

July 13, 2005

REGULAR MEETING OF THE COMMON COUNCIL

JULY 13, 2005

Mayor Timothy T. Stewart called the Regular Meeting of the Common Council to order on Wednesday, the 13th day of July 2005 at 7:56 p.m. in the Common Council Chambers, City Hall.

Fourteen members were present at roll call: Ald. Trueworthy, Yeziarski, Collins, Ziccardi, Karp, Sullivan, Sapieha-Yanchak, Lopes, Hermanowski, Black, Cruz, Catanzaro, Bonola and Bielinski.

One members was absent: Ald. Wyskiewicz.

The invocation was given by Peter J. Denuzze, City Clerk: O God, our Heavenly Father, bless this Common Council as they start this long meeting. Bless all of our citizens as they celebrate the 15th anniversary of the signing into law of the "The Americans with Disabilities Act". Grant that the celebration of this occasion is successful. We ask this in Thy name. Amen.

Dominic Colossale led pledge to the flag.

Ald. Trueworthy moved to accept the minutes of the Regular Meetings of March 9 and March 23, 2005 and the Special Meetings of March 23 and March 30, 2005. Motion seconded by Ald. Yeziarski. So voted.

Ald. Trueworthy moved to amend the agenda by adding substitutes 28670 (E), 28686 (11), 28691 (16), 28692 (17) by adding 28671 (E.1) and by moving 28675 (H.1) and 28683 (8) to the end of the agenda. Motion seconded by Ald. Yeziarski. Roll call vote – all members present voted in favor.

PETITIONS

28694 ALD. YEZIARSKI FOR ADDRESSING OVERGROWTH OBSCURING A YIELD SIGN AT 170 HILLCREST AVENUE AND NO PARKING SIGN ON POPLAR STREET. REFERRED TO THE DEPARTMENT OF PUBLIC WORKS

28695 ALD. LOPES FOR REPLACEMENT OF BASKETBALL NETS AND CLEAN UP THE COURTS AT WASHINGTON PARK. REFERRED TO THE PARKS AND RECREATION COMMISSION.

28696 ALD. LOPES FOR INSPECTION OF DISEASED AND POTENTIALLY DANGEROUS TREES ACROSS FROM 118 LYMAN STREET. REFERRED TO PARKS AND RECREATION COMMISSION.

Ald. Trueworthy moved to adopt the Consent Agenda, seconded by Ald. Yeziarski. Roll call vote – all members present voted in favor. Approved July 20, 2005 by Mayor Timothy T. Stewart, Mayor.

CONSENT AGENDA CITY CLERK

28665 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

- Carlson, Philmor B.
- Douglas, Mia J.
- Ostrowski, Helena by her Atty. Jacek I. Smigelski
- Rothkopf, Laura

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- Snow, Timothy

Peter J. Denuzze

CORPORATION COUNSEL

28666 RE: ROBERT M. CHAUSSE

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

RESOLVED, By the Common Council of the City of New Britain that the sum of NINE THOUSAND FIVE HUNDRED DOLLARS (\$9,500.00) be paid to ROBERT M. CHAUSSE and the LAW OFFICES OF KEVIN J. HECHT, P.C., his attorneys, in full settlement of his suit against the City of New Britain, for an amount within the jurisdiction of the Court now pending in Superior Court, Judicial District of New Britain, at New Britain, for personal injuries suffered in a fall at New Britain Stadium while attending a Rock Cats baseball game on June 18, 2002, at approximately 9:30 p.m. The plaintiff alleges he was caused to trip and fall due to the change in elevation between the sidewalk and the paved surface of the parking area and a lack of lighting. As a result of the fall, he broke his nose in two places and suffered a bloody nose, nose abrasions, bruising and lacerations to his face, knees and hands. The plaintiff had surgery on his nose to repair the fractures. His medical expenses wages related to the fall are approximately \$3,681.40.

This recommendation is made upon the advice of Associate City Attorney Mary C. Pokorski, with the approval and consent of Corporation Counsel Peter C. Mlynarczyk. New Britain Baseball, Inc., d/b/a New Britain Rock Cats, who is a third party defendant, has agreed to pay Two Thousand Five Hundred Dollars (\$2,500.00) to the plaintiff for a total settlement of Twelve Thousand Dollars (\$12,000.00).

This suit is to be withdrawn by the plaintiff without costs to the City of New Britain and settlement is to be made without admission of any liability.

Mary C. Pokorski
Associate City Attorney

FINANCE DEPARTMENT

28667 RE: LINE ITEM TRANSFERS WITHIN A DEPARTMENT’S BUDGET FOR THE PERIOD OF JUNE 15, 2005 THROUGH JUNE 30, 2005

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 June 30, 2005.

50.	Department:	Community Services
	From:	278-1423-4200-373 (Equip. Furn, Maint & Repairs)
	To:	278-1423-4200-221 (Operating Materials & Supplies)
	Amount:	\$400.00
	Brief Explanation:	Purchase of office supplies

51.	Department:	Community Services
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From: 278-1423-4200-375 (Recruitment & Training)
To: 278-1423-4200-450 (Other Purchase Services)
Amount: \$121.00
Brief Explanation: Additional funds needed for clinical supervision fees

52. Department: Public Works
From: 001-1330-3115-210 \$500.00 (Office Supplies)
001-1330-3115-310 \$499.00 (Advertising & Printing)
To: 001-1330-3115-322 (Construction Contracts)
Amount: \$999.00
Brief Explanation: To be utilized for tree root damaged sidewalk repairs

53. Department: Town & City Clerk
From: 001-1154-1540-390 (Other Purchase Services)
To: 001-1154-1540-303 \$283.00 (Microfilming)
001-1154-1540-320 \$237.00 (Professional Services)
Amount: \$520.00
Brief Explanation: Increased volume of document recordings and security film storage fee

54. Department: Building Department
From: 001-1230-2400-390 (Other Purchase Services)
To: 001-1230-2400-442 (Department Equipment)
Amount: \$4,210.00
Brief Explanation: Purchase of a high performance digital imaging system

55. Department: Public Works
From: 001-1338-3240-111 (Sanitation Overtime)
To: 001-1330-3112-111 (Streets Overtime)
Amount: \$9,000.00
Brief Explanation: Additional funds needed to complete sand sweeping

56. Department: Fairview Cemetery
From: 204-0010-2120-440 (Purchase of Property & Equip)
To: 204-0010-2120-222 \$ 800.00 (Vehicle Damage, Equip Supply)
204-0010-2120-233 \$1,300.00 (Gas, Oil & Grease)
204-0010-2120-373 \$1,000.00 (Equip & Furniture Maintenance)
Amount: \$3,100.00
Brief Explanation: Funds needed for gas, oil and equipment maintenance

57. Department: Fire Department
From: 001-1221-2210-360 (Light, Power & Telephone)
To: 001-1221-2210-210 (Office Supplies)
Amount: \$300.00
Brief Explanation: Purchase fax machine

58. Department: Fire Department
From: 001-1221-2210-372 (Bldg, Gr. Maint & Repairs)
To: 001-1221-2211-374 \$883.00 (Fees, Memb-Conferences)
001-1221-2210-233 \$687.00 (Gas, Oil & Grease)
001-1221-2210-222 \$286.00 (Vehicle Damage, Equip Supply)
001-1221-2210-221 \$269.00 (Oper. Material & Supplies)
Amount: \$2,125.00
Brief Explanation: Funds for training fees, purchase oil, vehicle repairs & office supplies.

John Jedrzejczyk
Director of Finance

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28668 RE: IMPROVEMENTS TO THE HEALTH DEPARTMENT BUILDING ON HAWKINS STREET

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

As requested per resolution # 28519 approved by the Common Council on April 13, 2005, the Finance Department submits the following monthly project-to-date report regarding the improvements made to new Health Department building located on Hawkins Street:

<u>DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
1/11/05	Collier Electrical	\$2,552.00	Wiring (219)
1/26/05	Maximum Security	\$2,950.00	Security System Installation
1/28/05	Gateway Comm.	\$599.11	Data Connection - Wiring
2/28/05	Maximum Security	\$216.00	Install smoke detectors
3/2/05	Collier Electrical	\$1,287.30	Wiring
3/16/05	Collier Electrical	\$611.00	Wiring
3/17/05	Hurricane Construction	\$6,702.05	Building Improvements
4/22/05	Gateway Comm.	\$310.52	Data Connection -Wiring
6/3/05	John Boyle	\$35.66	Painting Supplies
	Encumbrance – Hurricane Construction	\$3,970.95	Building Improvements
Total To Date - Proposed and Actual Building Improvement Costs		\$19,234.59	

- Note: \$2,500 has been encumbered to Amuso Electric Co. for emergency wiring repairs to the building. However, New Britain General Hospital has agreed to pay the entire invoice directly.

Rebecca Salerni, Finance Department

PURCHASING DEPARTMENT

28670 RE: COOPERATIVE PURCHASING SAND TRAP RAKE – STANLEY GOLF COURSE

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 have been issued for the following under the noted cooperative purchasing plans:

Turf Products Boston, MA	\$10,476.13	Sand trap rake
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Purchase has been requested by Stanley Golf Course administration for the purchase of a SandPro sand trap rake; pricing is per federal General Services Administration (GSA) contract GS-06F-0012R. Funding is available from the Stanley Golf Course special revenue line item 201-1335-2120-442 (FY 04-05).

Joanne Douglas
Finance and Purchasing Administrator

28671 RE: COOPERATIVE PURCHASING – YARD PAVEMENT AT 1000 SHUTTLE MEADOW AVENUE – WATER DEPARTMENT

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

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In accordance with City Code of Ordinances, Chapter 2, Article VIII, Division 1, Section 2-538 (a), a purchase order has been issued for the following under the noted cooperative purchasing plan:

Tilcon Connecticut New Britain, CT	\$59,694.10	Yard pavement at 1000 Shuttle Meadow Avenue
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Yard pavement construction has been requested by Water Department administration, who is under order of the Environmental Protection Agency to complete this project as soon as possible. Pricing for project elements, except for three low value items, is per State of CT contracts 04PSX0004, 05PSX0095 and 05PSX0082. This procurement method was selected to take advantage of the contractor's June schedule time available.

Joanne Douglas
Finance and Purchasing Administrator

28674 RE: BULLET PROOF VESTS – 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. 3194 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the purchase of ten (10) bullet-proof vests for use by the Police Dept.'s Community Services Officers. Funding for the purchase is anticipated from the Drug Investigation fund; a Resolution for Common Council consideration has been submitted (this agenda).

Invitations to bid were solicited, and the bid was duly advertised. Responses were received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by Police Dept. administration and the Acting Purchasing Agent. It was determined that the apparent low bidder did not meet specifications in that the vests quoted did not feature the required gel packets that can be cooled or heated up to provide comfortable wearing in varying weather conditions. Bid documents included description of the product deemed to be suitable for the Community Services Officers by Police administration (see Acting Chief Gagliardi's letter on file in the Town Clerk's Office).

Therefore, the following is recommended:

Resolved, that the Acting Purchasing Agent be and is hereby authorized to reject the low bid submitted by Rosen's Uniforms; and, further, the Acting Purchasing Agent is hereby authorized to issue a purchase order to Security Uniforms, Inc. for ten (10) bullet-proof vests at a unit cost of \$498, plus any charges for extra sizing, per the terms and specifications of Public Bid No. 3194, pending approval of the funding Resolution.

Joanne Douglas
Finance and Purchasing Administrator

BOARD OF POLICE COMMISSIONERS

28465-1 RE: INSTALLATION OF "NO PARKING HERE TO INTERESECTION" SIGN AT BUELL STREET AND GREENWOOD STREET

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 conducted an on site inspection of this location and found that Buell Street and Greenwood Street come to a four-way intersection with "STOP" signs at each corner. The "STOP" sign at the southwest corner has a "NO PARKING THIS SIDE OF STREET" sign attached to it and the "STOP" sign at the northwest corner has a "NO PARKING ANY TIME" sign attached to it. A "NO PARKING THIS SIDE OF SIGN" sign is located on the west side of Greenwood Street, approximately 20 feet south of the intersection and a "NO PARKING BEYOND THIS SIGN" sign is located on the east side of Greenwood Street, approximately 20 feet south of the intersection. The north side of Buell Street has a

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"NO PARKING BEYOND THIS SIGN" sign about 20 feet east of the intersection. Finally, the west side of Greenwood Street has a "NO PARKING BEYOND THIS SIGN" sign about 20 feet north of the intersection.

Based on these observations, it would be redundant to install the petitioned sign north of Buell Street when there are already three signs there restricting parking near the intersection.

The Board voted to 1) deny this request to place a "NO PARKING HERE TO INTERSECTION" sign at the corner of Buell Street and Greenwood Street, north of Buell Street and west of Greenwood Street, and to 2) increase selective enforcement for parking violations at this intersection.

Jack W. Ferguson II
Clerk of the Board

28533-1 RE: INSTALLATION OF "NO PARKING BEYOND THIS SIGN" STREET SIGN AT THE SOUTHERN MOST EDGE OF 28 RUSSWIN ROAD

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

This section of Russwin Road is a two lane roadway divided by a solid double yellow line with no signage prohibiting parking on either the east or west side of Russwin Road at this time. There is a fire hydrant located in front of #28 Russwin Road which would prohibit anyone from legally parking their motor vehicle within ten (10) feet of this fire hydrant. Russwin Road has a curve in the roadway in the vicinity of West Main Street which creates a moderate sightline problem for motor vehicle traffic traveling northbound from West Main Street.

The Traffic Safety Bureau has confirmed that motor vehicles parking on the west side of Russwin Road cause large vehicles traveling southbound to cross over the double yellow center dividing line and into oncoming traffic creating a hazardous condition.

The Board voted to install a "NO PARKING HERE TO CORNER" sign along the west side just south of #28 Russwin Road.

Jack W. Ferguson II
Clerk of the Board

28536-2 RE: ABANDONED AND WRECKED CARS PARKED ON VACANT LOT OF 80 BOOTH STREET

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

This situation has been abated by the Traffic Safety Bureau. The Board voted to take no further action on this petition.

Jack W. Ferguson II
Clerk of the Board

COMMITTEE ON PLANNING, ZONING AND HOUSING

28425-1 RE: PURCHASE AND SALE AGREEMENT WITH FABIAN AND DANUTA ZABLOCKI FOR PROPERTY KNOWN AS 63 BOOTH STREET

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 regular meeting held on Tuesday evening, July 5, 2005 at 7:00 p.m. in the Council Chambers to which was referred the matter of Purchase and Sale Agreement with Fabian and Danuta Zablocki for property known as 63 Booth Street voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

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Alderman James A. Wyskiewicz
Chair

Ald. Trueworthy moved to receive, seconded by Ald. Yeziarski. So voted. Approved on July 20, 2005 by Mayor Timothy T. Stewart.

RESOLUTION

28425-2 RE: THE CONVEYANCE OF 63 BOOTH STREET TO FABIAN AND DANUTA ZABLOCKI

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 owns a vacant lot at 63 Booth Street; and

WHEREAS, Fabian and Danuta Zablocki, who are currently property owners in New Britain, desires to purchase this property and build a two family house in which they will reside; and

WHEREAS, The City of New Britain has received a request for transfer of this property from Fabian and Danuta Zablocki for a total of Thirteen Thousand Two Hundred Dollars (\$13,200.00) and other valuable consideration; and

WHEREAS, The City of New Britain is interested in increasing its taxable Grand List as well as encouraging home ownership; 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 Fabian and Danuta Zablocki for the property known as 63 Booth 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 \$13,200.00.

Alderman James Wyskiewicz

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Yeziarski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28638-1 RE: THE CONVEYANCE OF 16 AND 24 SEXTON STREET, 26 AND 30 ERWIN PLACE AND 11 ANN STREET TO DEFILIPPO 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 Committee on Planning, Zoning and Housing at a regular meeting held on Tuesday evening, July 5, 2005 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28638 – Purchase and Sale Agreement with DeFilippo Development for 16 and 24 Sexton Street and 26, 30 Erwin Place and 11 Ann Street voted to accept and adopt as amended and recommend that the following resolution be referred back to the Common Council with favorable recommendation.

Alderman James A. Wyskiewicz

Ald. Trueworthy moved to receive, seconded by Ald. Yeziarski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

RESOLUTION

28638-2 RE: THE CONVEYANCE OF 16 AND 24 SEXTON STREET AND 26 AND 30 ERWIN PLACE AND 11 ANN STREET TO DEFILIPPO DEVELOPMENT

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

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

WHEREAS, The City of New Britain owns five vacant lots known as 16 and 24 Sexton Street and 26, 30 Erwin Place and 11 Ann Street; and

WHEREAS, Vincent DeFilippo dba DeFilippo Development, a real estate development firm with experience in central Connecticut, wishes to purchase these lots for a building project to place three two family homes at these sites; and

WHEREAS, The City of New Britain has received a request for transfer of these properties from DeFilippo Development for a total of Fifty-eight Thousand Five Hundred Dollars (\$58,500.00), consisting of \$15,000 per lot for the Sexton Street lots and \$9,500 per lot for the Erwin Place lots and other valuable consideration and 11 Ann Street; and

WHEREAS, The City of New Britain is interested in encouraging affordable housing, improvement in our NRZ areas and increasing its taxable Grand List. As a condition to sale, 16 and 24 Sexton Street and 11 Ann Street shall merge, and 26 and 30 Erwin Place shall merge; 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 DeFilippo Development for the properties known as 16 and 24 Sexton Street and 26, 30 Erwin Place and 11 Ann 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 \$58,500.00.

Alderman James A. Wyskiewicz

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Yeziarski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

REPORTS OF LEGISLATIVE COMMITTEES, BOARDS, COMMISSIONS AND DEPARTMENTS

PURCHASING DEPARTMENT

28669 RE: OSGOOD PARK BATHHOUSE PLUMBING UPGRADES

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:

Public Bid No. 3187 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for upgrades to plumbing at the Osgood Park bathhouse. Partial funding for the project is available from LOCIP line item 213-1800-1858-N07. A Resolution to provide for the balance of funding will be submitted for Common Council consideration (this agenda).

Invitations to bid were solicited, and the bid was duly advertised. Response was received are on file in the Town Clerk's Office.

The bids were reviewed for conformance to specifications by Parks Dept. administration and the Acting Purchasing Agent. While the bidder did not present the required bid bond, the company did submit a letter stating that a check for 100% of the project will be provided as performance guaranty; this was deemed acceptable by Purchasing administration.

Therefore, the following is recommended:

Resolved, the Acting Purchasing Agent be and is hereby authorized to enter into a contract with The Engel Co., Inc. in the amount of \$12,808 (base + alternates 1 + 2) for upgrades to plumbing at Osgood Park bathhouse, in accordance with the terms and conditions of Public Bid No. 3187, pending approval of the Resolution submitted for the balance of funding (this agenda).

Joanne Douglas

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Finance and Purchasing Administrator

Ald. Karp moved to accept and adopt, seconded by Ald. Yeziarski. So voted. Ald. Karp opposed. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28672 RE: LIFE GUARD STANDS, A.W. STANLEY POOL AND CHESLEY POOL

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:

Public Bid No. 3188 was solicited and received in accordance with the Purchasing Ordinances of the City of New Britain for the furnishing and installation of replacement life guard stands at A. W. Stanley Pool and Chesley Pool. Funding to provide for the A. W. Stanley portion of the project is available from LOCIP line item 213-1800-1858-N04.

Invitations to bid were solicited, and the bid was duly advertised. Response was received are on file in the Town Clerk's Office.

The bid was reviewed for conformance to specifications by Parks Dept. administration and the Acting Purchasing Agent. While the bidder did not present the required bid bond, the company did indicate that performance guaranty for 100% of the project shall be provided; this was deemed acceptable by Purchasing administration.

Therefore, the following is recommended:

Resolved, the Acting Purchasing Agent be and is hereby authorized to enter into a contract with Grasshopper Lawns in the amount of \$21,222 (base bid only) for the furnishing and installation of replacement life guard stands at A. W. Stanley Pool, in accordance with the terms and conditions of Public Bid No. 3188. Work included in Alternate 1, Chesley Park, will be completed at a later time when funding becomes available.

Joanne Douglas
Finance and Purchasing Administrator

Ald. Karp moved to accept and adopt, seconded by Ald. Yeziarski. So voted. Ald. Trueworthy and Ald. Karp opposed. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28673 RE: 7/1/05 TO 7/1/06 PROPERTY AND CASUALTY INSURANCE COVERAGE RENEWALS FOR CITY AND CONSOLIDATED SCHOOL DISTRICT

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 insurance coverage pricing has been quoted:

	Quoted 04-05 Annual Premium	05-06 General Fund Budget	Quoted 05-06 Annual Premium
Property	\$ 173,715		\$166,696
Excess General Liability	274,945	459,378	To be determined (8/30/05 renewal)
Property (Vacant & Unoccupied Bldgs.)	25,904		18,563
Auto Liability	303,904	428,427	282,850
Excess Auto Liability	106,650		108,000
Boiler & Machinery	Included in property quote	Included in property quote	Included in property quote

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Excess Workers' Compensation	59,661	68,610	69,154
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Property: (Allianz Global Broker US Insurance Company) Coverage applies to loss or damage to City owned property (other than vehicles) including Buildings and Contents. Generally, the deductible is \$25,000; different deductibles apply to certain classes of property and types of loss. The policy has a \$100,000,000 per loss limit. Options were available to increase the per loss limit (1) to \$200,000,000 for an additional premium of \$45,000 or (2) to the total amount of City property, \$336,002,850, for an additional premium of \$67,500; neither of these options were selected after consideration of the additional premium vs. the likelihood of a loss occurrence exceeding \$100,000,000. The quoted 05-06 premium excludes coverage for all vacant and unoccupied buildings. The City insures buildings and contents totaling \$336,002,850 on a blanket building and contents, 100% co-insurance, replacement cost coverage basis. Certain types of loss (i.e., Earthquake or Flood losses at \$10,000,000) and types of Property are covered on a limited basis. Quoted premium also includes boiler and machinery coverage. Periodic boiler inspection at City/Consolidated School District is done by the insurer, as required by the State of Connecticut. The boiler and machinery coverage provides for damage resulting from sudden and accidental breakdown of boilers, refrigeration and air conditioning equipment, pressure vessels, piping and accessory equipment.

Property (Vacant & Unoccupied Bldgs.): (Admiral Insurance Company) As a result of the Vacant and Unoccupied Building Exclusion under the Allianz policy, a Special Limited Property Policy was purchased to provide basic Property coverage for a specific group of the City owned vacant buildings on a scheduled basis. These buildings have been classified as (Class 2) City Buildings – Vacant. The building values under (Class 2), including the vacant courthouse and a number of marketable buildings acquired by the City Department for Municipal Development, total \$2,509,570. Coverage is provided on a special/basic peril, actual cash value, 80% coinsurance basis, subject to a \$25,000 per claim deductible.

Excess General Liability (including Law Enforcement): (GENESIS) Excess General Liability and Law Enforcement Liability Coverage with limits of \$4,000,000 each occurrence/\$4,000,000 aggregate, subject to a \$500,000 self-insured retention is currently in force. This coverage will expire August 30, 2005; a supplemental report will be made regarding this coverage.

Auto Liability: (METROGARD/Discover P & C Insurance Company) The policy covers City and Consolidated School District owned and scheduled vehicles and mobile equipment at a \$1,000,000 limit, no deductible and uninsured/underinsured motorists' coverage of \$40,000, no deductible. Coverage is initially for 452 vehicles (including trailers and mobile equipment) and the premium will be adjusted based on vehicle additions and deletions throughout the policy period.

Excess Auto Liability: (United National) \$2,000,000 limit, excess of the Metrogard/Discover P & C Insurance Company \$1,000,000 base Automobile Liability policy limit. Coverage for mobile equipment is excluded. Excess coverage for City owned mobile equipment is covered under the Genesis Excess General Liability policy.

Excess Workers' Compensation: (Midwest Employers) Coverage is offered through Midwest Employers Casualty Company, the City's current carrier. The premium rate is \$.0686 per \$100 of auditable payroll. The auditable payroll has been estimated at approximately \$118,000,000. The City retains the first \$1,000,000 per accident; limits are statutory; quoted coverages remain unchanged from the current policy.

Therefore, be it

RESOLVED, that the Common Council of the City of New Britain hereby validates actions taken by the Acting Purchasing Agent to bind the foregoing FY05-06 coverages at the stated premiums for the benefit of the City of New Britain and Consolidated School District.

Joanne Douglas
Finance and Purchasing Administrator

Ald. Sullivan moved to accept and adopt, seconded by Ald. Yezierski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

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COMMITTEE ON PLANNING, ZONING AND HOUSING

28530-1 RE: PURCHASE AND SALES AGREEMENT WITH EMANUELLE MANGIAFICO FOR 145 CHAPMAN STREET

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:

The Committee on Planning, Zoning and Housing at a regular meeting held on Tuesday evening, July 5, 2005 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28530 – Purchase and Sale Agreement with Emanuele Mangiafico for 145 Chapman Street voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman James A. Wyskiewicz

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. Ald. Trueworthy moved to table, seconded by Ald. Hermanowski. So voted. REPORT TABLED.

RESOLUTION

28530-2 RE: THE CONVEYANCE OF 145 CHAPMAN STREET TO EMANUELE MANGIAFICO

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 145 Chapman Street; and

WHEREAS, Emanuele Mangiafico, who currently owns property in New Britain, desires to purchase this property and build a single family house; and

WHEREAS, The City of New Britain has received a request for transfer of this property from Emanuele Mangiafico for a total of Five Thousand Dollars (\$5,000.00) 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 Emanuele Mangiafico for the property known as 145 Chapman 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 \$5,000.00.

Alderman James A. Wyskiewicz

Ald. Bielinski moved to accept and adopt, seconded by Ald. Collins. Ald. Trueworthy moved to table, seconded by Ald. Hermanowski. So voted. RESOLUTION TABLED.

COMMITTEE ON PLANNING, ZONING AND HOUSING

28592-1 RE: PURCHASE AND SALES AGREEMENT WITH HARTFORD AREA HABITAT FOR HUMANITY FOR 55, 59, 61 AND 69 OAK STREET AND 91 AND 97 PUTNAM STREET

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

July 13, 2005

The Committee on Planning, Zoning and Housing at a regular meeting held on Tuesday evening, July 5, 2005 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28592 – Purchase and Sale Agreement with Hartford Area Habitat for Humanity for 55,59,61, and 69 Oak Street and 91 and 97 Putnam Street voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman James A. Wyskiewicz
Chair

Ald. Trueworthy moved to accept, seconded by Ald. Bielinski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

RESOLUTION

28592-2 RE: THE CONVEYANCE OF 55, 59, 61 AND 69 OAK STREET AND 91 AND 97 PUTNAM STREET TO HARTFORD AREA HABITAT FOR HUMANITY

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 six adjacent vacant lots known as 55,59,61 and 69 Oak Street; and 91 and 97 Putnam Street; and

WHEREAS, Hartford Area Habitat for Humanity (HAHFH), a regional community organization that is dedicated to increasing affordable housing and homeownership opportunities for low and moderate income families through sweat equity and volunteer labor, wishes to purchase these lots for a building project to place six two story, Victorian style single family homes at this site; and

WHEREAS, HAHFH wishes to include this project as part of a national effort known as “Builder’s Blitz Week” making affordable home ownership opportunities available to over 1,000 families throughout the country in 2006; and

WHEREAS, The City of New Britain has received a request for transfer of these properties from HAHFH for a total of Thirty Thousand Dollars (\$30,000.00) and other valuable consideration; and

WHEREAS, The City of New Britain is interested in encouraging affordable housing, homeownership, improvement in our NRZ areas and increasing its taxable Grand List; now, therefore, be it

RESOLVED, Upon the date of transfer from Habitat for Humanity to new owners, new owners shall be residents of the City of New Britain.

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 Hartford Area Habitat for Humanity for the properties known as 55,59,61 and 69 Oak Street; and 91 and 97 Putnam 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 \$30,000.00.

Alderman James A. Wyskiewicz

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Ald. Trueworthy moved to amend by adding a RESOLVED paragraph following the last WHEREAS paragraph: “UPON THE DATE OF TRANSFER FROM HABITAT FOR HUMANITY TO NEW OWNERS, NEW OWNERS SHALL BE RESIDENTS OF THE CITY OF NEW BRITAIN” Amendment seconded by Ald. Bielinski. Amendment carried. Resolution as amended carried. Approved July 20, 2005 by Mayor Timothy T. Stewart.

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COMMITTEE ON PLANNING, ZONING AND HOUSING

28637-1 RE: PURCHASE AND SALES AGREEMENT WITH EDWARD PACHECO FOR 247 LASALLE STREET

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 regular meeting held on Tuesday evening, July 5, 2005 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #28637 – Purchase and Sale Agreement with Edward Pacheco for 247 LaSalle Street voted to accept and adopt and recommend that the following resolution be referred back to the Common Council with a favorable recommendation.

Alderman James A. Wyskiewicz

Ald. Bielinski moved to accept, seconded by Ald. Collins. So voted. Ald. Trueworthy recused himself. Ald. Lopes moved to reconsider, seconded by Ald. Sullivan. So voted. Ald. Trueworthy recused himself. Ald. Lopes moved to table, seconded by Ald. Bielinski. Report tabled with Ald. Ziccardi and Ald. Yeziarski opposed. Ald. Trueworthy recused himself. REPORT TABLED.

RESOLUTION

28637-2 RE: THE CONVEYANCE OF 247 LASALLE STREET TO EDWARD PACHECO

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 the preservation and renovation of vacant buildings where at all possible; and

WHEREAS, The Department of Municipal Development owns a vacant 6 unit building at 247 Lasalle Street which has been vacant and off the City tax rolls for many years; and

WHEREAS, Edward Pacheco, a real estate developer with experience in multi-unit residential projects in the greater Hartford area and a local business owner (four New Britain Dunkin Donuts franchises), desires to purchase this property at 247 Lasalle Street for renovation into a maximum of five apartments; and

WHEREAS, The City of New Britain has received a request for transfer of this property from Mr. Pacheco for a total of One Hundred Nineteen Thousand Two Hundred Dollars (\$119,200.00), the current appraised value of the property, and other valuable consideration; and

RESOLVED, That the Common Council recommends that the Commission on Community and Neighborhood Development approve this transaction and 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 Edward Pacheco for the property known as 247 Lasalle 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 \$119,200.00.

Alderman James A. Wyskiewicz

Ald. Bielinski moved to adopt, seconded by Ald. Collins. So voted. Ald. Trueworthy recused himself. Ald. Lopes moved to reconsider, seconded by Ald. Sullivan. So voted. Ald. Trueworthy recused himself. Ald. Lopes moved to table, seconded by Ald. Bielinski. Resolution tabled with Ald. Ziccardi and Ald. Yeziarski opposed. Ald. Trueworthy recused himself. RESOLUTION TABLED.

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NEW BUSINESS

RESOLUTIONS

28676 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING SEC. 2-757 SALE OR PURCHASE OF PROPERTY – REQUIRING THE COMMON COUNCIL’S APPROVAL FOR ANY SALE, PURCHASE, OR DEMOLITION OF PROPERTY BY THE COMMISSION ON COMMUNITY AND NEIGHBORHOOD DEVELOPMENT AND DEPARTMENT OF MUNICIPAL DEVELOPMENT

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

Resolution Summary: PURPOSE: To require the Common Council’s approval for any sale, purchase or demolition of property by the Commission on Community and Neighborhood Development and Department of Municipal Development.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Code of Ordinances, City of New Britain, Article X, Department of Municipal Development, be amended by adding a new Section 2-757 to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word {new}):

Sec. 2-757. Sale or purchase of property. {NEW}

Any sale or purchase of property by the Commission on Community and Neighborhood Development and the Department of Municipal Development shall be subject to approval by the common council.

Alderman James A. Wyskiewicz
Alderman Paul D. Catanzaro
Alderman Daniel N. Karp

Ald. Catanzaro moved to accept and refer to the Committee on Administration, Finance and Law, seconded by Ald. Bielinski. So voted. Returned July 22, 2005 without the approval or disapproval of Mayor Timothy T. Stewart.

28677 RE: BUDGET TRANSFER – LOCIP FUND – PARK DEPARTMENT - \$4,405.00

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:

Resolution Summary

Monies have been appropriated in the LOCIP Fund for plumbing improvements to the men and women’s bathhouse at Osgood Pool to conform to ADA requirements. The renovations principally consist of flush valving and meters in the lavatory rooms and bid alternates for showerhead controls and other lavatory room modifications. The LOCIP appropriations were split between the Osgood Bathhouse plumbing renovation and ADA Playscape improvements at Willow Brook Park. That project has been completed.

The balance of monies remaining in the appropriation for the Osgood Bathhouse project is sufficient to defray the cost of the base bid [\$ 9,603 available - \$ 7,657 base bid]. The Parks and Recreation Commission requests additional monies to complete the renovation in order to make the facility totally compliant with ADA regulations [Bid Alternate One \$2,512 and Two \$2,609]. A renovation contingency of \$1,200 is also recommended.

Resolved, the sum of 4,405 is transferred within the LOCIP Fund from project accounts with available monies and deemed to have been completed to the project account established for the Osgood Bathhouse Renovations as follows:

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	From:	
#213-1800-1846-E67	Willow Brook Soccer Storage Shed	\$ 1,100
#213-1800-1848-G05	New Britain Stadium Improvements	1,052
#213-1800-1858-N01	Civil Service Office Security	1,312
#213-1800-1847-E51	Paul Street Drainage	<u>941</u>
	Total	\$ 4,405

	To:	
#213-1800-1858-N07	Willow Brook Playscape- Osgood Bathhouse	\$ 4,405

Alderwoman Teresa Sapieha-Yanchak
Alderwoman Shirley Black
Council Liaison-Park Department

Ald. Sapieha-Yanchak moved to accept and adopt, seconded by Ald. Black. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28678 RE: CONTRACT WITH QUISENBERRY ARCARI ARCHITECTS LLC FOR PROFESSIONAL ENGINEERING SERVICES – FIRE DEPARTMENT

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

Whereas, Fire Dept. administration has requested contract authorization for the engagement of professional engineering services in connection with design and construction administration of the proposed vehicle exhaust recovery systems at six fire stations; and,

Whereas, a Resolution for project funding, sources of which are federal grant (Federal Emergency Management Agency Assistance to Firefighters Grant Program) and City, will be submitted for Common Council approval (this agenda); and,

Whereas, in this connection, a proposal has been submitted by Quisenberry Arcari Architects LLC for professional engineering services, the fee for which is \$7,500; project tasks generally include the following:

- Field review and preparation of schematic design;
- Production of technical specifications for bidding and construction;
- Bidding services to include response to prospective bidders' questions, issuance of clarifying addenda, review of bids received, assistance in contractor selection;

Construction administration to include attendance at job meetings and on-site project review, review of all shop drawings, proposed change orders and product submittals, review and documentation of final punch list and project close-out.

Therefore, be it

Resolved, that the Acting Purchasing Agent, or his designee, is hereby authorized to execute a contract with Quisenberry Arcari Architects LLC for the above services at the stated compensation, pending approval of the submitted funding Resolution (this agenda).

Ald. Suzanne Bielinski
Ald. Paul Catanzaro
Common Council Liaisons-Fire Dept.

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

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28679 RE: CONTRACT AMENDMENT WITH ALDEN NOVAK & DODD, INC. – PROFESSIONAL SERVICES, ASSESSORS OFFICE

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, at its Regular Meeting of August 9, 2000, the Common Council authorized, via Resolution 26019, a professional services contract between the City of New Britain and Alden Novak & Dodd, Inc.; the agreement was in effect through June 30, 2001; extensions of the contract through June 30, 2005 were subsequently approved by the Common Council; and,

Whereas, the City Assessor requests authorization for a contract amendment to provide for the extension of the professional services agreement with Alden Novak & Dodd, Inc. through June 30, 2006; services provided include software support for the Tax Dept. and Assessor's applications, such as:

- Revision of software as required;
- Support for City personnel in the operation of the applications;
- Conversion of magnetic media for communication with State of Connecticut and outside printing services;
- Maintenance of a link to CAMA system; and,

WHEREAS, the proposed amendment specifies an annual cost of \$17,600 for the services, which amount has been budgeted for FY 05-06 in the General Fund, Assessor's line item 001-1151-1511-350;

RESOLVED, that the Acting Purchasing Agent be and is hereby authorized to execute a contract amendment with Alden Novak & Dodd, Inc. in the amount of \$17,600 for provision of professional services as described above.

Ald. James Sullivan
Project Sponsor

Ald. Sullivan moved to accept and adopt, seconded by Ald. Yeziarski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28680 RE: BUDGET TRANSFER – FINANCE DEPARTMENT

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

Resolution Summary:

During the FY 2006 budget process, significant adjustments commencing after the initial departmental budget request to individual expenditure and revenue line items were incorporated into the final budget document. In some instances, specific line item adjustments have been posted to the incorrect account. Those items include:

Expenditures

Reduction in Medical Benefits posted to a Pension Contribution account
Reclassify a reduction / addition amongst Police department salary accounts

Revenue

Incorrect increase to the State Grant for Education for the Blind vs State Grant of Private School Transportation

Additionally, with the issuance of the Pension Obligation Bond for the Municipal Employees Retirement Fund (Police & Fire MERF) in July of 2005, monies previously appropriated in the line item for "Amortization of Prior Benefits" must be transferred to the Debt Service section of the General Fund budget commencing in fiscal 2006. Therefore, the difference between the budgeted amortization of the actuarial liability due the State and the debt service obligation of \$1,296 will be defrayed by the under-run in the General Government actuarial liability budget estimate.

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THEREFORE, BE IT RESOLVED, that the amount of \$325,000 in *budget reductions* be transferred within the employee benefits section of the General Fund budget as follows:

To:		
001-1930-9005-120	Employer Contribution/MERF	\$ 300,000
001-1600-1804-110	Mgmt & Admin FT Salaries	25,000
From:		
001-1940-9009-135	BC/BS Self Funded	\$ 300,000
001-1600-1817-110	Detective Bureau FT Salaries	25,000

AND,

BE IT FURTHER RESOLVED, that an amount of \$131,367 be transferred within the General Fund budget as follows:

From:		
001-1930-9005-121	Amortization Prior Benefits	\$ 131,367
To:		
001-1710-7003-P28	Police and Fire Pension Bond – Interest	\$ 76,367
001-1710-7004-P28	Police and Fire Pension Bond – Principal	55,000

AND,

BE IT FURTHER RESOLVED, the State of Connecticut Grant Revenues estimated for fiscal 2006 be reclassified to the proper payment classification as follows:

From:		
001-0500-0502-143	Education for the Blind	\$ 109,447
To:		
001-0500-0502-492	Private School Transportation	\$ 109,447

Alderman Barbara L. Yeziarski
Council Liaison- Finance

Ald. Yeziarski moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28681 RE: RECEIPT OF STATE AND FEDERAL FUNDING STD PROGRAM – FISCAL YEAR 2006

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: minimizing the risk of spreading sexually transmitted diseases through awareness, identification, treatment and intervention. Grant funded personnel perform services within the Health Department and throughout the City of New Britain in order to promulgate the program plan. The initial year of grant funding was July 1980.

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 and to approve receipt of funding.

WHEREAS, the control of sexually transmitted diseases remains a core public health function in the City of New Britain and

WHEREAS; the New Britain Board of Health runs a Sexual Health Center which has conducted prevention and control programs for sexually transmitted diseases (STDs) for many years, and

WHEREAS; the State Department of Public Health has notified the City that funding comprised of State and Federal funds, is being provided at \$14,970 for fiscal year 2006 due to this new arrangement

THEREFORE BE IT

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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 signing and attesting to this resolution; and BE IT FURTHER

RESOLVED, that the Special Revenue Fund, STD Control Program #2005-0141, be amended at this time for the purpose of recording all income and expenditure activity and reflect an authorized expenditure budget of \$14,970 and an anticipated income from the State of Connecticut of \$14,970 for fiscal year 07/01/05 through 06/30/06.

Revenues:		<u>FY 2005/06</u>
280-0500-0505-023	St of CT	\$ 14,970.00
Expenditures:		
280-1427-4202-110	Full-time salaries	\$ 0
280-1427-4202-113	P/T Salaries	\$ 12347.00
280-1427-4202-119	Fringes	\$ 213.00
280-1427-4202-113	Administration	\$ 1000.00
280-1427-4202-374	Fees & Memberships	\$ 110.00
280-1427-4202-375	Training	<u>\$ 1,300.00</u>
	Total Expenditures	\$ 14,970.00

Alderman Richard P. Lopes
Liaison – Health Department

Ald. Lopes moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28682 RE: BUDGET AMENDMENT – POLICE DEPARTMENT - \$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 Drug Investigation Fund is an existing special revenue fund to which most revenue is credited as the result of the State of Connecticut drug asset forfeiture program, the greatest share of the proceeds from which are returned to Police Departments for use in drug control strategy; and

WHEREAS, State statutes prescribe that funds received are to be spent:

- 85% to enhance drug investigation and enforcement
- 15% for drug education

And,

WHEREAS, the purpose of this Resolution is to formally allocate funds that have accumulated in the Drug Investigation fund and establish an approved budget for FY2005-2006,

THEREFORE BE IT

RESOLVED, that a budget amendment in the Drug Investigation Fund to formally appropriate funds accumulated in that fund be made as follows:

Drug Investigation Fund

Increase Revenue:

289-0500-0505-077	Fund Balance	\$120,000
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Increase Expenditures:

289-1431-4039-111	Overtime	\$ 25,000
289-1431-4039-202	Investigation Expense	\$ 10,000

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289-1431-4039-330	Rental Equipment	\$ 20,000
289-1431-4039-375	Training	\$ 5,000
289-1431-4039-442	Equipment	<u>\$ 60,000</u>
	Total	\$120,000

Ald. Paul Catanzaro - Police Liaison
Ald. Silvia Cruz - Police Liaison
Ald. Barbara L. Yeziarski - Police Liaison

Ald. Catanzaro moved to accept and adopt, seconded by Ald. Yeziarski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28684 RE: "HOLD HARMLESS AGREEMENT" ALLOWING CONNECTICUT NATIONAL GUARD COUNTERDRUG OPERATIONS/COMMONWEALTH OF MASS. NATIONAL GUARD TO LAND ITS HELICOPTER AT WALNUT HILL PARK

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 authorizes Mayor Timothy T. Stewart to sign a "hold harmless" agreement allowing the Connecticut National Guard Counterdrug Operations/Commonwealth of Massachusetts National Guard to land a helicopter at "New Britain Substance-Free Family Day" in Walnut Hill Park, Saturday, September 24, 2005 between 2:00 – 3:00 p.m.

WHEREAS; New Britain Youth Services, through the City of New Britain, is overseeing all activities related to "New Britain Substance-Free Family Day" on September 24, 2005; and

WHEREAS; there are many activities planned to entertain and delight New Britain's children and families, including the landing of the Connecticut National Guard Counterdrug Operations/Commonwealth of Massachusetts National Guard helicopter; and

WHEREAS; there must be a "hold harmless" agreement signed by the participant's representative in order to have the helicopter land; and

WHEREAS; the authorized representative of the City of New Britain is indeed the Mayor; NOW THEREFORE BE IT

RESOLVED; that Mayor Timothy T. Stewart is authorized to sign the aforementioned "hold harmless" agreement thereby allowing the Connecticut National Guard Counterdrug Operations/Commonwealth of Massachusetts National Guard to land it's helicopter at Walnut Hill Park on September 24, 2005 at the "New Britain Substance-Free Family Day" event.

Alderwoman Silvia J. Cruz

Ald. Cruz moved to accept and adopt, seconded by Ald. Trueworthy. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28685 RE: "FIFTEENTH ANNUAL ABILITY/DISABILITY AWARENESS DAY CELEBRATION" 7/26/05

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: July 26, 2005 has special meaning for all citizens with disabilities because it commemorates the fifteenth anniversary of the signing into law the Americans with Disabilities Act of 1990.

WHEREAS; for over twenty-five years the City of New Britain has taken an active role to improve access and equal opportunity to persons with disabilities in all of its activities, services and programs sponsored by the City of New Britain, and

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WHEREAS; the City of New Britain ensures that citizens with qualified disabilities are afforded an opportunity to participate in local government through its Boards and Commissions, and its employment practices. These include the Commission on Persons with Disabilities, the Commission on Aging, and the Commission on Human Rights and Opportunities, and through the City's employment opportunities, and

WHEREAS; the United Census Bureau determined as a result of the 2000 census survey that a significant portion of New Britain's population, an estimated 16,374 citizens, live quality lives with one or more disabilities, and

WHEREAS; the City of New Britain is moving with real purpose towards full compliance with all of the requirements of the Americans with Disabilities Act of 1990; NOW THEREFORE, BE IT

RESOLVED; that the City of New Britain is very proud to continue its participation in the observance of "Ability/Disability Awareness Day" commemorating the fifteenth anniversary of the signing into law of the Americans with Disabilities Act, AND BE IT FURTHER

RESOLVED; that this important anniversary be publicly observed and celebrated locally as the "Fifteenth Annual Ability/Disability Awareness Day Celebration," which will be held at the Darius Miller Memorial Band Shell at Walnut Hill Park on Monday, July 25, 2005 from 6:00 P.M. to 9:00 P.M. This celebration will include exhibits from disability related commercial vendors, as well as information about advocacy and disability related service agencies and organizations available in the area. There will be a free performance by "Sister Funk" from 7:00 P.M. to 9:00 P.M. A Mayoral Proclamation will be presented as part of a cake cutting ceremony during the band's intermission at approximately 7:45 P.M. In the event of inclement weather this celebration will be held on Tuesday, July 26, 2005 from 6:00 P.M. to 9:00 P.M.

Alderman Salvatore Bonola
Alderwoman Silvia J. Cruz

Ald. Bonola moved to accept and adopt, seconded by Ald. Cruz. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28686 RE: GRANT IN THE AMOUNT OF \$216,630 FROM THE 2004 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

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

Whereas, the purpose of the Assistance to Firefighters Grant (AFG) Program is to award one-year grants directly to fire departments in order to enhance their ability to resolve fires and fire-related hazards. This program seeks to support departments that lack the resources necessary to protect the health and safety of the public or carry out operational activities within a safe system of work; and

Whereas, it is the New Britain Fire Department's desire to use the AFG funding to obtain necessary equipment to enhance public safety and the safety of firefighters. The grant requests funding to modify the six fire stations via the installation of vehicle exhaust extraction systems. The department has also requested funding for the replacement of its self-contained breathing apparatus cylinders (SCBA) soon to expire and other SCBA-related equipment, which will enhance our hazardous materials capability. It will also bring the department into compliance with OSHA and NFPA standards; and

Whereas, the New Britain Fire Department has received an award from the 2004 Assistance to Firefighters Grant program in the amount of \$216,630 (with a City match requirement of \$92,842, totaling the approved project costs of \$309,472). Included in the approved project costs are the installation of vehicle exhaust systems in each of New Britain's six (6) fire stations and also the upgrade of the fire department's self-contained breathing apparatus (SCBA). The upgrade will replace soon-to-expire air cylinders, install an integrated Personal Alert Safety System (PASS), a "Heads-up Display (HUD) feature, and a Rapid Intervention Crew/Universal Air Connection (RIC/UAC) on each of the department's existing SCBA units. These modifications will bring the entire department's SCBA program into compliance with the NFPA 1981 2002 edition. The award will also grant funding for four (4) new SCBA which will be in compliance with NIOSH Chemical, Biological, Radiological, and Nuclear (CBRN) standard; and

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Whereas, under the requirements of the AFG award agreement, the City of New Britain by previous resolution (#27950 approved on March 26, 2004) has been granted authorization to apply for this grant and to determine an appropriate funding source to account for the 30% match in the amount of \$92,842; and

Whereas, at a special meeting of the Common Council on May 11, 2005, a resolution (#28576-1) was approved authorizing a \$4.5 million appropriation and bond authorization for the purpose of purchasing various equipment including that of the Fire Department (Approved equipment under the bond authorization includes SCBA bottle and set replacement totaling \$375,000. At that time, funding from the grantor for these similar items was less than certain.). These monies, appropriated within the Capital Equipment Fund #215, can be used to fund the City's required match.

Therefore be it resolved that: The City of New Britain agrees to support the funding of its portion of the AFG award in the amount of \$92,842. This funding has already been appropriated (via resolution #28576-1 at the special meeting on May 11, 2005) within the Capital Equipment Fund account #215-2291-2206-317/421. It also congratulates the New Britain Fire Department on the receipt of this award and encourages the department to continue to take advantage of this valuable and important program.

And be it further resolved that: the grant monies be appropriated within the City's accounting structure as follows:

Revenue:		
215-0500-0505-818	Federal Government (AFG)	\$216,630
Expenditures:		
215-2289-2206-EXH	Vehicle Exhaust System	\$163,000
215-2291-2206-317	SCBA Upgrade	<u>\$ 53,630</u>
	Total Expenditures	\$216,630

Alderwoman Suzanne Bielinski
Alderman Paul Catanzaro

Ald. Bielinski moved to accept and adopt, seconded by Ald. Catanzaro. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28687 RE: BUDGET TRANSFER – PUBLIC WORKS (LOCIP) - \$40,000

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

Resolution Summary

The sidewalk over the culvert at the south end of Ten Acre Road spanning Willow Brook has collapsed. The sidewalk is partially closed to pedestrian traffic pending repair and has been for some time. Prior to repairing the sidewalk, the structural integrity of the culvert must be determined from Ten Acre to Elbridge Road.

The funding proposal presumes no major reconstruction of the culvert is necessary and all project expenses have been incorporated in the requested appropriation:

Project Budget

Structural Assessment	\$ 4,000
Engineering Design	6,000
Construction	25,000
Contingency	<u>5,000</u>
Total	\$ 40,000

In order to expedite reconstruction of the sidewalk / culvert, the Public Work's Director recommends selecting the Maguire Group for assessment and design services from the "On-Call Engineering" vendor listing and execute a professional services agreement for their engagement.

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Resolved, the sum of \$40,000 be transferred within the Local Capital Improvement Fund (LOCIP) for the purpose of reconstructing the collapsed sidewalk / culvert at the ten Acre Road location as follows:

From:

#213-1800-1845-E86	PW City Yard Improvements	\$ 7,597
#213-1800-1847-E51	Paul Street Drainage	4,958
#213-1800-1847-T01	Underground Tank Removal	528
#213-1800-1858-N09	Quigley & Szczesney Parking Garage	4,382
#213-1800-1858-N16	PW city Yard Improvements	<u>22,535</u>
	Total	\$ 40,000

To:

#213-1800-1858-XXX	Ten Acre Road Sidewalk / Culvert Repair	\$ 40,000
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and,

Resolved, the Mayor is authorized to execute a professional services agreement with the Maguire Group for assessment and design services in conjunction with the project, and,

Resolved, the Capital Improvement Program (CIP) for fiscal 2006 be amended to include the Ten Acre Road sidewalk / culvert reconstruction project.

Alderman Salvatore Bonola
Alderman Francis Ziccardi
Council Liaisons, Public Works

Ald. Bonola moved to accept and adopt, seconded by Ald. Ziccardi. So voted. Approved on July 20, 2005 by Mayor Timothy T. Stewart.

28688 RE: JULY IS RECREATION AND PARKS MONTH

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:

It's July—the kickoff of the summer season. It's time to enjoy what our New Britain Parks and Recreation Department offers. Play your favorite sport, visit the outdoors, spend time with family and friends, or just kick back and relax. That's why the National Recreation and Park Association has designated July as Recreation and Parks Month.

WHEREAS, The New Britain Parks and Recreation Department brings visibility to parks and recreation, and quality sports programs, and

WHEREAS, Parks, recreation activities, and leisure experiences provide opportunities for young people to live, grow, and develop into contributing members of society, and

WHEREAS, parks and recreation create lifelines and continue life experiences for people of all ages in our community, and

WHEREAS, the New Britain Parks and Recreation Department generates opportunities for people to come together and experience a sense of community through fun recreational pursuits and special events, and

WHEREAS, parks and recreation agencies provide outlets for physical activities, socialization, stress reducing experiences, and

WHEREAS, parks, playgrounds, pools, camps, stadiums, sports fields, nature trails, schools, open spaces, and historic sites make a community attractive and desirable place to live, work, play, and visit to contribute to our ongoing economic vitality, and

WHEREAS, parks, greenways, and open space provide a welcome respite from our fast paced, high tech lifestyles while protecting and preserving our natural environment, and

WHEREAS, parks and recreation agencies touch the lives of individuals, families, groups, and the entire community which positively impact upon the social, economic, health, and environmental qualities of our community,

July 13, 2005

NOW, THEREFORE BE IT RESOLVED, that we announce that *July is Recreation and Parks Month* and encourage all citizens to celebrate by participating in one or more of the hundred activities offered by the New Britain Parks and Recreation Department.

Alderman Teresa Sapieha-Yanchak
Alderman Shirley A. Black

Ald. Sapieha-Yanchak moved to accept and adopt, seconded by Ald. Black. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28689 RE: DONATION OF \$10,000 FROM SAFECO INSURANCE COMPANY'S "HAVE A SEAT NEIGHBOR" GRANT INITIATIVE – NEW SITTING AREA IN WALNUT HILL PARK

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 New Britain Parks and Recreation Department has been fortunate enough to be selected as one of Safeco Insurance Company's "Have A Seat , Neighbor" grant initiative recipients. Safeco will provide the City with a \$10,000.00 donation for creation of a new sitting area at Walnut Hill Park. In addition, Safeco is donating an artist designed park bench to be located inside the new sitting area.

WHEREAS, Safeco Insurance Company has selected Walnut Hill Park as the Hartford-area recipient of their 2005 "Have a Seat, Neighbor" grant initiative, AND

WHEREAS, The City will receive \$10,000.00 to create a new sitting area with flower plantings, trees, and butterfly bushes at Walnut Hill Park with an artist designed bench from Safeco as well as Safeco volunteers to help make improvements at the park and care for the gardens, AND

WHEREAS, this sitting area will also include a donations monument where individuals, families, businesses, and civic organizations can be recognized for their donations to beautify and improve Walnut Hill Parks facilities and programs, THEREFORE BE IT

RESOLVED, that the Common Council authorizes Mayor Timothy Stewart to sign appropriate documents required for this grant, AND BE IT FURTHER

RESOLVED, that the Finance Department amend the Parks and recreation Fiscal Year 2005-2006 general fund revenue and expenditure accounts as follow:

Increase Expenditures: 001-1511-5125-XXX	Walnut Hill Park Enhancements	\$10,000.00
Increase Revenue: 001-0500-0512-XXX	Donations	\$10,000.00

Alderman Shirley Black
Aldermen Teresa Sapieha-Yanchak

Ald. Sapieha-Yanchak moved to accept and adopt, seconded by Ald. Black. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28690 RE: 21ST CENTURY COMMUNITY LEARNING CENTER GRANT – COHORT 1

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

Program Objective: This 21st Century Community Learning Center grant provides comprehensive after school programming at four elementary schools (Lincoln, Gaffney, Holmes, and Vance). Students in grades three through five are targeted to attend the after school program from 3:15 to 5:15 p.m. The three major components of the after school program are education, recreation, and cultural arts.

Initial Year of Grant Funding: September 1, 2002.

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

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Resolution Purpose: On September 14, 2002, Resolution #27179 in the amount of \$381,000 was approved for the first year of a five year grant. This is year four of the five year grant and the grant has been reduced by twenty-five percent, which equals \$285,750. The Parks and Recreation Department is respectfully requesting that the Finance Department set up expenditures and revenue accounts, and,

WHEREAS, the City, through its Parks and Recreation Department, will be receiving a CT 21st Century Community Learning Centers Grant for elementary after school programs for a five year grant period, this being the fourth year. Funding has been granted for this program that will provide services such as athletic and recreational activities, tutoring, and mentoring to City youths in a youth center environment, and

WHEREAS, the State will provide \$285,750 for the fourth year of the grant, and the City will match \$148,500 of In-Kind services. Examples of these in-kind services are equipment rental, facility rental and Hepatitis B shots, and

WHEREAS, the CT 21st Century Community Learning Center monies will pay for personnel and administrative cost associated with the proposed programming strategy for the period of July 1, 2005 through June 30, 2006, therefore, be it

RESOLVED, that the amount of \$285,750 be appropriated in the City's special revenue fund account structure in accordance with the requirements of the grantor agency. The account number is to be established by the Finance Director,

RESOLVED, that the Finance Department is authorized to enter into agreement with required consultants specified by the State of Connecticut Department of Education for evaluation, computerization, and training purposes, fully funded by the grant money, then it be further

THEN IT BE FURTHER RESOLVED, that the Common Council authorizes Mayor Timothy Stewart to sign appropriate documents required for this grant

Original

251-1511-5111-000	Revenue - State of CT	\$285,750
251-1511-5111-110	Salaries	\$ 90,040
251-1511-5111-113	Part-time Salaries	\$ 139,230
251-1511-5111-210	Office Supplies	\$ 1,000
251-1511-5111-221	Supplies	\$ 19,730
251-1511-5111-310	Advertising and Printing	\$ 2,000
251-1511-5111-330	Rental and Leasing of Property	\$ 31,000
251-1511-5111-373	Equipment Maintenance	\$ 500
251-1511-5111-374	Fees, Memberships, Conference	\$ 2,250
	Total Expenditures	\$ 285,750

Alderwoman Shirley Black
Alderwoman Teresa Sapieha-Yanchak

Ald. Sapieha-Yanchak moved to accept and adopt, seconded by Ald. Black. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28691 RE: 21ST CENTURY COMMUNITY LEARNING CENTER GRANT – COHORT 3

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

Program Objective: This 21st Century Community Learning Center grant provides comprehensive after school programming at five elementary schools (Chamberlain, DiLoreto, Jefferson, Smalley, and Smith). Students in grades three through five are targeted to attend the after school program from 3:15 to 5:15 p.m. The three major components of the after school program are education, recreation, and cultural arts.

Initial Year of Grant Funding: September 1, 2004.

July 13, 2005

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

Resolution Purpose: The Parks and Recreation Department is requesting approval of a 21st Century Community Learning Center Grant in the amount of \$403,500 the second year of a five year grant. This is year two of the five year grant, and the Parks and Recreation Department is respectfully requesting that the Finance Department set up expenditures and revenue accounts, and,

WHEREAS, the City, through its Parks and Recreation Department, will be receiving a CT 21st Century Community Learning Centers Grant for elementary after school programs for a five year grant period, this being the second year. The total funding over five years is over \$1.7 million. Funding has been granted for this program that will provide services such as athletic and recreational activities, tutoring, and mentoring to City youth in a youth center environment, and

WHEREAS, the State will provide \$403,500 for the second year of the grant, and the City will match \$250,000 of In-Kind services. Examples of these in-kind services are equipment rental, facility rental and Hepatitis B shots, and

WHEREAS, the CT 21st Century Community Learning Center monies will pay for personnel and administrative cost associated with the proposed programming strategy for the period of July 1, 2005, through June 30, 2006, therefore, be it

RESOLVED, that the amount of \$403,500 be appropriated in the City's special revenue fund account structure in accordance with the requirements of the grantor agency. The account number is to be established by the Finance Director, then it be further

RESOLVED, that the Finance Department is authorized to enter into agreement with required consultants specified by the State of Connecticut Department of Education for evaluation, computerization, and training purposes, fully funded by the grant money, then it be further

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

Original

238-0500-0505-000	Revenue – State of CT	\$ 403,500
238-1511-5111-110	Salaries	\$ 115,532
238-1511-5111-113	Part-time Salaries	\$ 204,390
238-1511-5111-210	Office Supplies	\$ 2,000
238-1511-5111-221	Supplies	\$ 27,778
238-1511-5111-310	Advertising and Printing	\$ 5,000
238-1511-5111-330	Rental and Leasing of Property	\$ 44,300
238-1511-5111-373	Equipment Maintenance	\$ 500
238-1511-5111-374	Fees, Memberships, Conferences	\$ 4,000
	Total Expenditures	\$ 403,500

Alderwoman Shirley Black
Alderwoman Teresa Sapieha-Yanchak

Ald. Sapieha-Yanchak moved to accept and adopt, seconded by Ald. Black. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28692 RE: CITIZENS FORUM – JULY 27, 2005 REGARDING PRIVATIZATION OF SOCIAL SECURITY

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 oppose President Bush's recommendations to privatize Social Security

WHEREAS, Social Security is the best social insurance program in our nations history and has lifted millions of seniors, persons with disabilities and orphans out of poverty allowing them to live independently since its implementation; and

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WHEREAS, A study conducted by the Institute of America has shown that privatizing Social Security would cut benefits by \$349,330 for a typical Connecticut worker, even for those who opt not to use the private accounts; and

WHEREAS, These steep benefit cuts would create a new generation of poor citizens in need of assistance thereby further crippling CT's state budget; and

WHEREAS, Research from the US Bureau of Economic Analysis shows that President Bush's plan would devastate CT's economy by creating a new \$10.9 billion unfunded federal mandate on the state; and

WHEREAS, Another study by Center for American Progress shows that the current Social Security program would have lost \$1.1 trillion dollars if it had been privatized 30 years ago; and

WHEREAS, New Britain's citizens that have paid for Social Security must be ensured that the money is used only for Social Security and not to fund tax breaks for the wealthy; and

WHEREAS, It is the duty of elected officials to get input from and listen to the citizenry; NOW THEREFORE BE IT

RESOLVED, That the New Britain City Council will host a "Citizens Forum" at the New Britain Senior Center on Wednesday July 27, 2005 at 7:00 p.m. for New Britain residents to voice their concerns and hear from local, state and federal leaders as to how privatization affects the residents of New Britain; and BE IT FURTHER

RESOLVED, The Town and City Clerk shall send a copy of this resolution and invitations to the "Citizens Forum", by certified mail, to Representative Johnson, Senator Lieberman and Senator Dodd so that they may state their position on privatizing Social Security.

Ald. Suzanne Bielinski
Ald. Salvatore Bonola
Ald. Paul D. Catanzaro
Ald. Silvia J. Cruz
Ald. Shirley Black

Ald. Lawrence J. Hermanowski
Ald. Daniel N. Karp
Ald. Richard P. Lopes
Ald. Tonilynn Collins
Ald. James F. Sullivan

Ald. Michael Trueworthy
Ald. James A. Wyskiewicz
Ald. Teresa Sapieha-Yanchak
Ald. Barbara L. Yeziarski
Ald. Francis P. Ziccardi

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Yeziarski. So voted. Returned on July 22, 2005 without the approval or disapproval of Mayor Stewart.

28693 RE: PROPOSED AMENDMENT TO SEC. 10-37 AND 14-256 OF THE ORDINANCES TO PROVIDE FOR AN INCREASE IN FEES – FOOD ESTABLISHMENTS AND PUBLIC SWIMMING POOLS AND TO ADD INSPECTION FEES FOR DAYCARE CENTERS AND SCHOOLS

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: To revise Sections 10-37 and 14-256 of the Code of Ordinances to provide for an increase in fees for food establishments, public swimming pools, wading pools, whirlpools and spas and to add inspection fees for daycare centers and schools. The City of New Britain Board of Health approved these fees on March 2, 2004.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Sections 10-37 and 14-256 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. 10-37. Classifications of food establishments; fees for issuance of licenses; duration; inspection intervals; reinspection fees; late charge.

(a) All licenses to conduct, operate or maintain any food establishment shall be issued for a period of one (1) year beginning July 1 and ending June 30 of the following year, except that any license issued after July 1 of any year shall expire as of the June 30 following the date of issuance of such license.

(b) Food establishments shall be classified as follows:

(1) *Class I Establishment* -- food service establishment with commercially prepackaged food and/or hot or cold beverages only. No preparation, cooking or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours. E.g., cold commercially packaged sandwiches and sandwich meat and cheeses, pastries, confectioneries, snacks, popcorn, pretzels, donuts, coffee, tea, soft drinks, etc.

(2) *Class II Establishment* -- food service establishment using cold or ready to eat commercially processed food requiring no further heat treatment and/or hot or cold beverages. No cooking, heating or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours, and commercially precooked hot dogs, kielbasa and soup may be heated if transferred directly out of the original package and served within four (4) hours. E.g., cold deli sandwiches, salads, commercially prepared, processed and packaged sandwiches, hot dogs, kielbasa, soups, coffee, tea, soft drinks, etc.

(3) *Class III Establishment* -- food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and consumed by the public within four (4) hours of preparation. E.g., hot meat sandwiches, pizza, soups, seafood, etc.

(4) *Class IV Establishment* -- food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and held for more than four (4) hours prior to consumption by the public. E.g., meats, poultry, eggs, seafood, dairy, etc.

(c) Food establishments shall be inspected at the following intervals:

(1) Class I Establishment -- 360 days;

(2) Class II Establishment -- 180 days;

(3) Class III Establishment -- 120 days;

(4) Class IV Establishment -- 90 days;

(5) *Temporary Food Service Establishment* -- at intervals based on the applicable class of the establishment.

(d) Every applicant for a license to conduct, operate or maintain a food establishment shall pay a fee or fees for such establishment in accordance with the following schedule:

(1) *Class I Establishment:*

Fixed Establishment -- ~~\$50.00~~ \$75.00 per year, or part thereof

Mobile Establishment -- ~~\$25.00~~ \$35.00 per year, or part thereof

(2) *Class II Establishment:*

Fixed Establishment -- ~~\$75.00~~ \$100.00 per year, or part thereof

Mobile Establishment -- ~~\$50.00~~ \$75.00 per year, or part thereof

(3) *Class III Establishment:*

Fixed Establishment -- ~~\$75.00~~ \$125.00 per year, or part thereof, plus \$2.00 per seat for each seat in excess of 35

Mobile Establishment -- ~~\$75.00~~ \$100.00 per year, or part thereof

(4) *Class IV Establishment* -- ~~\$100.00~~ \$150.00 per year, or part thereof, plus \$2.00 per seat for each seat in excess of 35

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(5) *Temporary Food Service Establishment* -- \$20.00 per day up to a maximum of \$100.00 per year

(e) Late Charge for Food Establishment Licensing Fee. There shall be a thirty dollar (\$30.00) late charge for any food establishment licensing fee not received by June 30. In addition, there shall be an additional thirty dollar (\$30.00) charge for each additional thirty (30) day period that the fee remains delinquent.

(f) Reinspection fee. In the event that a food establishment shall require a reinspection as a result of having failed to attain a passing grade on the initial inspection (4 pt. item(s) not corrected or previous grade below 80), such food establishment shall be required to pay a reinspection fee of one hundred dollars (\$100.00) for each required reinspection.

(g) All new or extensively remodeled food establishments must undergo a plan review before beginning operation. A fee of one hundred dollars (\$100.00) is to be paid for each plan review.

ARTICLE XIV. PUBLIC SWIMMING POOLS, WADING POOLS, WHIRLPOOLS, AND SPAS, DAYCARE CENTERS AND NONPUBLIC SCHOOLS

Sec. 14-256. License required; fee.

(a) No person shall operate a public swimming pool, a public wading pool or a public whirlpool or spa as defined in section 10-B-33b of the Regulations of the State of Connecticut Department of Health Services without first obtaining a license therefor issued by the director of health. Such license shall remain in effect for one year from the date of issuance. The fee for such license shall be ~~twenty-five dollars (\$25.00)~~ fifty dollars (\$50.00) for each such pool or spa.

(b) The health department shall charge a fee for the following inspections:

(1) Day care centers -- \$60.00;

(2) Nonpublic schools inspections -- \$10.00 per structure.

Alderman Richard P. Lopes

Ald. Lopes moved to accept and refer to the Committee on Health and Public Safety, seconded by Ald. Sapieha-Yanchak. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

28683 RE: THE APPOINTMENT OF PERSONNEL DIRECTOR OF THE CITY OF NEW BRITAIN

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, According to the New Britain City Charter, Article VIII, 8-2 (B), "Appointment of Department Heads": "...all department heads shall be appointed by and subject to the authority of the Mayor, following the consent of the Common Council..."; and

WHEREAS, The position of Personnel Director is currently vacant; and

WHEREAS, An open competitive examination was recently administered for the position of Personnel Director; and

WHEREAS, The Mayor and an interview panel of three other individuals interviewed four finalists for the position of Personnel Director; and

WHEREAS, The interview panel included the Chairperson of the Civil Service Commission, the Chairperson of the Commission on Human Rights and Opportunities and Attorney Dennis Ciccarillo who currently serves as a labor relations consultant for the City; and

WHEREAS, The Mayor has selected a candidate for the position of Personnel Director following an extensive search and testing process; and

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WHEREAS, The Common Council has considered the Mayor's candidate for the position of Personnel Director in executive session; NOW THEREFORE BE IT

RESOLVED, That the Common Council consents to the Mayor's selection of _____ as Personnel Director of the City of New Britain.

Alderman James Sullivan

Ald. Sullivan moved to accept and adopt, seconded by Ald. Hermanowski. Ald. Sullivan moved to table, seconded by Ald. Trueworthy. So voted. RESOLUTION TABLED.

Ald. Trueworthy moved the Council enter into Executive Session accompanied by the Mayor and the Corporation Counsel to discuss Report of the Office of the mayor regarding updates on city negotiations. Motion seconded by Ald. Ziccardi. Roll call vote – all members present voted in favor. Executive session began at 8:59 p.m.

The Council voted to return to regular order at 9:10 p.m. on motion of Ald. Yeziarski, seconded by Ald. Trueworthy.

OFFICE OF THE MAYOR

28675 RE: UPDATES ON CITY NEGOTIATIONS

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

The above referenced report will be discussed at the Common Council meeting on Wednesday evening, July 13, 2005.

Mayor Timothy T. Stewart

Ald. Trueworthy moved to accept, seconded by Ald. Bielinski. So voted. Approved July 20, 2005 by Mayor Timothy T. Stewart.

There being no further business to come before the Council, Ald. Yeziarski moved to adjourn, seconded by Ald. Ziccardi. So voted. Meeting adjourned at 9:11 p.m.

ATTEST: Peter J. Denuzze, City Clerk.