

Special Town Meeting 6:45 PM –

A special meeting of the electors and citizens qualified to vote in town meetings of the Town of Berlin, will be held at the Berlin Town Hall, Council Chambers, 240 Kensington Road, Berlin, CT on Tuesday, October 3, 2023, at 6:45 p.m. for the following purposes:

To approve a non-budgeted appropriation of \$1,000,000 from the FY24 General Fund Unassigned Fund Balance to the Buildings & Renovations account in the Police Station Construction Fund.

Dated at Berlin, Connecticut this 20th day of September 2023.

PRESENTATION BY JACUNSKI HUMES ARCHITECTS, LLC – Police Station

TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, October 3, 2023
Town Council Chambers (in person)
Remote Meeting
7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. AUDIENCE OF CITIZENS

E. MAYOR'S UPDATE

F. MEETING AGENDA – Immediately Following the Mayor's Update

G. CONSENT AGENDA:

1. Topic re: Accept monetary donations totaling \$4,850.00 and deposit \$130.00 into the library agency account for the library's greatest need and deposit \$4,720.00 into the Cancellarini Trust fund for the purchase of books and other library materials also accept the donation of wine glasses with an approximate value of \$40.00 to be used in an adult craft program. – Berlin-Peck Memorial Library
2. Topic re: Approve permission for consumption of alcoholic beverages (BYOB - beer and wine) at Pistol Creek for the Berlin Fire Department annual family picnic for approximately 70 people on Saturday, October 7, 2023. Food will be a sit-down dinner and there will be no entertainment. Tulip Insurance will be obtained if permission is granted. – Parks and Recreation

3. Topic re: Approve waiving estimated field and light fees not to exceed an amount of \$1,090 for the CCC (Central CT Conference) soccer tournament at Scalise Field, Sage Park on November 1 and November 3, 2023. – Parks and Recreation
4. Topic re: Approve permission for CCC (Central CT Conference) to charge a fee of \$5 for adults and \$3 for students/seniors for their soccer tournament taking place at Scalise Field on November 1 and November 3, 2023. – Parks and Recreation
5. Topic re: Approve that the Berlin Lions Club be authorized to sell luminaries at the Berlin High School home football games on October 20 and November 10, 2023 at Sage Park. – Parks and Recreation
6. Topic re: Accept a donation of a maximum of 10 straw/hay bales, valued at approximately \$90 to be used for the Parks and Recreation Scarecrow Contest for the 2023 Scarecrow Festival. – Parks and Recreation
7. Topic re: Accept the donations of \$375.00 and appropriate the funds to the Police K9 Program Expenditure Account. – Police Department

H. PUBLIC HEARINGS

The Town Council of the Town of Berlin will meet at Berlin Town Hall, Council Chambers, 240 Kensington Road, Berlin, CT on Tuesday, October 3, 2023, at 7:00 p.m. for the purpose of holding a public hearing on the following proposed ordinance of the Town, said ordinance being entitled as follows:

“AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023) AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE”.

Copies of said proposed ordinance are on file open to public inspection at the Office of the Town Clerk.

I. NEW BUSINESS:

1. Topic re: Approve a non-budgeted appropriation of \$1,000,000 from the FY24 General Fund Unassigned Fund Balance to the Buildings & Renovations account in the Police Station Construction Fund, pending approval by the Board of Finance. – Finance
2. Topic re: Waive Rule 7 of the Town Council Rules and Procedures to vote on the proposed Ordinance at tonight’s meeting. Also to adopt “AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023), AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSED APPROPRIATION AND PENDING

THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE". Also refer the matter of renovating the Police Department by utilizing the former firearms training range and Board of Education storage area in the Town Hall to the Planning and Zoning Commission for a C.G.S. Section 8-24 Review. – Town Clerk

3. Topic re: Adopt the attached resolution authorizing the Town Manager to execute and file a Connecticut Communities Challenge Grant application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of Town of Berlin. – Economic Development
4. Topic re: Referral to the Planning & Zoning Commission pursuant to 8-24 of the Connecticut General Statutes regarding the securing of easements from Newport Realty Group, the Kensington Fire Department, and the Berlin Land Trust to allow trail improvements to be constructed and to provide public access to the trails at the rear of 848 Farmington Avenue as shown on the map titled "Concept Walking and Foot Path System for Berlin Town Center, Concept Layout". – Economic Development

J. TOWN MANAGER'S REPORT:

K. SPECIAL COMMITTEE REPORTS:

L. COUNCILORS' COMMUNICATION:

M. ACCEPTANCE OF MINUTES:

September 19, 2023

N. ADJOURNMENT

TOWN MEETING PROCEDURES

1. Call to Order – Mayor will open the meeting
2. Election of a Moderator (Nominations from the Floor)
3. Nominations closed
4. Eligibility to Vote – any person who is an elector of such town and any citizen of the United States of the age of eighteen (18) years or more who, jointly or severally, who is liable to the town for taxes assessed against him/her on an assessment of not less than one thousand (\$1,000.00) on the last completed grand list of such town (reference CGS Sec. 7-6.)
5. Clerk will read the Legal Notice
6. Is there a Resolution to come before the Town Meeting?
(Second Required)
7. Discussion on Resolution
8. Vote on Resolution
9. Mayor should then simply state the meeting is adjourned
(a motion is not necessary to adjourn Special Town Meeting)

Revised 5/2/2018

→ Presentation

LEGAL NOTICE
TOWN OF BERLIN
SPECIAL TOWN MEETING

October 3, 2023

A special meeting of the electors and citizens qualified to vote in town meetings of the Town of Berlin, will be held at the Berlin Town Hall, Council Chambers, 240 Kensington Road, Berlin, CT on Tuesday, October 3, 2023 at 6:45 p.m. for the following purposes:

To approve a non-budgeted appropriation of \$1,000,000 from the FY24 General Fund Unassigned Fund Balance to the Buildings & Renovations account in the Police Station Construction Fund.

Dated at Berlin, Connecticut this 20th day of September 2023.

BERLIN TOWN COUNCIL

ATTEST: Kate Wall, Berlin Town Clerk

Publish Date:
September 26, 2023

Consent

Agenda Item No. 1
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 22, 2023

SUBJECT: Accept Library Donations

Summary of Agenda Item:

Accept donations to the Berlin-Peck Memorial Library

Category	Amount	Description	Purpose	Donor
Cash	5.00	Library Agency Acct.	libraries greatest need	Louis Palardy Jr.
	100.00	Library Agency Acct.	for libraries greatest need in memory of Elizabeth Bennett	Debra McQueeney
	25.00	Library Agency Acct.	for libraries greatest need in memory of Elizabeth Bennett	Ruth Bottomley
	4,720.00	Cancellarini Trust	purchase of books and other library materials	Paul and Mary Cancellarini Charitable Trust
	4,850.00			
Equip/Merch	40.00	Wine Glasses	for adult library program	Various patrons
	40.00			

Funding:

No funding needed

Action Needed:

Move to accept monetary donations totaling \$4,850.00 and deposit \$130.00 into the library agency account for the library's greatest need and deposit \$4,720.00 into the Cancellarini Trust fund for the purchase of books and other library materials.

Move to accept the donation of wine glasses with an approximate value of \$40.00 to be used in an adult craft program.

Attachments:

None

Prepared By:

Kimberly McNally, Director

Consent

Agenda Item No. 2
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 19, 2023

SUBJECT: Permission to consume alcoholic beverages (BYOB - beer and wine) at Pistol Creek for the Berlin Fire Department annual family picnic

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, September 14, 2023 recommended permission for consumption of alcoholic beverages (BYOB - beer and wine) at Pistol Creek for the Berlin Fire Department annual family picnic for approximately 70 people on Saturday, October 7, 2023 from 2 p.m. to 9 p.m. Food will be a sit-down dinner and there will be no entertainment. Tulip Insurance will be obtained if permission is granted.

The Berlin Parks and Recreation Commission is requesting Berlin Town Council approval of this recommendation.

FUNDING:

No funding needed

ACTION NEEDED:

Move to approve permission for consumption of alcoholic beverages (BYOB - beer and wine) at Pistol Creek for the Berlin Fire Department annual family picnic for approximately 70 people on Saturday, October 7, 2023. Food will be a sit-down dinner and there will be no entertainment. Tulip Insurance will be obtained if permission is granted.

ATTACHMENTS:

Permission for the use of alcoholic beverages

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation & Parks Services

TOWN OF BERLIN
Community, Recreation and Park Services
DIVISION OF PARKS & RECREATION

PERMISSION FOR USE OF ALCOHOLIC BEVERAGES

ORGANIZATION: BERLIN FIRE FACILITY REQUESTED PISTOL CREEK
CONTACT PERSON: WAT SURGEON PHONE: 8603026492
STREET: 35 BAXTER AVE CITY: BERLIN ZIP: 06037
RENTAL DATE: 10-07-2023 START TIME: 2pm FINISH TIME: 9pm
NATURE OF ACTIVITY: FAMILY PICNIC
AGE GROUP: 5-80 TOTAL ATTENDANCE: 70 MINORS: YES: X NO:
TYPE OF ALCOHOL: BEER: X WINE: X OTHER (EXPLAIN):
HOW DISPENSED: CASH BAR: OPEN BAR: BYOB: X
FOOD: YES: X NO: HOW SERVED: SIT DOWN X BUFFET OTHER
ENTERTAINMENT: YES NO X TYPE:
WILL FEES BE ASSESSED TO THOSE ATTENDING: YES NO X EXPLAIN:

SECURITY DEPOSIT: The use of alcoholic beverages in/around the premises is prohibited unless expressly authorized by proper permits. A Security Deposit is required.

DAMAGE FEES: Any cost resulting from damage to the premises occurring as a result of the lessee's use of the facility will be borne by the lessee.

INSURANCE, (TULIP): Insurance is required by all groups requesting the use of alcoholic beverages.

I certify that the information given above is true and correct under the penalty of law. I understand that refusal to abide by the rules and privileges granted by the permit will lead to revocation, and that a refund of fees and security deposit will not be granted.

Date: 08-10-2023 Signature: [Signature]

PERMISSION FOR CONSUMPTION OF ALCOHOLIC BEVERAGES:

	<u>Approved</u>	<u>Denied</u>
Chief of Police <u>[Signature]</u>	<u>X</u>	<u> </u>
Town Manager <u>[Signature]</u>	<u>✓</u>	<u> </u>
Community, Recreation and Park Services Rep. <u>[Signature]</u>	<u>✓</u>	<u> </u>
Parks and Recreation Commission	<u>✓</u>	<u> </u>
Town Council	<u> </u>	<u> </u>
Reason for Denial: <u> </u>		

State Liquor License required: Yes No

Consent

Agenda Item No. 3
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 19, 2023

SUBJECT: CCC (Central CT Conference) Soccer Tournament – Waiver of Field and Light Rental Fees

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, September 14, 2023 recommended waiving field usage and light fees not to exceed an amount of \$1,090 for the CCC (Central CT Conference soccer tournament taking place at Scalise Field, Sage Park on November 1 and November 3, 2023. Berlin High School athletes hosts this event and will have teams in it.

The Berlin Parks and Recreation Commission is requesting Berlin Town Council approval of this recommendation.

FUNDING:

No funding needed

ACTION NEEDED:

Move to approve waiving estimated field and light fees not to exceed an amount of \$1,090 for the CCC (Central CT Conference) soccer tournament at Scalise Field, Sage Park on November 1 and November 3, 2023.

ATTACHMENTS:

Fee Waiver Request Form

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation & Parks Services



~~Consent~~

TOWN OF BERLIN
Request for Fee Waiver

Requesting Organization: <u>CCC / BHS Athletics</u>		Date: <u>8/25/23</u>
Contact Name: <u>David Francalanga</u>		
Phone Number: <u>860 841 1652</u>		
Event: <u>CCC Semi + Finals Soccer</u>		Date of Event: <u>11/1 + 11/3</u>
Location of the Event: <u>Scalise</u>		
What fee do you want waived: <u>All full benefit stipend of BHS + Conference</u> <u>\$11090</u>		
Identify the hardship incurred: <u>we have lost money on this thing every year.</u> <u>Trying to save cost for Berlin High School + CCC</u>		
Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific: <u>BHS is a part of the CCC, with Boys + Girls Soccer teams participating in CCC.</u>		

Town Manager review:

Does it meet the standards set forth in the "Policy on Fees and Charges?"

Yes



No



If so, which criteria:

- ☐ Raises funds to supplement Town budgeted services.
- ☐ Raises funds for programs normally funded by the Town.
- ☐ Raises funds for Non-Profit groups, which have contributed substantially to the community.
- ☒ Nationally or State affiliated program which provide programs for local youth.
- ☐ Raises funds for scholarships of Berlin students.
- ☐ Raises funds for elderly citizens.

TOWN OF BERLIN Request for Fee Waiver 2 TMO Form 092011 Name of Non-Profit or Political Organization: CCC/ BHS Athletics

Comments: _____

Signature David Francalanga Date 9/8/23

Town Manager Signature [Signature] Date 9/21/23

Organizations requesting a waiver of fees must complete the Request for Fee Waiver prior to the event. The request should be filled out in accordance with Section J, Policy on Fees & Charges, restated below.

Fee Waiver Policy

1. Fee waivers will be granted on an ad-hoc basis giving due consideration to the financial needs of the Town and the fiscal impact of the waiver upon the Town.
2. Preference for fee waivers will be given to those private, non-profit organizations that serve Berlin that are proposing events which will raise funds that are intended to supplement Town funds for budgeted items or programs, raise funds for programs that would normally be funded by the Town, raise funds for programs by non-profit groups that have contributed substantially to the community, raise funds for programs for local senior or youth groups with a state or national affiliation or raise funds for scholarships for Berlin students.
3. The Town of Berlin will grant fee waivers sparingly with due consideration given to the costs and benefits derived from the fee waiver.
4. Golf Course charity fees will be set at the 18 hole resident rate.
5. The Town Council will consider waiving fees only when the Town Manager receives in writing a request stating that an undue hardship exists and the overall benefit the community will receive as a result of the program. Such waivers must be submitted at least one month in advance of the event for which the waiver is sought.
6. Any and all fee waivers are at the sole discretion of the Town Council.

Consent

Agenda Item No. 4
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 19, 2023

SUBJECT: Permission for CCC (Central CT Conference) to charge a fee for CCC Tournament

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, September 14, 2023 recommended permission for CCC (Central CT Conference) to charge a fee of \$5 for adults, \$3 for students/seniors for their soccer tournament to take place at Scalise Field, Sage Park on November 1, 2023 and November 3, 2023.

The Berlin Parks and Recreation Commission is requesting Berlin Town Council approval of this recommendation.

FUNDING:

No funding needed

ACTION NEEDED:

Move to approve permission for CCC (Central CT Conference) to charge a fee of \$5 for adults and \$3 for students/seniors for their soccer tournament taking place at Scalise Field on November 1 and November 3, 2023.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation & Parks Services *JO*

Consent

Agenda Item No. 5
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 19, 2023

SUBJECT: Approval to sell luminaries at Sage Park at Berlin High School football games on October 20 and November 10, 2023

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, September 14, 2023 recommended that the Berlin Lions Club be authorized to sell luminaries at the Berlin High School home football games on October 20 and November 10, 2023 at Sage Park. Berlin High School is in favor of this. All proceeds from these sales will go towards local veterans.

The Berlin Parks and Recreation Commission is requesting Berlin Town Council approval of this recommendation.

Funding:

No funding needed

ACTION NEEDED:

Move to approve that the Berlin Lions Club be authorized to sell luminaries at the Berlin High School home football games on October 20 and November 10, 2023 at Sage Park.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Parks Services

Consent

Agenda Item No. 6
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 19, 2023

SUBJECT: Request acceptance of a donation of a maximum of 10 straw/hay bales from the Matson Family, valued at approximately \$90 to be used for our Scarecrow Contest for the 2023 Scarecrow Festival.

SUMMARY:

The Berlin Parks and Recreation Commission requests acceptance of a donation of a maximum of 10 straw/hay bales from the Matson Family, valued at approximately \$90 to be used for our Scarecrow Festival. We will have all the scarecrows on display on the lower grass area at the entrance of Arthur B Powers Municipal complex. People will be able to vote on-line or at the Town Hall, Community Center, Senior Center or Berlin Peck Memorial Library for their favorite.

FUNDING:

No funding needed

ACTION NEEDED:

Move to accept a donation of a maximum of 10 straw/hay bales from the Matson Family, valued at approximately \$90 to be used for the Parks and Recreation Scarecrow Contest for the 2023 Scarecrow Festival.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation & Parks Services

Consent

Agenda Item No. 7
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 25, 2023

SUBJECT: Donations for K9 Program

Summary of Agenda Item:

The Police Department has received \$375.00 in donations to the K9 Program.

These funds will be deposited into the Donations Fund Revenue Account # 100.05.0505.2.45100.00000 and appropriated to the K9 Program Expenditure Account # 100.15.1532.0.53225.00000.

Funding

No funding needed.

Action Needed:

Move to accept the donations of \$375.00 and appropriate the funds to the Police K9 Program Expenditure Account.

Attachments:

None

Prepared By:

Deputy Chief Drew Gallupe

FIRST PERSON VERSION

PUBLIC HEARING

I hereby convene the public hearing for the \$3,700,000 Police Station Renovations Project (2023) appropriation and bond ordinance. The ordinance which is the subject of this public hearing is available to the public and may be obtained at this meeting from the Town Clerk.

Is there a motion and a second to read the title of the following proposed ordinance and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

Moved by _____, seconded by _____.

Those in favor?

Those opposed?

The motion passes.

AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023), AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Are there any comments from the public?

[Public Comments]

I call the public hearing on the \$3,700,000 Police Station Renovations Project (2023) bond ordinance closed.

NOTICE OF PUBLIC HEARING
THE TOWN OF BERLIN

The Town Council of the Town of Berlin will meet at Berlin Town Hall, Council Chambers, 240 Kensington Road, Berlin, CT on Tuesday, October 3, 2023 at 7:00 p.m. for the purpose of holding a public hearing on the following proposed ordinance of the Town, said ordinance being entitled as follows:

“AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023) AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE”.

Copies of said proposed ordinance are on file open to public inspection at the Office of the Town Clerk.

Dated at Berlin, Connecticut this 20th day of September 2023.

Kathryn J. Wall
Town Clerk

Publication Date: September 26, 2023

Agenda Item No. 1
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 25, 2023

SUBJECT: An FY24 Non-Budgeted Appropriation of \$1 million for addition and renovations to the Police Station.

SUMMARY:

The Public Building Commission (PBC) engaged Jacunski Humes Architects, LLC to design plans for the "Addition and Renovations to Berlin Police Station" project. The most recent cost projection is \$3.0 - \$4.0 million. This ordinance provides authorization if the bids are higher than projected and for contingency if issues arise during construction. The actual amount bonded will be determined after the project is awarded.

The current plan is to award bids in October 2023. To award the entire contract, the Town must have funding appropriated at the time the bid is awarded. Section 6-10-6 of the Town Charter reads, "Adoption of an ordinance exceeding five million (\$5,000,000.00) dollars shall be subject to automatic referendum approval by a majority of those voting thereon." At the proposed funding level, the ordinance would not require an automatic referendum.

FY23 Unassigned Fund Balance Appropriated:	\$ 300,000 (10/4/22 TC; 10/11/22 BOF)
FY24 Unassigned Fund Balance Proposed:	\$1,000,000 (Mayor proposal at 9/5/22 TC)
FY24 Bond Ordinance:	<u>\$3,700,000</u> (proposed agenda item)
TOTAL Police Station Renovation Funding:	<u>\$5,000,000</u>

ACTION NEEDED:

Move to approve a non-budgeted appropriation of \$1,000,000 from the FY24 General Fund Unassigned Fund Balance to the Buildings & Renovations account in the Police Station Construction Fund, pending approval by the Board of Finance.

ATTACHMENTS:

None

PREPARED BY:

Kevin Delaney, Finance Director

Agenda Item No. 2
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 25, 2023

SUBJECT: "AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023), AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSED APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Summary of Agenda Item:

Our Bond Counsel, Attorney Jessica G. Kennedy, has prepared the attached bonding authorization entitled "AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023), AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSED APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE." It is important that you read the exact resolutions as prepared by our Bond Counsel.

As stated in the bond ordinance: Section 1 of the Bond Ordinance states: "Section 1. The Town of Berlin, Connecticut (the "Town") appropriates the sum of \$3,700,000 for the Police Station Renovations Project (2023), comprised of additions and renovations to the exterior and interior of the police station located within the Town, and including, but not limited to, the costs of planning and design, consultants, construction and program managers, temporary relocation, storage and moving, remediation, site preparation, demolition, furniture, fixtures and equipment, technology and communication systems, HVAC systems and other utilities, insurance, architectural, engineering, surveying, testing and inspections, construction, and all work related and appurtenant thereto, and the costs of administrative, advertising, printing, legal and financing, and capitalized interest related thereto (the "Project").

As a reminder, our Charter states that "Adoption of an ordinance of five million (\$5,000,000.00) dollars or less shall be subject to referendum approval by a majority of those voting thereon if (1) the Council, by majority vote concurrent with the adoption of the ordinance, sends the ordinance to referendum, or (2) not later than the fourteenth (14th) day from publication, counting the day

of publication as the first (1st) day, a petition containing three (3%) percent or more of the total numbers of qualified electors whose names appear upon the last voting list is filed with the Town Clerk requesting the ordinance be submitted to referendum approval. The petition will be subject to certification in accordance with Section 3-9 of this Charter.”

Funding:

The current plan is to award bids in October 2023. To award the entire contract, the Town must have funding appropriated at the time the bid is awarded. Section 6-10-6 of the Town Charter reads, “Adoption of an ordinance exceeding five million (\$5,000,000.00) dollars shall be subject to automatic referendum approval by a majority of those voting thereon.” At the proposed funding level, the ordinance would not require an automatic referendum.

FY23 Unassigned Fund Balance Appropriated:	\$ 300,000 (10/4/22 TC; 10/11/22 BOF)
FY24 Unassigned Fund Balance Proposed:	\$1,000,000 (Mayor proposal at 9/5/22 TC)
FY24 Bond Ordinance:	<u>\$3,700,000</u> (proposed agenda item)
TOTAL Police Station Renovation Funding:	<u>\$5,000,000</u>

Action:

1. Move to Waive Rule 7 of the Town Council Rules and Procedures to vote on the proposed Ordinance at tonight’s meeting.
2. Move to adopt “AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023), AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSED APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”
3. Refer the matter of renovating the Police Department by utilizing the former firearms training range and Board of Education storage area in the Town Hall to the Planning and Zoning Commission for a C.G.S. Section 8-24 Review.

Attachment:

Proposed Ordinance
Existing Town Hall Floor Plan
Proposed Lower Floor Plan dated 3/15/2023

Prepared By: Kate Wall, Town Clerk

FIRST PERSON VERSION

TOWN COUNCIL - ORDINANCE ACTION

The Town Council will now consider and take action with respect to the \$3,700,000 Police Station Renovations Project (2023) appropriation and bond ordinance. A copy of the ordinance is available from the Town Clerk.

[Make the following Motion Only if vote is on same night as public hearing.

Is there a motion to waive Rule 7?

Moved by _____, seconded by _____.

Those in favor?

Those opposed?

The motion passes.]

Is there a motion and a second that the ordinance entitled:

“AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023), AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”, be adopted.

Moved by _____, seconded by _____.

[Council Discussion]

Those in favor?

Those opposed?

I declare the ordinance adopted.

AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION (2023), AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The Town of Berlin, Connecticut (the "Town") appropriates the sum of \$3,700,000 for the Police Station Renovations Project (2023), comprised of additions and renovations to the exterior and interior of the police station located within the Town, and including, but not limited to, the costs of planning and design, consultants, construction and program managers, temporary relocation, storage and moving, remediation, site preparation, demolition, furniture, fixtures and equipment, technology and communication systems, HVAC systems and other utilities, insurance, architectural, engineering, surveying, testing and inspections, construction, and all work related and appurtenant thereto, and the costs of administrative, advertising, printing, legal and financing, and capitalized interest related thereto (the "Project").

Section 2. To meet said appropriation, \$3,700,000 bonds of the Town or so much thereof as may be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date, or later date as may be allowed by the Connecticut General Statutes, Revision of 1958, as amended (the "Statutes") or other applicable law. Said bonds may be issued in one or more series as determined by a majority of the Mayor, the Town Manager and the Director of Finance (such majority hereafter, the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing, financing and legal costs of issuing the bonds, and capitalized interest thereon. Capital project revenues, including bid premiums and income derived from the investment of proceeds from bonds issued pursuant to this ordinance (and net investment income derived from the investment of note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid therefrom. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Pullman & Comley, LLC or such other nationally recognized bond counsel ("Bond Counsel"). Such bonds shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the

extent not paid from other sources. In connection with the issuance of any bonds or notes authorized herein, the Town may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Town Council. The aggregate principal amount of bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Town Officials in accordance with the Statutes. In order to meet the capital cash flow expenditure needs of the Town, the Town Manager and Director of Finance are authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the Town outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes herein authorized.

Section 3. Said bonds shall be sold by the Town Officials in a competitive offering or by negotiation, in the Town Officials' discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals, or by auction, or other competitive method at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale may be published (including electronically) in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Town Officials.

Section 4. The Town Officials are authorized to make temporary borrowings in anticipation of the receipt of the proceeds from the sale of bonds, notes or obligations, or the receipt of grants for the Project. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Bond Counsel, and be certified by a bank or trust company designated by the Town Officials pursuant to Section 7-373 of the Statutes. Such notes shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon, and shall be paid from property taxation to the extent not paid from other sources. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

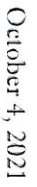
Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Treasury Regulations"), to reimburse expenditures paid sixty days prior

to and any time after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the original expenditure or the substantial completion of the Project, or such later date the Treasury Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance, or designee, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration. The Town Officials are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations authorized by this resolution, if issued on a tax-exempt basis.

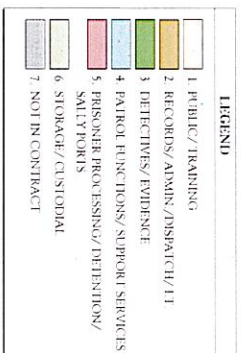
Section 6. The Town Officials are hereby authorized to exercise all powers conferred by Section 3-20e of the Statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 7. It is hereby found and determined that it is in the public interest to issue all, or a portion of, the Bonds, notes or other obligations of the Town authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law, including but not limited to any "tax credit bond" or "tax-advantaged bond," including direct payment and tax credit versions of such bonds.

Section 8. The Mayor, Town Manager and Director of Finance, and other proper officers and officials of the Town are each authorized to take any other action which is necessary or desirable to complete the Project and to issue bonds, notes or obligations or obtain grants to finance the aforesaid appropriation.



Existing Lower Floor Plan



EXISTING POLICE AREA - 10,876 SF

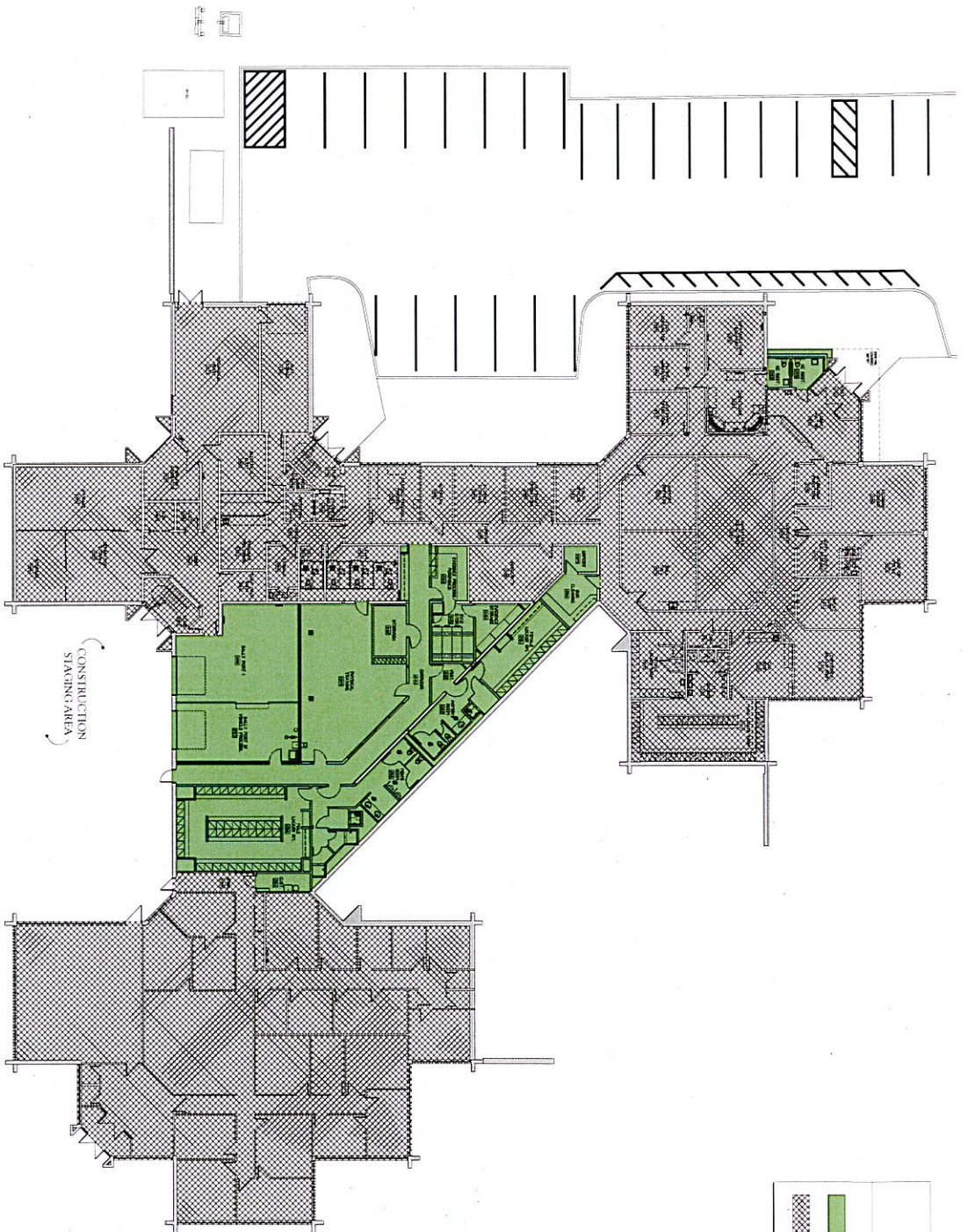




March 15, 2023

Proposed Lower Floor Plan


ADDITIONS & RENOVATIONS TO 240 KENSINGTON ROAD FOR THE TOWN OF BERLIN, CONNECTICUT



JH
JACUNSKI HUMES
ARCHITECTS, LLC

Agenda Item No. 3
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: September 20, 2023

SUBJECT: Authorization for the Town Manager to Execute Necessary Documents to Accept a Connecticut Communities Challenge Grant for the Kensington Village Core TOD Improvement Project

Summary of Agenda Item:

At a previous meeting, the Town Council authorized the Town Manager to submit a Connecticut Communities Challenge Grant application for the Kensington Village Core TOD Improvement Project. The State has awarded the Town a grant of \$1,560,947 for this project. The next step in the process is to pass the attached resolution authorizing the Town Manager to execute and file a Connecticut Communities Challenge Grant application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of Town of Berlin.

Funding:

\$5,000 in additional funding will be required from the Town for State legal expenses related to the grant and this will be sourced from the Town's outside legal account. All other Town matching funds required have already been spent for the paving of the Kensington Fire Department parking lot, for the Transition Academy at 362 Main Street, and for the location of YMCA daycare programs at McGee and Hubbard schools. Most of the improvements to the schools were paid for by the YMCA with expenses run through the Finance Department and expenses for the Transition Academy were paid by the Berlin and Cromwell Boards of Education. The Town will be entering a sub-recipient agreement with Newport Realty Group and it will receive \$1,105, 947 from the grant and the balance of the cost for the construction and development of the 10 apartments (5 affordable) at a portion of 848 Farmington Avenue, that will be made a condominium for this purpose, will be covered by equity and bank financing from Newport Realty Group and its affiliated LLC that will own this project. The grant has an overall required match requirement that will not be met until the Newport portion is secured by receipt of necessary approvals and financing for this project. Therefore, the 362 Main Street and 848 Farmington Avenue rear trails portions of the project will not be able to start until that time. A brief project scope summary is attached.

Action Needed:

Move to adopt the attached resolution authorizing the Town Manager to execute and file a Connecticut Communities Challenge Grant application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of Town of Berlin.

Attachments:

1. Connecticut Communities Challenge Grant Authorizing Resolution
2. Project Scope Summary

Prepared By:

Chris Edge, Economic Development Director
Jim Mahoney, Economic Development Coordinator

CE

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
STATE OF CONNECTICUT
(AN EQUAL OPPORTUNITY EMPLOYER)

Certified Resolution of the Governing Body

I, _____, _____, certify that below is a true and correct copy of a

(Name of Official)

(Title of Official)

resolution duly adopted by

(Name of the Applicant)

at a meeting of its _____

(Governing Body)

duly convened on _____ and which has not been rescinded or
modified in any way whatsoever and is at present in full force and effect.

(Date)

(Signature and Title of Official)

WHEREAS, pursuant to Section 32-4q of the Connecticut General Statutes (Connecticut Communities Challenge Grant)

(State Statutory Reference)

the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the _____ Town of Berlin _____ make an application to the State for

(Applicant)

\$ 1,560,947 in order to undertake the Kensington Village Core TOD Improvement Project

(Name and Phase of Project)

_____ and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE

Berlin Town Council

(Governing Body)

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Section 32-4q of the Connecticut General Statutes (Connecticut Communities Challenge Grant)

(State Statutory Reference)

2. That the filing of an application for State financial assistance by
The Town of Berlin

(Applicant)

in an amount not to exceed \$ 1,560,947 is hereby approved and that

Arosha Jayawickrema, Town Manager

(Title and Name of Authorized Official)

is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of

Town of Berlin

(Name of Applicant)

Scope of Kensington Village Core TOD Improvement Project 9-23

- Development by Newport Realty Group of 10 additional mixed-income housing units, 5 affordable, at 848 Farmington Avenue (Newport Center) across from the Train Station (included in Round 1 application). The grant amount for this portion of the project is \$1,105,947.
- In cooperation with Newport Realty Group, the Kensington Fire Department and the Berlin Land Trust, improvement of access and trails at the rear of 848 Farmington Avenue including building a bridge over the swale at the rear of the 848 Farmington Avenue parking area. This project element will require easements to provide public access to the unified area and the repaving a portion of the Kensington Fire Department driveway and parking lot as previously approved by the Town Council. The grant amount for the bridge and trail work is \$50,000.
- The Berlin Board of Education and the Meriden, New Britain, Berlin YMCA relocated YMCA daycare programs at McGee Middle School and Hubbard Elementary School and the Board of Education's Transition Academy program leased space in the YMCA owned building at 362 Main Street. Grant funds would be used to make additional improvements at 362 Main Street for the Transitional Academy. Equity contributions are the YMCA's investment in improvements at McGee Middle School and Hubbard Elementary School to accommodate the daycare program (estimated at \$355,840), investments made by the YMCA at 362 Main Street to accommodate the Transition Academy (estimated at \$10,585) and investments made by the Board of Education in the 362 Main Street building. The grant amount for this portion of the project will be more than \$405,000.

Agenda Item No. 4
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: September 21, 2023

SUBJECT: Section 8-24 Referral to the Planning and Zoning Commission Regarding Easements for Trails at the Rear of Farmington Avenue

Summary of Agenda Item:

The Town is finalizing contracts for a Connecticut Community Challenges Grant of \$1,560,947 from the Connecticut Department of Economic and Community Development. One component of the grant is to cooperate with Newport Realty Group, the Kensington Fire Department, and the Berlin Land Trust, to improve access and create trails at the rear of 848 Farmington Avenue including building a bridge over the swale at the rear of the 848 Farmington Avenue parking area. This project element will require easements from the property owners, Newport Realty Group, the Kensington Fire Department, and the Berlin Land Trust to allow the improvements to be constructed and to provide public access to the trails. The grant amount for the bridge and trail work is \$50,000. The plan for the trail network is attached (Map by Yantic River Consulting, LLC titled, Concept Walking and Foot Path System for Berlin Town Center, Concept Layout).

The action required is to do a referral to the Planning & Zoning Commission pursuant to 8-24 of the Connecticut General Statutes regarding the securing of easements from Newport Realty Group, the Kensington Fire Department, and the Berlin Land Trust to allow trail improvements to be constructed and to provide public access to the trails at the rear of 848 Farmington Avenue as shown on the map titled "Concept Walking and Foot Path System for Berlin Town Center, Concept Layout".

Funding:

No funding is needed for the easements. Funding for the trails is to be provided through a Connecticut Communities Challenge Grant as explained in the Town Council item authorizing the Town Manager to execute an assistance agreement and other documents to secure said grant.

Action Needed:

Move to make a referral to the Planning & Zoning Commission pursuant to 8-24 of the Connecticut General Statutes regarding the securing of easements from Newport Realty Group, the Kensington Fire Department, and the Berlin Land Trust to allow trail improvements to be constructed and to provide public access to the trails at the rear of 848 Farmington Avenue as shown on the map titled "Concept Walking and Foot Path System for Berlin Town Center, Concept Layout".

Attachments:

1. Map by Yantic River Consulting, LLC titled, Concept Walking and Foot Path System for Berlin Town Center, Concept Layout.

Prepared By:

Jim Mahoney, Economic Development Coordinator

Chris Edge, Economic Development Director

CE



- WALKING & FOOT PATH LEGEND**
- 1 EXISTING STONE DUST PATH (MAINTENANCE REQUIRED)
 - 2 EXISTING FOOT PATH SYSTEM THROUGH WOODLANDS (NO DEFINED PATH)
 - 3 FUTURE FOOT PATH FROM EXISTING FOOT PATH OVER FUTURE BRIDGE TO STONE DUST TRAIL
 - 4 EXISTING CONCRETE SIDEWALK ALONG FARMINGTON AVENUE
 - 5 EXISTING CONCRETE SIDEWALK ALONG STEELE BOULEVARD
 - 6 PROPOSED SIDEWALK ALONG AND THROUGH AMCO PRECISION TOOL
 - 7 PROPOSED FOOT PATH ALONG FORMER SEWER ROW TO BRICKYARD POND

CONTACT INFORMATION YANTIC RIVER CONSULTANTS, LLC 1000 ROUTE 1 LEBANON, CT 06240 Phone: 860.347.7284 Fax: 860.347.7285 www.yanticriverconsultants.com	SCALE: 1" = 100' 0 100 200 300	PROJECT NUMBER: 00065 - 001	YRC YANTIC RIVER CONSULTANTS, LLC	REVISION SUMMARY	
				SHEET C1	DATE 11/1/22
CONCEPT WALKING AND FOOT PATH SYSTEM FOR BERLIN TOWN CENTER				CONCEPT LAYOUT	
PREPARED FOR TOWN OF BERLIN				DESIGNED BY YANTIC RIVER CONSULTANTS, LLC	

Join Zoom Meeting

<https://berlinc-t-gov.zoom.us/j/81475201660?pwd=a8GJE0tdbgY0wa8MnJ6VKa2nQYhfbE.1>

Meeting ID: 814 7520 1660

Passcode: 509115

+1-309-205-3325

TIME CHANGE – THE TOWN MEETING WILL BE AT 7:15 PM AND THE TOWN COUNCIL MEETING WILL START IMMEDIATELY AFTER THE TOWN MEETING.

**TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, September 19, 2023
Town Council Chambers (in person)
Remote Meeting
7:15 P.M.**

A. CALL TO ORDER:

Mayor Kaczynski called the Town Council Meeting to order at 7:26 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL:

Those in attendance were:

Councilor Sandra Coppola
Councilor Casey Foster
Mayor Mark Kaczynski
Councilor Charles Paonessa
Councilor Peter Rosso
Councilor Donna Veach – *left meeting at 8:25 p.m.*

Absent:

Councilor Donna Risolo

Also in attendance:

Town Manager Arosha Jayawickrema
Corporation Counsel Jeffrey Donofrio

D. PRESENTATION OF PROCLAMATION:

KAREN AND CLIFF COTE – VOLUNTEERISM

Mayor Kaczynski read the following proclamation, adding that he read and presented the proclamation to the Cotes earlier this evening at a Boxes to Boots event.

NOW, THEREFORE, BE IT RESOLVED, I, Mark H. Kaczynski, by virtue of the authority vested in me as Mayor of Berlin, Connecticut, do hereby thank and applaud all First Responders for all their selfless acts of honor and bravery.

Dated this 30th day of September 2023

Mark H. Kaczynski, Mayor

E. AUDIENCE OF CITIZENS:

Richard Choma, 90 Sawmill Drive – Mr. Choma stated that on two occasions in July both he and his wife attempted to pay their taxes to the Town of Berlin Revenue Collector using older \$100 bills. The Revenue Collector refused to take the cash and stated that the only way it would be accepted is if Mr. Choma exchanged the bills for newer currency at the bank. He added that the \$100 bills were less than 22.9 years old (the average life of a \$100 bill according to the Federal Reserve).

Mr. Choma stated that the Revenue Collector was very rude to Mr. Choma and his wife, and he is requesting a written apology from the Revenue Collector, and he expects that in the future they are not turned away when presenting cash for payment of taxes.

Town Manager Jayawickrema explained that when Mr. Choma's wife first attempted to pay the taxes with the older currency the counting machine rejected a number of the bills. When Mr. Choma returned to try and pay the taxes again with those older bills the Town Manager brought Mr. Choma to the bank to exchange some of the older bills for newer bills. The bank informed both that the counting machine used by the Revenue Collector has built in features to recognize the newest safety features of currency and therefore rejected the older bills.

Mayor Kaczynski apologized to Mr. Choma on behalf of the Town Council and added that it does appear that new cash counting machines, as well as counterfeit marking pens, are needed in the Revenue Collector's office.

David Dill, Attorney for Joanne Angelico-Stetson – Attorney Dill stated that as the full Town Council is not present this evening, he is requesting to continue tonight's item on the Ethics Policy violation (Agenda Item #1) to a future meeting.

Donna Bovee, 85 Steepleview Drive – Ms. Bovee, Chair of the Parks and Recreation Commission, stated that the Town Council previously requested more information on the splash pad before moving forward with approving the \$200,000 in funds for improvements to Little People's Playground. Ms. Bovee is asking that funding be approved tonight as the Board of Finance approved the item and many residents are becoming frustrated with the lack of progress.

Mayor Kaczynski suggested adding approval of that funding to tonight's agenda.

F. MAYOR'S UPDATE:

Attorney Fishbein stated that on behalf of his client they oppose the continuation of this matter as this case has been delayed numerous times.

Councilor Rosso stated that as Councilor Risolo had an unexpected death occur, he suggests setting a date tonight to hold a meeting on this item.

Councilor Paonessa stated that he would like to put this item behind us as the residents of Berlin are the ones that have paid for this matter in legal fees and the decision has already been made by the Board of Ethics.

Councilor Coppola agreed with moving forward with this item this evening as there is always future potential for other delays to exist.

Councilor Foster stated that she is impartial.

Mayor Kaczynski stated that he is inclined to continue this item to either the next Town Council meeting or to a special meeting as this decision is important.

After discussion between the Town Council and both attorneys the date of Wednesday September 27th at 7:00 p.m. was selected for a Special Town Council meeting on the matter.

NO ACTION TAKEN

2. **Topic re: Approve the Berlin Peck Memorial Library to enter into a four-year lease with The Office Works, Inc. for two Kyocera 6230cdn color printers to be used for public printing. The total cost for both printers per month is \$137.90 (68.95 ea.) or \$1,654.80 per year and that includes 1,500 black and white prints and 500 color prints each. The overage rate is .0138 for black and white prints and .062 for color prints. – Berlin-Peck Memorial Library**

Town Manager Jayawickrema stated that this item was the subject of tonight's Special Town Meeting.

Councilor Paonessa moved to approve the Berlin Peck Memorial Library to enter into a four-year lease with The Office Works, Inc. for two Kyocera 6230cdn color printers to be used for public printing. The total cost for both printers per month is \$137.90 (68.95 ea.) or \$1,654.80 per year and that includes 1,500 black and white prints and 500 color prints each. The overage rate is .0138 for black and white prints and .062 for color prints.

Seconded by Councilor Veach.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

3. **Topic re: Approve the acceptance of the annually renewable one-year contract with Prism Academy to provide outside nursing services, totaling \$13,500 for the year. Anticipated cost not to exceed \$8,100. – VNA**

Councilor Paonessa moved to approve the purchase of one Toro Polar-Trac plus accessories not to exceed \$83,000 utilizing Sourcewell Pricing contract # 0311121-TTC from Turf Products pending approval of the FY24 non-budgeted appropriation by the Board of Finance.

Seconded by Councilor Veach.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

5. Topic re: Approve spending up to \$55,000.00 with Winslow Technology of Waltham, Massachusetts on computer equipment needed for the Town. – IT

Director of Information Technology Brian Freeman stated that Winslow Technology Group (WTG) is our Solution Provider for Dell equipment, such as PCs, laptops and server equipment. A Dell customer can choose any reseller they like but the reseller cannot get special pricing from Dell until the customer commits to one of them.

WTG is listed as a Platinum Partner with Dell, which allows them to give better pricing to customers. All pricing from WTG has been on state contract except for one computer that was not eligible. Computer purchases will typically exceed \$25,000 in a fiscal year which requires Town Council approval.

Councilor Paonessa moved to approve spending up to \$55,000.00 with Winslow Technology of Waltham, Massachusetts on computer equipment needed for the Town.

Seconded by Councilor Veach.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

6. Topic re: Approve the purchase of modems and related equipment from AT&T using state contract not to exceed \$50,000.00. – IT

Director of Information Technology Freeman stated that these modems are installed in police cruisers and allow communication between the officers and police headquarters. Information transmitted includes calls for service, continuous location monitoring, DMV queries, warrant checks, and various other functions incorporated into the NexGen police software system.

The current modems are over ten years old and have been discontinued by the manufacturer and need constant resetting. Three years of support is included with the new modems.

Councilor Paonessa moved to approve the purchase of modems and related equipment from AT&T using state contract not to exceed \$50,000.00.

and services for John Deere construction equipment from W.I. Clark for the remainder of the fiscal year.

The Fleet department's budget history for W.I. Clark shows spending \$13,333 during the last fiscal year therefore Mr. Simons is requesting an additional \$16,000 which includes a 20% inflationary increase over last year bringing the total purchase order for W.I. Clark to \$37,000 allowing the Fleet department to purchase, when needed, these items from W.I. Clark of Wallingford CT.

Councilor Paonessa moved to waive the Town of Berlin's purchasing requirements for the purchase of OEM parts and services from W.I. Clark of Wallingford CT. for an amount not to exceed \$ 37,000 as this is in the town's best interest.

Seconded by Councilor Coppola.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Mayor Kaczynski.

Vote being 5-0 (MOTION CARRIED)

9. Topic re: Waive the Town's purchasing requirements to purchase the noted equipment and service for the Town of Berlin Fire department from "Municipal Equipment Specialist" of Waterford CT. for an amount not to exceed \$62,100 as this is in the best interest of the Town. – Fire Administration

Fire Administrator Jim Simons stated that in July 2023 Town Council approved four expenditures for the Fire Department totaling \$42,100 of MES services and equipment for fiscal year 2024. Unfortunately, those expenditures caused the Town's fire service to exceed the \$42,100 level. The Fire department is now requesting to use MES for additional services and materials for the remainder of the fiscal year.

The inspection and servicing of hydraulic rescue equipment revealed that some parts and hoses needed to be replaced. The original requested amount of \$10,000 will not cover parts and materials needed to place these units back in service. Additionally, other equipment such as ladders and hoses still need to be purchased.

Councilor Paonessa moved to waive the Town's purchasing requirements to purchase the noted equipment and service for the Town of Berlin Fire department from "Municipal Equipment Specialist" of Waterford CT. for an amount not to exceed \$62,100 as this is in the best interest of the Town.

Seconded by Councilor Coppola.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Mayor Kaczynski.

Vote being 5-0 (MOTION CARRIED)

Finance Director Kevin Delaney stated that the Police Department renovation project is preparing to go out to bid. In order to have the funding available to award the bid and to be able to issue purchases orders an appropriation must be in place.

This agenda item includes two requests. The first is to call a Public Hearing to discuss a bond ordinance which would give the authority to borrow, and included in every bond ordinance is an appropriations to make the funds available to appropriate but it could be determined at a later date exactly how that funding might occur as the Town's Legislators are actively working to secure State funding for the project and if there were to be a grant that would reduce some of that authorization.

The second request is in regard to Mayor Kaczynski's request at the last Town Council meeting to appropriate \$1 million in non-budgeted appropriation from the General Fund Unassigned Fund Balance which requires a Town Meeting.

Mr. Delaney added that because of the timing of the Town Council meeting and the necessity for the Board of Finance to approve this item he is requesting that the bond item be approved at the October 3rd Town Council meeting when traditionally a Public Hearing is held for a bond and then approval is given at the next Town Council meeting. This will allow the Board of Finance to give approval at their October 19th meeting and the money would be available otherwise there is potential risk that bids could be opened and without Board of Finance approval the appropriation would not be in place.

Town Manager Jayawickrema stated that authorizing the \$3.7 million does not mean necessarily borrowing that amount but it gives the Town the ability to without another bond ordinance. He added that if the Town Council agreed he would like to have the architect at the October 3rd meeting to go over the plans.

Councilor Paonessa moved to authorize the Town Manager to retain the services of Pullman & Comley to prepare bond authorization documents in the amount of \$3,700,000 for the addition and renovations of the Berlin Police Station, and to authorize the Town Manager to schedule and advertise for a Public Hearing to be held Tuesday, October 3, 2023, at 7:00 p.m. on an ordinance entitled, "AN ORDINANCE APPROPRIATING \$3,700,000 FOR ADDITION AND RENOVATIONS TO THE BERLIN POLICE STATION, AND AUTHORIZING THE ISSUE OF \$3,700,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE".

Seconded by Councilor Coppola.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Mayor Kaczynski.

Vote being 5-0 (MOTION CARRIED)

Councilor Paonessa moved to call a Town Meeting at 6:45 p.m. on October 3, 2023, to approve a non-budgeted appropriation of \$1,000,000 from the FY24 General Fund Unassigned Fund Balance to the Buildings & Renovations account in the Police Station Construction Fund.

this time he is estimating about \$250,000 for the splash pad and \$50,000 for the connection to the water and sewer.

Mr. Wood added that down the road he believes that the East Berlin pool complex could become a facility that provides a splash pad, pickleball courts, a playground, and the current pavilion.

Councilor Paonessa moved to appropriate \$200,000 to upgrade Little People's Playground from fiscal year 2024 unassigned fund balance.

Seconded by Councilor Coppola.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Mayor Kaczynski.

Vote being 5-0 (MOTION CARRIED)

J. TOWN MANAGER'S REPORT:

- The Town Manager reminded the Town Council that they need to nominate a Town Council member for the POCD Implementation Committee as well as the Police Pension Plan Investment Committee. An agenda item will be added to the next agenda.
- Discussion was held regarding the date for a joint meeting of the Board of Finance and Town Council. The Council determined that Monday September 25th at 6:00 p.m. would work for them. The Town Manager will discuss that date with the Board of Finance.
- The Town Manager requested direction on working with Town staff and Planning and Zoning on a text amendment if the Town will be going in another direction with the Knights of Columbus property. The Town Council agreed that the Town Manager should direct those involved to move forward with that amendment.
- Mobile Home Park – There is an opportunity now to work on deed restrictions for the 16 units at the mobile home park. The Town Manager believes this will add to the affordable housing. He will begin moving forward with that process.
- A reminder to those running for office, election signs can not be placed on Town or State right of ways. Larger signs can only be placed beginning 30 days before the election.
- Brandegee Lane – concrete bases will be installed in about two weeks and the light fixtures are on backorder.
- Historic District – a guided bus tour of historic buildings for new teachers will be leaving from the Board of Education Wednesday at 3:00 p.m. Town Council members have also been invited.

K. SPECIAL COMMITTEE REPORTS:

None

Vote being 5-0 (MOTION CARRIED)

Executive Session ended at 9:47 p.m.

O. ADJOURNMENT:

Councilor Paonessa moved to adjourn at 9:47 p.m.

Seconded by Councilor Coppola.

Those voting in favor: Councilor Coppola, Councilor Foster, Councilor Paonessa, Councilor Rosso, Mayor Kaczynski.

Vote being 5-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall
Clerk of the Meeting