RESOLVED: That the Purchasing Administrator or his designee be and hereby is authorized to issue a Purchase Order in the amount of \$5,000.00 to WeRecycle Inc. of Meriden CT. for the proper disposal by recycling of non operational electronic equipment by the Department of Public Works utilizing the Tunxis Recycling Operating Committee Regional Bid.

Jack Pieper  
Purchasing Administrator

Ald. Hermanowski moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**RESOLUTIONS RETURNED FROM COMMITTEE**

**29155-2 RE: AMENDMENT TO SEC. 11-1 OF THE ORDINANCES REGARDING THE DEFINITION OF INCOMBUSTIBLE RUBBISH**

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 amend Section 11-1 of the Code of Ordinances.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that 11-1 of the Code of Ordinances, City of New Britain, be amended to read as follows (inserted text appears in underline; deleted text appears in strikethrough; new sections begin with the word (new)):

Article I. In General

Sec. 11-1. Definitions.

Incombustible rubbish: Waste from whatever source which will not be consumed at a temperature of eighteen hundred (1,800) degrees Fahrenheit ~~or which shall have any dimension greater than three (3) feet.~~ It shall include ~~ashes, appliances, household metal furnishings, home-improvement materials, scrap metal, bed springs, automobile and machinery parts,~~ plaster, brick, concrete, lathing steel beams, roofing pipe, earth, crockery, ceramics, non-hazardous metal containers other than recyclables and metal cans and bottles other than food containers and fluorescent light bulbs unbroken and containing gas.

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Alderman Salvatore Bonola  
Alderman John F. Carroll

Ald. Bonola moved to accept and adopt, seconded by Ald. Hermanowski. So voted. Ald. Trueworthy opposed. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29156-2 RE: AMENDMENT TO SEC. 11-16 OF THE ORDINANCES REGARDING COLLECTION AND REMOVAL OF INCOMBUSTIBLE RUBBISH; PROCEDURE FOR REMOVAL; PENALTY; LIEN**

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 amend Section 11-16 of the Code of Ordinances.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that 11-16 of the Code of Ordinances, City of New Britain, be amended to read as follows (inserted text appears in underline; deleted text appears in strikethrough; new sections begin with the word (new)):

Sec. 11-16. Collection and removal of incombustible rubbish; procedure for removal of incombustible rubbish; penalty; lien.

- a) The city shall provide for the collection of incombustible rubbish, as defined in Section 11-1 of this chapter. ~~There shall be a minimum of two (2) one (1) such collection no later than June 1<sup>st</sup> of each calendar fiscal year.~~ The ~~dates and~~ service procedures for such collections shall be ~~scheduled~~ established by the Department of Public Works and approved by the Common Council. ~~which shall be responsible to provide notice to the public of the dates for such collections.~~ The service will require a call-in, scheduled appointment. Residential 1-4 family buildings and 5 & 6 family multi-dwelling buildings shall be eligible.
- b) No person shall place or deposit any incombustible rubbish at the curb at any time other than twelve (12) hours prior to a scheduled pick-up of incombustible rubbish.
- c) Any person who places or deposits any incombustible rubbish at the curb in violation of the provisions of paragraphs (a) and/or (b) of this section shall be immediately notified by the department of public works to remove said rubbish within five (5) days. If the rubbish is not removed in accordance with the order of the department of public works, said department shall remove, or cause to be removed, any incombustible rubbish, which has been placed at the curb. The owner of the property on which incombustible rubbish has been placed shall be obligated to reimburse the City of New Britain for the total costs incurred by the city in removing the rubbish including, but not limited to, costs of collection, costs of hauling and tipping fees.
- d) In the event the full amount due the city is not paid by such owner within thirty (30) days after receipt of a bill from the city, the department of public works shall cause a lien to be filed against the property and recorded in the New Britain Land Records. Such recordation shall constitute a lien on the property, and shall remain in effect for the amount due, including principal, interest and court costs, if any, until final payment has been made. Such amount due shall be collected in the manner fixed by law for the collection of taxes and shall be subject to a penalty of six (6) percent in the event the charge is not paid in full on or before the date of the tax bill upon which the charge appears becomes delinquent. Sworn statements recorded in accordance with the provisions of this section shall be prima facie evidence that all legal formalities have been complied with, that the work has been done properly and satisfactorily, and shall be notice to all concerned that the amount of the statement, plus interest, constitutes a charge against the property designated in the statement and that such charge is due and collectible as provided by law.

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- e) Any person who violates the provisions of paragraph (b) of this section shall be guilty of a violation, as defined in section 53a-27 of the Connecticut General Statutes, and subject to a fine not to exceed ninety-nine dollars (\$99.00).

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(Ord. Of 10-88; Ord. Of 4-92; No. 26824-1, 2-27-02)

Alderman Salvatore Bonola  
Alderman John Carroll

Ald. Bonola moved to accept and adopt, seconded by Ald. Salvio. Ald. Bielinski moved to amend Sec. 11-16(a) by adding the words "and approved by the Common Council." after the words "Department of Public Works", seconded by Ald. Hermanowski.

The Mayor ruled the amendment out of order in that it would be a substantive change.

Ald Trueworthy challenged the ruling of the Chair, seconded by Ald. Bielinski. Roll call vote – 8 in favor, 6 opposed. In favor: Ald. Trueworthy, Black, Cruz, Collins, Catanzaro, Hermanowski, Platosz and Bielinski. Opposed: Ald. Bonola, Carroll, Wyskiewicz, Salvio, Gostin and Bernacki. Challenge sustained. Roll call vote on the amendment – 8 in favor, 6 opposed. In favor: Ald. Trueworthy, Black, Cruz, Collins, Catanzaro, Hermanowski, Platosz and Bielinski. Opposed: Ald. Bonola, Carroll, Wyskiewicz, Salvio, Gostin and Bernacki. Amendment adopted. Resolution as amended adopted with Ald. Trueworthy opposed.

Returned June 21, 2006 without the approval or disapproval of Mayor Stewart.

**28878-2 RE: AMENDMENT TO SEC. 2-41, 2-42 AND 2-46 OF THE ORDINANCES CONSOLIDATING THE FIVE COMMON COUNCIL SUBCOMMITTEES TO THREE**

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: INTENT AND PURPOSE. To consolidate the five Common Council subcommittees to three by merging the Committee on Public Works and Infrastructure, Committee on Education, Human Services and Parks and Recreation and Committee on Health and Public Safety to one committee.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that

Sections 2-41, 2-42 and 2-46 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)~~ three (3) 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)~~ at least two (2) 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. 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, § I, 1-28-04)

**Sec. 2-42. Committees.**

The ~~five (5)~~ three (3) committees and their respective areas of cognizance and jurisdiction shall be as follows:

(1) The committee on administration, finance and law, with cognizance and jurisdiction over all matters related to and the budgets of the mayor's office, the common council office, the office of the corporation counsel, the office of the assessor, the board of assessment appeals, the office of the finance director, the office of the personnel director, the town and city clerk, the office of the registrars of voters,

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the office of the tax collector, affirmative action, human rights and opportunities, auditing, bonding, claims against the city and compensation of elected officials;

(2) The committee on public works and infrastructure, education, human services, ~~and~~ parks and recreation, health and public safety with cognizance and jurisdiction over all matters related to and the budgets of the department of public works, capital equipment, the city capital improvement budget, water department, human services, education, the board of education, the public library, veterans' services, youth services, persons with disabilities and the department of parks and recreation, police department, the fire department (except fire code enforcement), civil preparedness, telecommunications, emergency medical services, emergency dispatch and public health services;

~~(3) The committee on public works and infrastructure, with cognizance and jurisdiction over all matters related to and the budgets of the department of public works, capital equipment, the city capital improvement budget and the water department;~~

~~(4)~~ (3) (a) The committee on planning, zoning and housing, with cognizance and jurisdiction over all matters related to and the budgets of the department of municipal development, the office of the city department of property management; the commission on community and neighborhood development, city planning and zoning, the city plan commission, neighborhood quality of life, the municipal economic development authority, economic development, overseeing the purchase, sale and lease of all city owned real estate property; and overseeing the legislation of fire, building and housing zoning code, the city's anti-bligh and environmental health ordinances.

(b) The common council may refer matters of property disposition to the committee on planning, zoning and housing. The chairperson of the committee on planning, zoning and housing has the discretion and authority to schedule a public hearing on the disposition of city owned real estate if he/she deems it to be appropriate. After meeting and consideration, the committee on planning, zoning and housing will present a recommendation to the council regarding the disposition of the property.

~~(5) The committee on health and public safety, with cognizance and jurisdiction over all matters related to and the budgets of the police department, the fire department (except fire code enforcement), civil preparedness, telecommunications, emergency medical services, emergency dispatch and public health services.~~

(Ord. No. 27765-1, § 1,1-28-04)

#### **Sec. 2-46. Purchase of capital equipment.**

(a) The committee on public works and infrastructure, education, human services, parks and recreation, health and public safety shall consider requests for purchases of capital equipment with the proceeds of the capital equipment reserve fund, and shall report its recommendations to the common council and the board of finance and taxation. Approval of the common council and board of finance and taxation shall be required to authorize the proposed expenditure.

(b) On all issues involving the purchase of capital equipment, the chairperson of the board of finance shall appoint two members from the board of finance and taxation who shall serve on said committee as voting members. These two (2) members will be notified prior to any meeting in which the committee on public works and infrastructure, education, human services, parks and recreation, health and public safety meets to discuss the purchase of capital equipment and these issues shall take priority over other matters on the agenda. ~~of the committee on public works and infrastructure.~~

(c) The committee on public works and infrastructure, education, human services, parks and recreation, health and public safety will, upon submission to it of the compilation of needs requested by the finance officer pursuant to section 2-513 of this Code meet no later than February 1 of each year to formulate its recommendations to the board of finance and taxation for a sum of money to be appropriated for the ensuing fiscal year's budget. The two appointed members of the board of finance and taxation, referred to in subsection (b) above, shall be included in the annual meeting regarding capital equipment.

(d) The committee on public works and infrastructure, education, human services, parks and recreation, health and public safety shall meet and recommend to the common council and the board of

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finance and taxation specific expenditures from the capital equipment reserve fund. (Ord. No. 27765-1, § 1,1-28-04)

Alderman James A. Wyskiewicz

Ald. Wyskiewicz moved to accept and adopt, seconded by Ald. Salvio. Resolution adopted with Ald. Trueworthy and Ald. Bielinski opposed. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29151-2 RE: THE SALE OF THREE VACANT LOTS KNOWN AS 73, 81 AND 87 BROAD STREET TO FARMINGTON SAVINGS BANK FOR NOT LESS THAN \$120,000**

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

Whereas, The City of New Britain owns three vacant lots known as 73, 81 and 87 Broad Street; and

Whereas, Farmington Savings Bank, a well respected area financial institution, wishes to open a branch banking facility in the Broad Street area; and

Whereas, The City of New Britain has received a request for transfer of the properties known as 73, 81 and 87 Broad Street from Farmington Savings Bank for a total of One Hundred Twenty Thousand Dollars (\$120,000.00) and other valuable consideration; and

Whereas, The City of New Britain is interested in encouraging business and economic development, particularly in our NRZ areas, such as the rehabilitation of these former blighted sites; 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 Farmington Savings Bank for the properties known as 73, 81 and 87 Broad Street 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 \$120,000.

Alderman Louis G. Salvio

Ald. Salvio moved to accept and adopt, seconded by Ald. Wyskiewicz. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**NEW BUSINESS  
RESOLUTIONS**

**29175 RE: TRAVEL AUTHORIZATION – WATER DEPARTMENT – THREE EMPLOYEES TO ATTEND TRAINING IN FALMOUTH, MAINE**

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

WHEREAS, the Water Department Billing and Collections Office uses a Billing software package to generate bills for both water and sewer for the City of New Britain, and

WHEREAS, additional training is required to improve the efficiency of the department, as there are many facets of the software package that are not fully utilized, and

WHEREAS, funding is budgeted and available in the Water Department budget, and

WHEREAS, the Board of Water Commissioners approved the training session at its Special Meeting on Tuesday, May 16; therefore, be it

RESOLVED, that three employees of the New Britain Water Department be authorized to attend training at Northern Data Systems, Falmouth Maine in June, 2006, costs not to exceed \$2500.

Alderman Lawrence J. Hermanowski

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Ald. Hermanowski moved to accept and adopt, seconded by Ald. Bernacki. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29176 RE: LIFE INSURANCE BENEFITS**

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, the City of New Britain's annual budget for life Insurance for the current fiscal year was \$71,252 and the Board of Education's annual budget was \$160,000; and

Whereas, the City of New Britain's annual budget for life Insurance for the next fiscal year is lower but the Board of Education's budget is proposed at \$202,500, an increase of \$42,500; and

Whereas, a review of the rates paid by the City for life insurance do not seem competitive with the rates offered by other sources; therefore, be it,

Resolved, that the City of New Britain go out to bid for its life insurance benefits in an attempt to secure lower rates; and be it further,

Resolved, that the City of New Britain look into the possibility of self-insuring for this benefit similar to health, worker's compensation and liability coverage.

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29177 RE: FUNDING FOR THE YOUTH SERVICE BUREAU**

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: This resolution allows for the City of New Britain to apply for and receive funding for the Youth Service Bureau from the State Department of Education in the amount of \$72,244 for fiscal year '06-'07. This is the 33rd year of funding for New Britain's Youth Service Bureau.

WHEREAS; the City of New Britain is deeply committed to the well-being of its young people and families alike; and

WHEREAS; the Youth Service Bureau receives state funding for its operation of direct service and administration of programs that benefit resident children and families; and

WHEREAS; the Youth Service Bureau budget in full will be set as part of the annual budget process in June, however application for and receipt of funds requires authorization at this time, NOW THEREFORE BE IT

RESOLVED; that the City of New Britain is hereby authorized to apply for and receive \$72,244, in funding for the ongoing services of the Youth Service Bureau; AND BE IT FURTHER

RESOLVED; that Mayor Timothy T. Stewart is authorized to sign any and all documents in acceptance of said funds, AND BE IT FURTHER

RESOLVED; that the Finance Department place such funds into revenue account 278-0500-4215-023 for expenditures authorized in the 2006-07 budget.

Alderwoman Silvia J. Cruz

Ald. Cruz moved to accept and adopt, seconded by Ald. Black. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29178 RE: FUNDING FOR HIV COUNSELING AND TESTING AND PREVENTION EDUCATION SERVICES**

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: To minimize and prevent the spread of HIV through well-designed risk-reduction and harm-reduction programs, public awareness of transmission risks, counseling and testing to identify people who are HIV+, and interventions with target populations. Grant funded personnel perform services within the Health Department and throughout the City of New Britain in order to carry out the program plan and interventions designed by the grant. The initial year of grant funding was July, 1987.

Local Program Operation Department: Health, under the supervision of the Director.

Resolution Purpose: To provide notification that the grant has been continued through June 30, 2006.

WHEREAS, the epidemic of disease caused by the Human Immunodeficiency Virus (HIV) continues to affect the City of New Britain, and

WHEREAS, the New Britain Health Department has successfully operated an HIV Counseling and Testing site continuously since 1987, utilizing federal grant funds provided through the Connecticut Department of Public Health to cover all costs of said program, and

WHEREAS, The United States Department of Health the Human Services, through the Connecticut Department of Public Health, has reauthorized funding for HIV Counseling and Testing and Prevention Education Services in New Britain for fiscal year 2006 in the amount of \$91,907 THEREFORE BE IT

RESOLVED, that the Mayor be authorized to sign any necessary and appropriate agreements in order to secure the use of such funds for said program. This approval may be so indicated by the Town Clerk, Peter Denuzze, signing and attesting to this resolution; and BE IT FURTHER

RESOLVED, that the Special Revenue Fund, HIV C&T and PES #277, established for the purpose of recording all income and expenditure activity for this program, reflect an authorized expenditure budget of \$91,907 and estimated income from the State of Connecticut of \$91,907

Revenues:

277-0500-0503-842 State of CT \$ 91,907

Expenditures:

277-1427-4221-110	Salaries	\$ 57,781
277-1427-4221-119	Benefits	\$ 10,380
277-1427-4221-129	Administrative Overhead	\$ 3,240
277-1427-4221-207	Participant Incentives	\$ 1,770
277-1427-4221-221	Operating Materials and Supplies	637
277-1427-4221-375	Recruitment and Training	
277-1427-4221-379	Travel and Transportation	\$ 1,299
277-1427-4221-320	Sub-Contract Bristol/Burlington	\$ 16,800
	Health District	
	Total Expenditures	\$ 91,907

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29179 RE: BUDGET TRANSFER AND BUDGET AMENDMENT – BOARD OF EDUCATION**

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

Resolution Summary

The City of New Britain is the recipient of an educational cost sharing (ECS) state entitlement grant. For FY 2005, this amounted to \$60,651,295. For FY 2006, the City received a total of \$63,626,013, an

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increase of \$2,974,718 over last year. Effective on July 1, 2005, Section 10-262i of the Connecticut General Statutes, which provides that all ECS aid must be expended for educational purposes only, has been amended by Section 31 of Public Act 05-245. This subsection specifically provides that: "the budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus such increase in funds."

This new amendment also requires the State Department of Education to impose a penalty equal to two times the amount of any such shortfall. The State will monitor compliance with the provisions of Public Act 05-245 through the Minimum Budget Requirement ("MBR") Worksheet.

In August 2005, the City's Board of Education filed the MBR worksheet and due to a special appropriation (Resolution # 28570 approved on April 27, 2005) in FY 2005, a shortfall of \$91,453 was reported. The special appropriation related to a New York City student admitted to the Hospital for Special Care. In this case, a signed contract was in place (between the City of New Britain and the New York City Public School System) that called for reimbursement of expenditures. Consequently, this was not an actual budget increase. However, due to the legislation's oversimplistic form and despite repeated attempts on the City's part to avoid this transaction, it has been determined by the State that the City must either amend the FY 2006 budget by the shortfall of \$91,453 or be assessed a penalty of two times the amount.

#### Resolution Purpose

To transfer a sum of \$91,453 from the City's Capital Non-recurring Account to the Board of Education's General Fund appropriation to satisfy the requirements of Public Act 05-245.

WHEREAS, Public Act 05-245 requires the budget for the new fiscal year (in this case, FY 2006) to be at least equal to the previous year plus any increase in ECS funding. The FY 2006 BOE appropriation was increased over last year by \$2,883,265 while the ECS increase amounted to \$2,974,718. The difference of \$91,453 is the result of a FY 2005 budget amendment to account for both the expenditures and the subsequent reimbursement for a NYC student admitted to the Hospital for Special Care.

WHEREAS, City officials met with the State Department of Education to discuss the restrictiveness of this public act. However, it was determined that, at this point, the statute would be interpreted exactly as it reads: "the budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus such increase in funds", regardless of intent. In other words, the city must increase the g/f appropriation for education in its fy 2006 budget by an amount equal to \$91,453,

WHEREAS, the city has funds available within its capital non-recurring account to be utilized for this purpose. As part of the year-end surplus entry for FY 2005 (Resolution # 28803 approved on October 12, 2005), the city transferred \$125,000 to the capital non-recurring fund for the purpose of environmental remediation at several school sites. A portion of these funds can be transferred into the g/f to be encumbered and utilized for the same purpose within the g/f, therefore, be it

Resolved, that a budget transfer within the CNR fund be made as follows:

To:		
219-1000-0527-387	Transfer to General Fund	\$ 91,453

From:		
219-1000-0527-450	BOE – Environmental	\$ 91,453

And Be it Further Resolved, that the general fund budget be amended as follows:

Increase Expenditures:		
001-1960-0527-491	G/f – education appropriation	\$ 91,453

Increase Revenue:		
001-0500-0505-068	Transfer from CNR	\$ 91,453

Alderman Michael Trueworthy

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Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29180 RE: BUDGET TRANSFER – FIRE DEPARTMENT - \$680,000**

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:

Due to the sensitivity of the subject of fire department overtime, the Finance and Fire Departments together, have been monitoring the budgetary status of this account on a regular basis. Last month a report was submitted for the purpose of advising the Common Council that an additional appropriation may be required to fund this account through the end of the fiscal year. At that juncture, it was difficult to estimate the actual amount required. At this point in time, however, we are better able to estimate the amount of additional funding that will be necessary.

As in the past, when supplemental appropriations have been necessary to fund this overtime account, the reason is due mainly to the following circumstances.

In accordance with the labor contract between the City and Local 992, the number of firefighters required in each company has increased over the past years to four members per company. At the time the contract was negotiated, the City also made the decision to utilize the existing staff to cover the expanded member companies. This created a situation where the number of shifts remained constant, but the required number of employees to fill those shifts increased. Conversely, the pool of firefighters available to fill the shifts remained the same, therefore, increasing the need for overtime hours to fulfill the contractual obligation.

Since the City made the decision eight years ago to utilize the existing staff to cover these shift vacancies, versus hiring new recruits, the overtime budget has naturally increased from year to year. In addition, due to the increased need for overtime and the limited staff available to fill the shift vacancies, the effects of the Fair Labor Standards Act (requiring that overtime be paid at a rate of time and one-half vs. straight-time) have dramatically increased.

This transfer was predicted many months ago and has been reflected in the monthly surplus reports submitted to Council.

THEREFORE, BE IT RESOLVED, that a budget transfer in the amount of \$680,000 be executed as follows:

From:		
001-1221-2210-110	Fire Operations – FT Salaries	\$ 252,018
001-1221-2211-110	Fire Administration – FT Salaries	\$ 36,449
001-1221-2212-110	Fire Prevention – FT Salaries	\$ 40,649
001-1221-2220-110	Fire Ops Support – FT Salaries	\$ 198,257
001-1910-9001-073	Contingency	\$ 152,627
	Total	\$ 680,000
To:		
001-1221-2210-111	Fire Department Operations OT	\$ 650,000
001-1221-2220-111	Fire Department Operations Support OT	\$ 30,000
	Total	\$ 680,000

Alderwoman Suzanne Bielinski  
Alderman Paul Catanzaro  
Alderman Louis Salvio

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29181 RE: BUDGET TRANSFER – ZBA AND CONSERVATION COMMISSION - \$6,016.00**

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

WHEREAS, due to the heavy volume of zoning appeals, both the ZBA and the Conservation

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Commission are in need of additional monies within their advertising and printing accounts. Furthermore, the Conservation Commission is in need of additional monies to fund their overtime account, and

WHEREAS, the total funding required amounts to \$6,016. There are monies available within the City's Contingency account to fund these expenditures, THEREFORE, BE IT

RESOLVED, that the amount of \$6,016 be transferred from the City's Contingency account as follows:

From:		
001-1910-9001-073	Contingency	\$6,016
To:		
001-1143-1432-310	ZBA – Advertising and Printing	\$2,636
001-1112-1130-310	Conservation Commission – Advertising and Printing	\$ 180
001-1143-1430-111	City Plan - Overtime	\$3,200

Alderman James Wyskiewicz  
Alderman Peter Gostin

Ald. Gostin moved to accept and adopt, seconded by Ald. Wyskiewicz. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29182 RE: BUDGET TRANSFER – PUBLIC WORKS DEPARTMENT - \$218,600**

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, due to the rising prices of fuel, the City's Public Works Department is in need of additional monies to fund the cost of gasoline for their vehicles as well as heating fuel for the Harvard Street City Yard building for the remainder of the fiscal year, (and to pay invoices related to prior months), and

WHEREAS, it has been determined that monies amounting to \$208,000 are needed within account #001-1330-3113-233 Gasoline/Oil/Grease, and

WHEREAS, it has also been determined that monies amounting to \$10,600 are needed within account #001-1330-3113-384 Heating Fuel, and

WHEREAS, there are monies available to fund these additional costs within the City's contingency account, THEREFORE, BE IT

RESOLVED, that a budget transfer be made as follows:

From:		
Contingency	001-1910-9001-073	\$218,600
To:		
Public Works – Gas/Oil/Grease	001-1330-3113-233	\$ 208,000
Public Works – Heating Fuel	001-1330-3113-384	\$ 10,600
	Total	\$ 218,600

Alderman Salvatore Bonola  
Alderman John F. Carroll

Ald. Bonola moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29183 RE: ACCEPTANCE OF DONATED MINIBUS FOR THE POLICE DEPARTMENT FROM DATTCO BUS COMPANY**

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 Police Department's Crisis Negotiation Team is tasked to de-escalate Critical

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situations through continuous, timeless negotiations until such events are concluded without injury to the public, other officers or the person(s) with whom they are negotiating to surrender, and

WHEREAS, the Crisis Negotiation Team needs a vehicle to serve as a mobile negotiation center to house electronic equipment, to track the chronology of the event and to protect the Team from the elements, and

WHEREAS, the Dattco Bus Company is offering to donate a 1997 Ford E-350 minibus, valued at \$8,000, to the Team, THEREFORE BE IT

RESOLVED, that Mayor Timothy Stewart be authorized to accept, on behalf of the City of New Britain, this donated minibus for the Police Department's Crisis Negotiation Team from the Dattco Bus Company.

Ald. Suzanne Bielinski - Police Liaison  
Ald. Paul Catanzaro - Police Liaison  
Ald. Silvia Cruz - Police Liaison  
Ald. Lawrence Hermanowski- Police Liaison

Ald. Bielinski moved to accept and adopt, seconded by Ald. Salvio. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29184 RE: CONTRACT AUTHORIZATION – VISITING NURSE ASSOCIATION OF CENTRAL CONNECTICUT, 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, The Health Department is in need of renewing the contract for Professional Nursing Services offered by the Visiting Nurse Association of Central Connecticut, Inc during the period commencing July 1, 2006 to June 30, 2007 with the option to extend the contract for a period of one year. The present contract with the Visiting Nurse Association of Central Connecticut, Inc will expire on June 30, 2006.

WHEREAS, Health Department Administration will receive from the Visiting Nurse Association of Central Connecticut, Inc the following services at a cost of \$54,771.00 for a one-year contract period:

- Perform Professional RN, PNP, Para Professional and Administration services at St. Joseph's Child Health Clinic.
- Perform PNP and Administration Services at the On-Site Child Health Clinic
- Perform RN Health Guidance and Supervisor Parenting Outreach Home Counseling Services
- Direct RN Observed Therapy on Weekends and Holidays.

Therefore, be it

RESOLVED, that the Purchasing Administrator or his designee is hereby authorized to enter into a contract with the Visiting Nurse Association of Central Connecticut, Inc., New Britain CT for a one-year period, for the above services.

Alderman Adam Platosz

Ald. Platosz moved to accept and adopt, seconded by Ald. Collins. So voted. Approved June 16, 2006 by Mayor Timothy T. Stewart.

**29185 RE: CONTRACT WITH BETA GROUP, INC. FOR ENGINEERING CONSULTING SERVICES – DEPARTMENT OF PUBLIC WORKS**

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

Whereas, the Department of Works provided the Common Council a report, May 10, 2006, describing the U.S Environmental Protection Agency (EPA) mandated stormwater discharge water quality testing

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and illicit discharge detection program requirements; and,

Whereas, the City of New Britain is currently operating under a State of Connecticut Department of Environmental Protection MS4 Storm Water Permit requiring the City eliminate illicit discharges, control storm water runoff and provide compliance documentation and reports of municipal efforts; and,

Whereas, the City of New Britain owns and operates a storm drainage system consisting of 145 miles of various sized pipes that must be evaluated and monitored under the MS4 Permit; and,

Whereas, the City of New Britain Public Works Department has engaged BETA Group, Inc. to provide engineering consulting services as relates to implementing the City's stormwater management plan implementation; and,

Whereas, BETA Group Inc. is an authorized "On-Call Engineering Services" firm under Bid #2997; and,

Whereas, BETA Group, Inc has provided a "Scope of Services" that include the following:

- I. Implement a pilot program to identify illicit discharges into the existing storm drainage system in the Piper Brook watershed.
- II. Conduct storm water sampling as required by the General Permit for the Discharge of Storm water for Small Municipal Separated Storm Sewer System for the City of New Britain.
- III. Review the proposed Capital improvement Plan adopted by the City of New Britain to identify opportunities for removing illicit discharges from the City's storm drainage system.; and

Whereas, the proposed project budget also provides for reimbursable costs related to laboratory testing, television and smoke testing, printing, uniformed traffic control and contingency for unanticipated field condition changes, and

Whereas, the total projected budget cost of \$128,500 will be underwritten by the Storm Drain System Improvements, Professional Services Account # 008-2703-2225-320; Therefore,

Be It Resolved that the City of New Britain Purchasing Agent enter into contract with BETA Group Inc. of Rocky Hill, CT for the engineering consulting services described above for an amount not to exceed \$128,500.

Alderman Salvatore Bonola  
Alderman John Carroll

Ald. Bonola moved to accept and adopt, seconded by Ald. Carroll. So voted. Approved June 16, 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 9:18 p.m.

ATTEST: Peter J. Denuzze, City Clerk