

Join Zoom Meeting

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Meeting ID: 872 0410 1876

Passcode: 331523

+1-646-931-3860 # US

TOWN OF BERLIN  
TOWN COUNCIL MEETING  
Tuesday, March 5, 2024  
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: Approve waiving the Facility Rental fees for Berlin Upbeat's 2024 Pancake Breakfast in the amount of \$200.00. – Social and Youth Services
2. Topic re: Approve waiving the Police Fees in the amount of \$777.00 for the Trek -n- Treat Event that took place on Friday, October 27, 2023 at Willard School. – Police Department
3. Topic re: Accept the donations of \$6,000.00 and appropriate the funds to the Computer Equipment account in the Special Grants and Donations Fund. - VNA

H. NEW BUSINESS:

1. Topic re: Authorize the Town Manager to participate in a grant application to be submitted by the Town of Middletown for the Lamentation Mountain/Pistol Creek Area for a Recreational Trails grant that will include improvements in Berlin at an estimated cost of \$250,000 and that the Town contribute \$50,000 in cash match for the Berlin portion of the project from the fee in lieu of open space account. – Economic Development

2. Topic re: Appropriate the \$750,000 State Urban Grant to the Police Station Renovation Grant account in the Police Station Construction Fund, pending approval by the Board of Finance. - Finance
3. Topic re: Award the 2024/25 Diesel contract to Tuxis Ohrs of Meriden CT utilizing the Capitol Region Council of Governments Bid # 760. - Municipal Garage
4. Topic re: Approve a transfer of \$30,000 from the ADA Improvements account to the Senior Center Van account, both in the CNR Fund, pending approval by the Board of Finance. Also authorize the Senior Center Director to apply for the CT DOT Section 5310 FFY 23 Enhanced Mobility of Seniors and Individuals with Disabilities Assistance Grant and if awarded to deposit the funds into the Senior Center Van Account. – Senior Center
5. Topic re: Approve waiving 50% of estimated field usage fees not to exceed the amount of \$1,840 for the 2024 Nutmeg State Games to be held at Scalise Field and Baretta Field from July 19 through August 4, 2024. – Parks and Recreation
6. Topic re: Waive the bidding procedure and purchase chemicals from Harrell's & Heritage Landscape Supply Group, in the amount not to exceed \$124,914.20 as this is in the best interest of the Town of Berlin. The chemical purchases are through the Early Order Programs of BASF, Syngenta, Bayer, SePRO, and Corteva Chemical Companies. – Golf Course
7. Topic re: Schedule a public hearing on March 19, 2024 at 7:00 p.m. to discuss an ordinance that requires the Town to Fund the Actuarially Determined Employer Contribution (ADEC) for each active defined benefit pension plan. – Town Manager

I. APPOINTMENTS:

1. **Cemetery Committee – Vacancy** – Edward Hornkohl, Jr. (R) has resigned. Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
2. **Conservation Commission – Vacancy – Alternate** – Term would be until January 31, 2026. Can be filled with a D, R or U.
3. **Conservation Commission – Vacancy – Alternate** – Term would be until January 31, 2026. Can be filled with a D, R or U (Depending on the above appointment).
4. **Constables – 5 Vacancies** – Terms would be until December 2025. Can be filled with R, D or U with no more than a bare majority to be from one political party (Section 8-6).
5. **Golf Course Commission – Non-Golfer Vacancy** – Term would be until January 31, 2027. Can be filled with a D, R or U and must be a non-golfer (per ordinance).
6. **Inland Wetlands & Water Courses Commission – Vacancy – Alternate** - Replacement would be until January 31, 2026. Can be filled with a D, R or U.

7. **Inland Wetlands & Water Courses Commission – Vacancy – Alternate** - Replacement would be until January 31, 2026. Can be filled with a D, R or U. (Depending on the above appointment).
8. **Housing Authority** – Santina Turner’s term expires on March 31, 2024. She does not wish to serve another term. She has served as the Resident/Commissioner. Replacement would be until March 31, 2029. Can be filled with a D or U.
9. **Mattabassett District – Vacancy** – Replacement term would be until September 1, 2026. Can be filled with a D, R or U.
10. **Plainville Area Cable Television Advisory Council (PACTAC) – 2 Vacancies** – New terms would be until June 30, 2025. Can be filled with a D, R or U. There are only two members from Berlin for this board.
11. **Public Building Commission – Vacancy** – Replacement term would be until January 31, 2029. Can be filled with a D, R or U.
12. **Veterans’ Commission – Vacancy** – Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
13. **Veterans’ Commission – Vacancy** – Replacement term would be until January 31, 2027. Can be filled with a D, R or U (depending on the above appointment).
14. **VNA – Vacancy** –Replacement would be until January 31, 2027. Can be filled with a D, R or U.
15. **VNA – Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
16. **VNA –Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
17. **VNA –Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
18. **Water Control Commission – Vacancy** -Term would be until January 31, 2029. Can be filled with a D, R or U.
19. **Water Control Commission – Alternate - Vacancy** -Term would be until January 31, 2026. Can be filled with a D, R or U.
20. **Water Control Commission – Alternate – Vacancy** – Term would be until January 31, 2026. Can be filled with a D, R or U.

**21. Water Control Commission – Alternate – Vacancy** –Term would be until January 31, 2027.  
Can be filled with a D, R or U (Depending on the above two appointments).

J. TOWN MANAGER'S REPORT:

K. SPECIAL COMMITTEE REPORTS:

L. COUNCILORS' COMMUNICATION:

M. ACCEPTANCE OF MINUTES: February 20, 2024

N. ADJOURNMENT



Consent  
Agenda Item No. 1  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** February 20, 2024

**SUBJECT:** Upbeat Pancake Breakfast

**Summary of Agenda Item:**

Berlin Upbeat is requesting a waiver of the Facility Rental Fee for the use of the Berlin Senior Center for the 2024 Pancake Breakfast. This is a fundraiser event for the non-profit Berlin Upbeat to assist with costs for the youth leadership weekend experiences that are available to Berlin youth. The event will take place on Saturday, March 30, 2024 at the Berlin Senior Center, 33 Colonial Dr., Berlin, CT 06037.

**Funding:**

Not applicable

**Action Needed:**

Move to approve waiving the Facility Rental fees for Berlin Upbeat's 2024 Pancake Breakfast in the amount of \$200.00.

**Attachments:**

Request for Fee Waiver

**Prepared By:**

Jaymee Miller, Director of Social and Youth Services



## TOWN OF BERLIN

### Request for Fee Waiver

Requesting Organization: Upbeat	Date: 2/20/24
Contact Name: Sheel Patel / Jaymee Miller	
Phone Number: 860 418 7618	
Event: Pancake Breakfast 2024	Date of Event: 3/30/24
Location of the Event: Berlin Senior Center	
What fee do you want waived: Facility Rental Fee - \$200	
Identify the hardship incurred: Upbeat is utilizing this event as a fundraiser for expenses for our program and would like to offset costs for building usage	
Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific: Service organization which benefits all aspects of the community - assists at fair, senior center, all schools, other community events	

#### 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

Name of Non-Profit or Political Organization: Upbeat

Comments:

  
Signature

2/20/24  
Date

  
Town Manager Signature

2/20/24  
Date

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.

### 1. 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.

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** February 20, 2024  
**SUBJECT:** Request for Fee Waiver – Willard PTO Trek -n- Treat

**Summary of Agenda Item:**

Willard Elementary School PTO hosted a Trek -n- Treat on Friday, October 27, 2023. According to the application, paying the police fee would drastically cut into the funds raised and impact their ability to financially support student activities. This event was attended by approximately 350 members of the community.

**Funding:**

Officers assigned to this event would be paid from the extra duty account #001.15.1532.0.51440.00000.

**Action Needed:**

Move to approve waiving the Police Fees in the amount of \$777.00 for the Trek -n- Treat Event that took place on Friday, October 27, 2023 at Willard School.

**Attachments:**

Request for Fee Waiver Form

**Prepared By:**

Lieutenant Michael Jobes, Berlin Police Department







**TOWN OF BERLIN**  
**Request for Fee Waiver**

<b>Requesting Organization:</b> Willard PTO	<b>Date:</b> 11/30/2023
<b>Contact Name:</b> MEGAN PELLOTH	
<b>Phone Number:</b> 203-583-5948	
<b>Event:</b> TREK-N-TREAT	<b>Date of Event:</b> 10/27/23
<b>Location of the Event:</b> Willard (1088 NORTON RD. BERLIN CT	
<b>What fee do you want waived:</b> \$777.00	
<b>Identify the hardship incurred:</b> PAYING THIS FEE WOULD DRASTICALLY CUT IN TO THE FUNDS RAISED AT THIS EVENT AND IMPACT OUR ABILITY TO FINANCIALLY SUPPORT STUDENT ACTIVITIES	
<b>Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific:</b> WILLARD PTO IS A NON-PROFIT THAT RELIES ON FUNDRAISING TO SUPPORT THE STAFF AND STUDENTS AT WILLARD BY PROVIDING PROGRAMS AND MATERIALS TO ENRICH STUDENT'S EDUCATIONAL, SOCIAL AND EXTRACURRICULAR ACTIVITIES AND STRENGTHEN THE WILLARD COMMUNITY	

**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**

Name of Non-Profit or Political Organization: WILLARD PTO

Comments:

  
Signature

11/30/23  
Date

  
Town Manager Signature

2/29/24  
Date

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.

**1. 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. 3  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** February 27, 2024

**SUBJECT:** Donation for Computer Equipment

**Summary of Agenda Item:**

The Berlin VNA has received \$6,000.00 in donations from the Powerhouse 5K Race.

These funds will be deposited to the Special Grants and Donations Fund into the Donations Account #100.05.0505.2.45100.00000 and appropriated to the Computer Equipment Account # 100.30.3053.0.53208.00000 for computer purchases.

**Funding:**

No funding needed.

**Action Needed:**

Move to accept the donations of \$6,000.00 and appropriate the funds to the Computer Equipment account in the Special Grants and Donations Fund.

**Attachments:**


None

**Prepared By:** Edyta Halas, Interim Administrator

EH

Agenda Item No. 1  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager 

**DATE:** February 26, 2024

**SUBJECT:** Authorization for the Town Manager to Participate in a Recreational Trails Grant Application with the City of Middletown for the Lamentation Mountain/Pistol Creek Area and Authorization of the Grant Match

**Summary of Agenda Item:**

The State of Connecticut issued a request for applications for the Recreational Trails grant program. Applications are due March 11. The grant requires a 20% local match that can be provided by a cash match, in-kind services, or a combination of cash and in-kind services. Staff proposes to submit a joint Berlin/Middletown Pistol Creek/ Lamentation Mountain area application for funding in the 2024 funding round. Based on comments from citizens received at the February 20 public information session and Town Council meeting, additional changes to the project scope are proposed as follows, deletion of the walking path along Spruce Brook Road and the improvements to the existing 2 car parking area at the Spruce Brook Road trailhead for the Mattabesett Trail. Previous modifications to the project scope proposed in 2023 were deletion of a connector trail on Town of Middletown property between Atkins Street and the Mattabesett Trail at Lamentation Mountain, trail improvements to Stantack Road right of way in Middletown, a footpath along Atkins Road in Middletown, and a parking area on Atkins Street in Middletown south of Pistol Creek. Items being added to the project scope in 2024 are repaving more cart paths, a parking area on Atkins Street in Middletown at Pistol Creek, pedestrian signage and/or road markings on Spruce Brook Road, and universal design improvements.

The project scope for the 2024 Pistol Creek/Lamentation Mountain area grant application now includes improving Pistol Creek cart paths in both Berlin and Middletown, signage, constructing improvements including bog bridges on the Mattabesett Trail in Berlin and Middletown, construction of a parking area on Atkins Street in Middletown at Pistol Creek, pedestrian signage and/or road markings on Spruce Brook Road, and universal design improvements.

The estimated project cost for the Berlin portion of the Lamentation Mountain/Pistol Creek grant application is \$250,000 and a 20% local match is required (\$50,000) based on a grant request of \$200,000. After prior discussions with the Town Council about the source of matching funds for this grant, staff proposes taking the Town's \$50,000 match from the fee in lieu of open space account #516.10.1014.0.54000.01606.



**Funding:**

The Town's \$50,000 match would be taken from the fee in lieu of open space account #516.10.1014.0.54000.01606.

**Action**

Move to authorize the Town Manager to participate in a grant application to be submitted by the Town of Middletown for the Lamentation Mountain/Pistol Creek Area for a Recreational Trails grant that will include improvements in Berlin at an estimated cost of \$250,000 and that the Town contribute \$50,000 in cash match for the Berlin portion of the project from the fee in lieu of open space account.

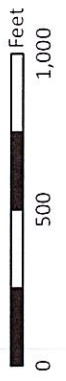
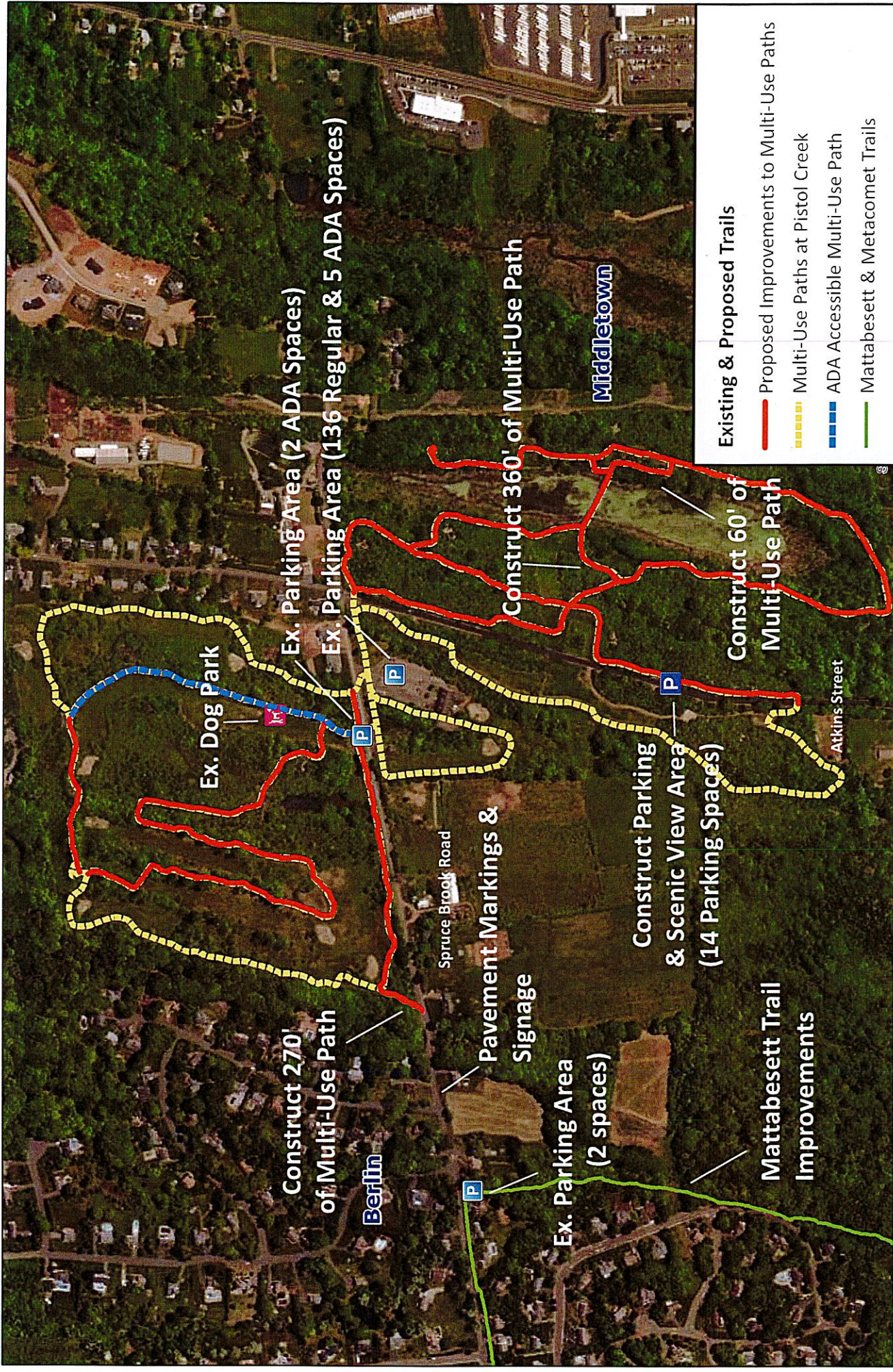
**Attachments:**

1. Overall project map for Lamentation Mountain/Pistol Creek area.
2. Sufficiency of funds.

**Prepared By:**

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





**Multi-Use Trails @ Pistol Creek & Mattabesett Trail Connections**

**Comprehensive Plan:**

2024 DEEP Connecticut Recreational Trails Grant Application  
The City of Middletown & The Town of Berlin, Connecticut  
February 2024





# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

(Sec. 6-10-2 of the Town Charter)

DATE 13-Feb-24

Purchase Item or Contract: Recreational Trails Grant Local Match		Requested by: Jim Mahoney	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Recreational Trails Grant Local Match	\$50,000.00	\$50,000.00
			\$0.00
			-
			-
			-
			-
TOTAL			\$50,000.00

Account No. 516.10.1014.0.54000.01606 Fee in lieu of open space

Budgeted Amount.....	\$58,652.77	Available balance.....	\$57,402.77
Encumbrances to Date.....	\$1,044.03	Amount Needed for This Package.....	\$50,000.00
Expenditures to Date.....	\$205.97	Available Balance After Purchase.....	\$7,402.77

Is a budget change needed? ☐ Yes ☒ No

If so, has a budget change been prepared? ☐ Yes ☐ No

☒ I certify that there ARE sufficient funds available to support the purchase of the items described above.

or:

☐ I certify that a budget change in the amount of \$\_\_\_\_\_ must be processed concurrently with this certification to support this commitment.

J. O. Chick  
Finance Director or Assist. Finance Director

\_\_\_\_\_  
Finance Director or Assist. Finance Director

Agenda Item No. 2  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** February 26, 2024  
**SUBJECT:** Appropriate \$750,000 Police Station grant.

**Summary of Agenda Item:**

The Town of Berlin legislative contingent was able to secure a \$750,000 State Urban Grant for the Police Station Renovation project. This motion requests to appropriate the grant to the Police Station Renovation Grant account (538.15.1532.0.54000.00374) in the Police Station Construction Fund.

**Funding:**

N/A – this request is to secure funding.

**Action Needed:**

Move to appropriate the \$750,000 State Urban Grant to the Police Station Renovation Grant account in the Police Station Construction Fund, pending approval by the Board of Finance.

**Attachments:**

Grant award letter

**Prepared By:**

Kevin Delaney, Finance Director



STATE OF CONNECTICUT  
DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION



**MUNICIPAL GRANT PROGRAM**

February 14, 2024

Mayor Mark Kaczynski  
Town of Berlin  
Berlin Town Hall  
240 Kensington Rd  
Berlin, CT 06037

Dear Mayor Kaczynski:

Congratulations on receiving an Urban Grant award for the Town of Berlin towards the renovation of the Berlin Police Department building. **The total amount of the grant is \$750,000.**

The Department of Emergency Services and Public Protection (DESPP) will manage your award. Please review the Program Guidance document carefully and pay particular attention to the grant award amount and Notice of Grant Award. I have attached the required paperwork for Phase 1 as well as the legal terms and conditions of the grant. Please complete the documents for Phase 1 and return them electronically.

The Notice of Grant Award is the legal document between the State and the Town of Berlin. When signing the Notice of Grant Award, you are agreeing to all the Special Terms and Conditions, CT General Terms and Conditions, and any additional documentation included in this grant packet. When you submit your grant package (forms, Administrative Plan, Statement of Work, Notice of Grant Award) we will review and contact you with any questions. The effective date of this award is when it is signed by Commissioner Higgins. Once executed, you will receive an electronic copy of the approved package, and you may submit reimbursements for any work after the effective date.

The following documents are required to be filed to start the grant process:

1. Administrative Plan (the Template is included, please call if you have questions)
2. Grantee Point of Contact (DPS 204)
3. Statement of Work (the Template is included, please call if you have questions)
4. Project Budget Forms (DPS-203-C)
5. Municipal Resolution or Certification by Grantee

All required documents/forms are also available at

<https://portal.ct.gov/DEMHS/Grants/Municipal-Grant-Program/Guidance-and-Forms>.

Please feel free to contact us at [Kimberly.Zigich@ct.gov](mailto:Kimberly.Zigich@ct.gov) or [Ian.Alexander@ct.gov](mailto:Ian.Alexander@ct.gov) if you have any questions.

We look forward to working with you. Congratulations.

Sincerely,

Kim Zigich  
Department of Emergency Services and Public Protection  
Division of Emergency Management and Homeland Security

**1111 Country Club Road, Middletown, CT 06457**  
Phone: 860.685.8038 / Fax: 860.685.8357  
*An Affirmative Action/Equal Employment Opportunity Employer*



**STATE OF CONNECTICUT**  
**DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION**  
Division of Emergency Management & Homeland Security  
1111 Country Club Road, Middletown, CT 06457



**NOTICE OF GRANT AWARD**

The Department of Emergency Services & Public Protection (DESPP) hereby makes the following grant award in accordance with the approved grant application from the CT Office of Policy and Management (OPM), the State of CT General Terms and Conditions, and the Special Grant Conditions from DESPP.

<b>Grantee:</b>	Town of Berlin	
<b>Address:</b>	240 Kensington Rd	
<b>City/State/Zip:</b>	Berlin, CT 06037	
<b>FEIN #:</b>		
<b>DEMHS Grant No.:</b>	023G007	
<b>Project Title:</b>	Police Department renovations	
<b>Date of OPM Award:</b>	October 6, 2023	
<b>Bond Fund Account No.:</b>	13019-DPS32000-41241	
<b>Period of Award:</b>	From: Fully executed agreement	To: 5 years from fully executed agree
<b>Grant Award Amount:</b>	\$750,000.00	

**Total Project Amount:** \$3,906,905 (estimated)  
**Grantee Match:** NA  
**State Award:** \$750,000.00  
**Other:** \$3,156,905

*My signature below, for and on behalf of the above named subgrantee, indicates acceptance of the above referenced award and further certifies that:*

1. I have the authority to execute this agreement on behalf of the Grantee; and
2. The Grantee will comply with the attached General and Special Grant Conditions, Standard Assurances, Reporting Schedule, and requirements contained within this Grant Award Package.
3. I further certify that any funds received will be applied for the use and purposed outlined in the approved application submitted to OPM.

By: \_\_\_\_\_  
Signature of Authorized Official  
\_\_\_\_\_  
Typed Name and Title of Authorized Official

\_\_\_\_\_  
Date

*FOR THE DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION*

By: \_\_\_\_\_  
Signature of Authorized Official  
\_\_\_\_\_  
Typed Name and Title of Authorized Official

\_\_\_\_\_  
Date

Agenda Item No.: 3  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** February 23, 2024  
**SUBJECT:** Award the 2024/25 Diesel Contract to Tuxis Ohrs utilizing the Capitol Region Council of Governments (CRCOG) Bid # 760.

**Summary of Agenda Item:**

The Town of Berlin's current diesel contract runs through to June 30, 2024. This contract and the successor contract will provide Diesel fuel for the Town's fleet and operations at Timberlin golf course through June 30, 2025 for a total of 32,500 gallons of diesel fuel.

The Town of Berlin participated in the CRCOG bid #760 for this commodity. CRCOG provides two options within the bid:

- "Option A" the end user pays the "New Haven Harbor Price" on the day the fuel is purchased and a small transportation /administration fee.
- "Option B" allows the Town to purchase futures at the market price and pay the bidder for administration and delivery cost; this is how the Town has proceeded in the past.

Jim Simons Fleet Manager, recommends "Option B" as it provides a stable budget figure over the life of the contract and in his past experiences, a positive result with lower overall cost. Tuxis Ohrs of Meriden CT was the lowest bidder for both locations in Berlin

Bid Result:

Bidder	Option B	Option B cost
Dime Oil	\$0.2381	\$ 7,738.25
East river energy	\$0.2417	\$ 7,855.25
Global	\$10.0000	\$ 325,000.00
<b>Tuxis Ohrs</b>	<b>\$0.1825</b>	<b>\$ 5,931.25</b>
<i>Low bidder</i>		

On February 22, 2024 the price per gallon of diesel with this proposal was \$2.70 a gallon. That would provide the Town a savings of \$0.70 a per gallon or \$22,750 over the duration of the contract.

Jim Simons, Fleet Manager, is recommending that the Town of Berlin award the diesel fuel contract to Tuxis Ohrs Fuel for a quantity 32,500 gallons of "On-road winter blend" diesel fuel with a contract expiration date of 6/30/2025.

**Funding:**

Funding will be provided out of the 2025 Municipal Garage budget, account # 001.20.2035.0.53106.00000 Vehicle Fuel.

**Action Needed:**

Move to Award the 2024/25 Diesel contract to Tuxis Ohrs of Meriden CT utilizing the Capitol Region Council of Governments Bid # 760.

**Attachments:**

None

**Prepared By:**

  
James C. Simons, Fleet Manager



**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** February 26, 2024

**SUBJECT:** CT Department of Transportation (CTDOT) and the Capital Region of Council of Government (CRCOG) Section 5310 FFY 2023 Enhanced Mobility of Seniors and Individuals with Disabilities Grant

**Summary of Agenda Item:**

The Senior Center has received the application for the CT DOT Section 5310 FFY 2023 Enhanced Mobility of Seniors & Individuals with Disabilities Assistance. The Section 5310 program provides federal funding for capital and operating expenses to help defray the cost of a handicap accessible bus to improve mobility for seniors and individuals with disabilities. The grant will remove barriers to transportation services and expand transportation mobility options for residents. The grant funding will cover up to 80% of the cost of a new vehicle.

Tasca Ford utilizing Matthew's Buses Inc, Ballston Spa, NY reports that the manufacturer's price is approximate \$125,000.

**Funding:**

Requesting approval for the allocation amount of \$30,000 from the ADA Improvements account to the Senior Center Van account, both in the CNR Fund, pending approval by the Board of Finance.

**Action Needed:**

Move to approve a transfer of \$30,000 from the ADA Improvements account to the Senior Center Van account, both in the CNR Fund, pending approval by the Board of Finance.

Move to authorize the Senior Center Director to apply for the CT DOT Section 5310 FFY 23 Enhanced Mobility of Seniors and Individuals with Disabilities Assistance Grant and if awarded to deposit the funds into the Senior Center Van Account.

**Attachments:**

Budget Change Form


**Prepared By:**

Christine S. Doyle, Berlin Senior Center Director



**TOWN OF BERLIN**  
BUDGET CHANGE FORM

**Section 1: To be completed by Department:**

Department:	<b>Senior Center</b>	Fiscal Year:	<b>FY2024</b>	Date:	<b>2/23/24</b>
To Acct #:	Description:	Amount:	Requested by:		
500.30.3055.0.54000.00001	Sr Ctr Van	\$30,000.00	T. Doyle		
Are there funds from another account which can be requested: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Don't Know <input type="checkbox"/>					
From Acct #:	Description:	Amount:	Approved by:		
500.20.2038.0.54000.00315	ADA Improvements	\$30,000.00			

Contingency Balance (If applicable):

Explanation of request, include reason why funds are available for transfer if applicable (use additional pages if necessary):

The Federal DOT has opened up a window for a van/bus grant. The Senior Center has used this grant in the past to fund 80% of a Senior Center bus. The Senior Center requested to apply for the latest grant to replace the third van in the fleet. The grant requires a 20% local match. The cost of the most recent bus purchased by the town was \$125,000. Assuming inflation and contingency, the request is to transfer \$30,000 of existing CNR money to the Senior Center Van account for the required local share.

**Section 2: To be completed by Town Manager:**

Request approved ☒ Disapproved ☐ Partially Approved ☐ Date: **2/23/24**

Comments:

**Section 3a: Town Council action:**

Request approved ☐ Disapproved ☐ Partially Approved ☐ Referred to Town Mtg. ☐ N/A ☐

Comments:

**Section 3b: Board of Finance action:**

Request approved ☐ Disapproved ☐ Partially Approved ☐ Referred to Town Mtg. ☐ N/A ☐

Comments:

**Section 4: To be completed by Finance Department:**

Budget Change # :	JE#	Approved by Town Meeting	Date approved:
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Agenda Item No. 5  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** February 12, 2024  
**SUBJECT:** Nutmeg State Games – Waiver of Field Rental Fees

**SUMMARY:**

The Berlin Parks and Recreation Commission, at its meeting on Thursday, February 8, 2024, recommended waiving 50% of field usage fees not to exceed an amount of \$1,840 for the 2024 Nutmeg State Games, to be held in Berlin. Games will take place between July 19 and August 4, 2024 at the following locations; Scalise Field and Baretta Baseball Field. CT Sports Management Group will use the recommended product by the Parks and Grounds Department to put temporary lines on Scalise Field for Field Hockey competition.

This is one of Connecticut's largest multi-sport Olympic style festival. The city of Middletown is the host city with the Town of Berlin providing additional sites.

The estimated cost is based on a preliminary schedule which can change due to the number of teams and players involved. Schedules for usage will be finalized on or about July 1st, 2024. As in the past, the Town will be reimbursed for out of pocket costs, labor, and materials based on the final expenses.

The Nutmeg Games will be working with Economic Development Director Chris Edge on materials to be available to participants and their families for events held in Berlin.

**ACTION NEEDED:**

Move to approve waiving 50% of estimated field usage fees not to exceed the amount of \$1,840 for the 2024 Nutmeg State Games to be held at Scalise Field and Baretta Field from July 19 through August 4, 2024.

**ATTACHMENTS:**

Fee waiver

**PREPARED BY:**

Jennifer Ochoa, Director of Community, Recreation, and Park Services







## TOWN OF BERLIN

### Request for Fee Waiver

<b>Requesting Organization:</b> CT Sports Management Group (Nutmeg State Games)		<b>Date:</b> 1-17-23
<b>Contact Name:</b> Rick Plunkett		
<b>Phone Number:</b> (860) 788-7041		
<b>Event:</b> Nutmeg State Games: Baseball, Boys + Girls Lacrosse, Field Hockey		<b>Date of Event:</b> JULY 14th - 30th
<b>Location of the Event:</b> Sage Park: Seaside Field (Turf) and Baratta Field.		
<b>What fee do you want waived:</b> Facility rental fees		
<b>Identify the hardship incurred:</b> CSMG is a non-profit organization that relies on sponsorships, donations/fundraising and partnerships with <del>towns</del> towns and cities in CT to help meet the cost of running events for amateur athletes in Connecticut.		
<b>Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific:</b> Berlin businesses and restaurants will benefit from the guests visiting the town for our event. The town of Berlin will also receive an ad on all webpages for events in Berlin, town sent on t-shirts, recognition on all event flyers for events in Berlin and recognition on email marketing campaigns for <del>Berlin</del> events in Berlin. See attached letter for more details + benefits.		

#### 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

Name of Non-Profit or Political Organization: Connecticut Sports Management Group, Inc.

**Comments:**

CSMG and the Nutmeg State Games have been fortunate to work with Berlin over the years to put on our events for amateur athletes in Connecticut. We look forward to continuing that relationship over the coming years. Thank You.



Signature

1-17-23

Date



Town Manager Signature

2/27/24

Date

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.

#### 1. 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.



**TO: The Honorable Mayor and Town Council**  
**FROM: Arosha Jayawickrema, Town Manager**  
**DATE: February 26, 2024**  
**SUBJECT: 2024 Early Order Chemical Program (EOP)**

**Summary of Agenda Item:**

The Golf Director, Sol Guerrero, is requesting authorization to purchase chemicals using the Fiscal Yr. 2024/25 General Fund Budget Acct.#001.25.2543.0.53243.00000 from Harrell's and Heritage Landscape Group, in which provide the following brand name companies: Syngenta, BASF, Bayer, SePRO, and Corteva classify a portion of their products as agency products.

In order for a product to qualify as an agency product:

- All components, including the chemical compound and the inert, must be identical.
- The products must be sold to all end users (Timberlin or other end users) at the manufacturers set price.

The distributor/vendor then handles the distribution and invoicing of the agency products. In essence, Timberlin, or any end user, is actually purchasing directly from the manufacturer. The chemical pricing does not vary amongst the vendors/distributors as the pricing is set by the manufacture. If a vendor were to sell outside the contracted price, that vendor would lose their ability to purchase and use for resale materials from the brand name companies.

The brand name companies use the Early Order Program (EOP) to create additional sales and competition by offering large incentives. In many cases, the incentive offers are extended for the entire season. This allows the brand names companies to compete, or in many cases, beat the prices of many of the off-patent materials.

The off-patent products do not participate in early order programs due to their built-in lower cost. Their lower cost is generally attributed to the use of lower grade inert or carrying compounds, and the off-patent products do not go through the patent process, which in many cases can cost upward of 180 million dollars for the brand name companies.

After the rebates and discounted total pricing from the brand name companies listed above, the cost of brand name chemicals are in many cases, less than the pricing of off-patent chemicals.

Some of the advantages that are gained by using the brand name products include:

- A guarantee from the manufacturer that the brand name product will work properly, or the product will be replaced free of charge.

- A listing on the chemical label of all the inert material. The identification of the inert can be extremely important when mixing multiple chemicals.

All the brand name materials that are recommended for purchase during the early order period will be needed for the 2024 golf season, regardless if they are purchased through the early order program, or at a later time. By taking advantage of the EOP, significant price reductions are realized. Post patent materials will still be used during the season, but in most cases, used in less sensitive areas such as fairways or tees.

In order to participate in the EOP, Timberlin must take delivery of the products by April 1, 2024 with payment terms of July 1, 2024.

Manufacturer	Amount	Rebate	EOP Rebate/Additional in-Season Savings
BASF	\$41,726.72	\$12,100.75	29% rebate on EOP orders.
SYNGENTA	\$47,331.00	\$3,786.48	8% rebate on EOP orders and 8% off all in seasons pricing
SePRO	\$17,207.98	\$1,032.48	6 % Rebate
Bayer	\$14,315.00	\$572.60	4 % Rebate
Corteva	\$4,333.50	\$879.75	Manufacturer Quantity Rebate

**Funding:**

The funding will come from the Timberlin General Fund FY2024/25 Budget Account #001.25.2543.0.53243.00000 – Fert. & Chemicals

**Action Needed:**

Move to waive the bidding procedure and purchase chemicals from Harrell's & Heritage Landscape Supply Group, in the amount not to exceed \$124,914.20 as this is in the best interest of the Town of Berlin. The chemical purchases are through the Early Order Programs of BASF, Syngenta, Bayer, SePRO, and Corteva Chemical Companies.

**Attachments:**

None

**Prepared By:**

Sol Guerrero, PGA - Director of Golf



Agenda Item No. 7  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** February 23, 2024  
**SUBJECT:** Set Public Hearing to Discuss an Ordinance to Fund the Actuarially Determined Employer Contribution

**Summary of Agenda Item:**

The Ordinance Committee at its February 6, 2024, meeting voted to recommend to the Council an ordinance that requires the Town to Fund the Actuarially Determined Employer Contribution (ADEC) for each active define benefit pension plan.

**Action Needed:**

Move to schedule a public hearing on March 19, 2024 at 7:00 p.m. to discuss an ordinance that requires the Town to Fund the Actuarially Determined Employer Contribution (ADEC) for each active define benefit pension plan.

**Attachments:**

Draft language for an ordinance to fund the Actuarially Determined Employer Contribution (ADEC).

**Prepared By:**

Arosha Jayawickrema, Town Manager



**Draft language for an ordinance to fund the Actuarially Determined Employer Contribution (ADEC):**

Annually, the Town Manager shall use the existing pension actuary or, if none exists, appoint a pension actuary by July 1 of each year to calculate the actuarially determined employer contribution (ADEC) for each active defined benefit pension plan. Each year, the Town Manager, Board of Finance and Town Council shall include each ADEC in the expenditure section of each version of the Town of Berlin General Fund budget.



**Please return application to:**

**Town Clerk's Office - Room 107 – 240 Kensington Road – Berlin, CT 06037**

## **TOWN OF BERLIN**

### **Application for Appointments to Boards and Commissions**

I, the undersigned am interested in community service and provide this information for the use of the Town Council in considering my qualifications for appointments to a Town board or commission.

Please list your Board/Commission preference below:

1. Cemetery Commission (Full Member) 2. \_\_\_\_\_

**\*\*NOTE:** If applying for the **GOLF COURSE COMMISSION**, please list any current golf club membership below (Men's Club, Ladies' Club, Lady Niners Club, Senior Men's Club) or Non-Golfer:

\_\_\_\_\_

Name: Andra Lou Millerd Telephone No.: 860-670-5131

Home Address: 1231 Orchard Rd., Kensington Number of years in Berlin: 68 years  
(Note: To apply, you must be a Registered Voter in Berlin)

Email Address: milleal@comcast.net

Are you a Registered Voter? Yes Party Affiliation: Republican  
(Note: To apply, you must be a Registered Voter in Berlin)

Berlin High Graduate  
Educational Background (optional)

N/A – Retired  
Present Employment (company/position/address)

Current and Past Civic/Community Involvement: Planning & Zoning Commission (full member),  
Berlin Historic District Commission (Alternate), Boxes to Boots (Board of Directors) Cemetery Commission (Alternate)

Tell us why you feel qualified for this appointment: I would like to full member instead of alternate

Can you think of any reason that a conflict of interest could arise if you were appointed? No

Signature: Andra Lou Millerd Date: 2-20-2024

1. We encourage you to attend meetings of any board or commission that you are interested in joining and request information about the specific duties and responsibilities involved.
2. The information that you provide will be used by the Town Council in making appointments and may be used in news releases if you are appointed.
3. If you have additional information that you want to provide, please attach extra pages.
4. If appointed, please remember the importance of attending the meetings. By Charter, the Town Council may remove a board member if three consecutive meetings are missed without justifiable cause. The Council shall make final determination as to what constitutes justifiable cause in considering such removal.

RECEIVED FOR RECORD  
BERLIN TOWN CLERK  
2024 FEB 20 AM 8:33

Kathy G. Wall  
BERLIN, CT.

Lucas A Van Zandt

Town of Berlin | Generated 2/22/2024 @ 9:40 pm by OnBoard2 - Powered by ClerkBase

## Status

**Name** Lucas A Van Zandt  
**Application Date** 2/21/2024  
**Expiration Date** 2/21/2123  
**Status** Received

Board	Vacancies	Status
Golf Course Commission	1	Pending

## Basic Information

**Name**  
Lucas A Van Zandt

## Contact Information

**Address**  
52 Skyview Dr  
Berlin, CT 06037

**Yes, I am a resident**  
Yes

**Email**  
lucas2424@comcast.net

**Phone**  
860-983-0177

## Occupation

**Employer**  
LPL

**Job Title**  
Financial Advisor

**What is your political party affiliation?**  
Republican

**Number of years in Berlin**  
18

**Educational Background (optional)**  
college

**Current and Past Civic/Community Involvement**  
parks&rec

RECEIVED FOR RECORD  
BERLIN TOWN CLERK  
2024 FEB 22 PM 4:41  
Kathy Wall  
BERLIN, CT.

**Tell us why you feel qualified for this appointment**

Just want to help our town.

**Can you think of any reason that a conflict of interest could arise if you were appointed?**

No

**Are you a Registered Voter? (To apply, you must be a Registered Voter in Berlin)**

Yes

**I am a...**

Non-Golfer

Generated 2/22/2024, 4:40:05 PM

Join Zoom Meeting

<https://berlinc-t-gov.zoom.us/j/86350899172?pwd=OGJmaWvTzm0FO4mwYftDSHDo9sVfXe.1>

Meeting ID: 863 5089 9172

Passcode: 100719

+1-309-205-3325

**TOWN OF BERLIN  
TOWN COUNCIL MEETING  
Tuesday, February 20, 2024  
Town Council Chambers (in person)  
Remote Meeting  
7:00 P.M.**

**A. CALL TO ORDER:**

Mayor Kaczynski called the Town Council meeting to order at 7:00 p.m.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL:**

Those in attendance were:

Councilor Kate Atkinson  
Councilor Sandra Coppola  
Mayor Mark Kaczynski  
Councilor Charles Paonessa  
Councilor Mark Pruzin  
Councilor Peter Rosso  
Councilor Donna Veach

Also in attendance:

Town Manager Aroscha Jayawickrema  
Corporation Counsel Jeffrey Donofrio

**D. AUDIENCE OF CITIZENS:**

***Ryan Malloy, 84 Juniper Lane*** – Mr. Malloy stated that he has concerns with the smells and noise emanating from Bright Feeds on Fuller Way stating that they are impacting hundreds of Berlin citizens and business owners. He has been in contact with neighboring property owners and stated that they are frustrated by being woken up by loud noises during the night as well as being unable to be outside due to putrid smells at times also stating that they are feeling physically ill and reporting headaches. A petition has been created with close to 100 signatures obtained as of today.

Mr. Malloy stated that food recycling is an emerging market and there is a lack of regulation in the industry. The noise being produced by the company is above the State DEEP decibel threshold and at a frequency known to bother humans. He also discovered that the Town does not have a noise ordinance.

The owner of Bright Feeds was contacted by Mr. Malloy and stated that a solution is being put in place to deal with the noise however the owner is uncertain what can be done about the smell. Mr. Malloy provided the Town Council with a list of recommendations including a noise ordinance, business onboarding practices asking industry applicable questions especially with new emerging market businesses, and a nuisance ordinance in regard to the smells.

Mayor Kaczynski stated that the Town Council Ordinance Committee is in the process of discussing a noise ordinance for the Town. Mr. Malloy stated that he was happy to hear that.

**Dan Thurston, 16 Conlin Way** – Mr. Thurston stated that he is excited to hear the YMCA's presentation this evening regarding the services they can provide for the Town but asked the Town Council to keep in mind that it is the Town's responsibility to fulfill the statements of need provided by the Commission for the Aging and Parks and Recreation Commission. And although costs are an important consideration for the proposed Community/Senior Center the Town should not be penny wise and dollar foolish.

Mr. Thurston added that regarding aquatics it is important to ensure the Town gets something that will support not only competitive swimming and diving but the needs of seniors and youth. Adding that this is an opportunity to address the aging outdoor pools, the declining current senior center, and the needs of the library and social services with the current Community Center space.

**Donna Bovee, 85 Steepleview Drive** – Ms. Bovee stated that she was a member of the recent Community/Senior Center Committee which provided the Town Council with a report of the Town funded Center as well as the YMCA option. She is currently a part of a five-person group working with the new architect to reduce the overall cost that was presented to the Town Council previously. That report is from the architect is due by May 10<sup>th</sup>.

Based on the Commissions' statements of needs Ms. Bovee asks if the YMCA will be able to meet those needs and if not, the Town still has those needs to meet and it is up to the Town Council to determine how to approach them.

**Tim Thurston, 100 Sawmill Drive** – Mr. Thurston stated that he is an advocate of a Town-owned Community/Senior Center with a pool. He stated that the proposed Wallingford YMCA aquatic center is going to be about 25,000 square feet doubling the size of the current YMCA facility. Mr. Thurston stated that his question to the YMCA would be what type of pool they would be considering for Berlin, whether competitive, therapy, zero-entry, or a six-lane pool.

**Sam Lomaglio, 78 Hickory Hill Road** – Mr. Lomaglio stated that the need for a Community/Senior Center has already been studied and that this current study is a waste of time unless financial parameters are put on the project. He is asking the Town Council to get together with the Board of Finance, have the architect scale down the statement of need, and put it out to referendum.

**Jack Banks, owner of Powerhouse Gym, Webster Square Road** – Mr. Banks stated that after being in Berlin for 30 years he would love to see a pool in town and have the YMCA get involved but what he has seen is that they put in full-fledged fitness centers and he is concerned about having a state of the art facility that will compete directly with local business.

**Chris Dolan, New Brighton, MN** – Mr. Dolan stated that he is the VP of Engineering for Bright Feeds and they do take the comments and concerns of Berlin residents very seriously. They were first made aware of the noise issue in December of 2023 and reached out to several companies regarding a noise silencer for the stack however this item has to be designed and manufactured and was expected to be shipped two weeks ago from Canada.

As the silencer was being delayed Mr. Dolan rapidly designed a temporary silencer and reached out to Berlin manufacturer Kennedy, Gustafson & Cole who was able to create and install that temporary solution. The permanent silencer is expected to arrive by the end of the week and will promptly be installed, and its effectiveness will be evaluated.

Bright Feeds is cognizant of the odor issue, but as odor is a highly subjective thing it is not as simple to fix but they are aiming toward carbon capture which is newer technology which requires an analysis of what you are trying to mitigate against. The situation that exists is that the materials come into Bright Feeds from various sources which is rather consistent but is not always the same. Mr. Dolan stated that soy is not processed at their facility.

The bottom line is that Bright Feeds does take these matters seriously and they do want to be a good neighbor in Berlin. If anyone has any complaints, they should call the company whose phone number is noted on their website [brightfeeds.com](http://brightfeeds.com). He added that they are trying to do what they can to address the issues that have been brought to their attention.

**E. MAYOR'S UPDATE:**

None

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

**G. CONSENT AGENDA:**

1. **Topic re: Accept donations to the Berlin Animal Control Donation Account for Animal Care and supplies & Vet fees valued at \$ 135 .00. – Animal Control**
2. **Topic re: Accept monetary donations totaling \$435.63 and deposit \$186.97 into the friends of the library miscellaneous account to be used to purchase a museum pass and program supplies and deposit \$108.66 into the friends of the library credit card account for the purchase of a museum pass and an adult program prize and deposit \$140.00 into the library agency account for the purchase of children's books in memory of Charlie McCourt. – Berlin-Peck Memorial Library**
3. **Topic re: Approve John Paul Demko and Max Delorenzo of P & Q Enterprises LLC to charge a registration fee of \$200 for the Central CT Youth Football Camp taking place June 10 – 14, 2024 for approximately 85 children at Scalise Field. – Parks and Recreation**
4. **Topic re: Approve Berlin Volunteer Fire Department to be able to sell food, beverages and merchandise and charge an entry fee at their Annual Auto Rama and Touch a Truck event at**



**Sage Park on Saturday, May 25, 2024, from 8:00 AM to 2:00 PM. The rain date is Sunday, May 26, 2024. – Parks and Recreation**

- 5. Topic re: Approve CFC North, LLC to charge a registration fee of \$175 for a youth soccer camp which will take place July 22-26, 2024 from 9:00AM – 12:00PM at Scalise Field. The camp will have approximately 40 children. – Parks and Recreation**
- 6. Topic re: Approve Berlin High School Boosters Club to sell food, beverages and merchandise at Berlin High School events during the 2024 – 2025 school year. – Parks and Recreation**
- 7. Topic re: Approve the donation of a round of golf for four and two carts to be used as a raffle prize/silent auction item during the Hubbard Elementary Pasta Supper and Raffle event. Total value of the donation is \$242. – Golf Course**
- 8. Topic re: Approve the donation of a round of golf for four and two carts to be used as a raffle prize/silent auction item during the Berlin VFW comedy show fundraiser. Total value of the donation is \$242. – Golf Course**

Councilor Paonessa moved to accept the Consent Agenda as presented.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

#### **H. NEW BUSINESS:**

Councilor Paonessa moved to move up agenda item #9.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

- 9. Topic re: Authorize the Town Manager to participate in a grant application to be submitted by the Town of Middletown for the Lamentation Mountain/Pistol Creek Area for a Recreational Trails grant that will include improvements in Berlin at an estimated cost of \$250,000 and that the Town contribute \$50,000 in cash match for the Berlin portion of the project from the fee in lieu of open space account. – Economic Development**

Town Manager Jayawickrema introduced this item and asked Economic Development Coordinator Jim Mahoney to provide a recap.

Mr. Mahoney stated that the Recreational Trails grant was applied for last year but not received. There were some concerns last year about some of the aspects of the grant particularly some trails in Middletown that were close to private residences and concerns of ATV use on the trails. Those elements have since been dropped and this year most of the funding will be for the repair of the cart paths as well as improvements to the Mattabassett Trail, improved parking spaces on the Stantack Road right of way off of Spruce Brook, as well as accessibility improvements at Pistol Creek. Eighty to 90% of the grant funds would be used for the cart path work. No parking will be added to the



Berlin side of the project except for improvements to the Stantack Road right of way parking area. Middletown is proposing to add parking on their portion of the property although he is uncertain where that would be.

Councilor Veach stated that a resident of the area had some concerns with the project, and she asked her if she would speak.

**Jill Hanson, 464 Spruce Brook Road** – Ms. Hanson stated that she represents the Hanson family that has owned and resided on the same property for 137 years. The family is grateful that the Town purchased the former Pistol Creek Golf Course to be used for open space and her concern now is where and when should the line be drawn to leave the open space alone.

The Hanson property abuts the former Pistol Creek golf course on two sides, and they are in favor of improving the existing paved cart paths. They are not in favor of the proposed trail head connector on Spruce Brook Road and question why it is being proposed, they also have several questions about other items shown on the proposed trail map particularly the path proposed to cross in front of her property, she feels it would make more sense to have it on the opposite side of the road. Ms. Hanson hopes that if the proposed trail improvements were to go forward the Town would work with the Hanson family and surrounding neighbors to come to an agreeable solution.

Councilor Veach stated that the property owner whose driveway abuts the small parking lot on Spruce Brook is not in favor of any changes to that area as he feels it will encourage people to park there for other reasons other than accessing the trail. Councilor Veach stated that she would not be in favor of fixing that parking area.

Mayor Kaczynski stated that there are concerns about ATVs crossing private properties along the trails and the Town does not want to make it easier for ATVs to access the trails.

Public Works Director Mike Ahern stated that the Spruce Brook Road bridge is scheduled to be rebuilt in the near future and if there is enough width on the section of the road where the path is proposed near the Hanson property, they could possibly stripe the pavement over the bridge, as opposed to stone dust or sidewalk.

The Town Council requested that the plans should be tweaked to include revisions to the walking path along Spruce Brook Road and the two parking spaces near the trail head. Mr. Mahoney stated that the safety concerns to connect Pistol Creek to the Lamentation Trail are warranted and he will make those adjustments.

This item will be brought back to the Town Council at their March 5, 2024 meeting.

TABLED

- 1. Topic re: Discussion on one polling place to conduct Early Voting in person for the 2024 Presidential Preference Primaries at the Berlin Town Hall. Early Voting will take place on March 26, March 27, March 28 and March 30<sup>th</sup>. All three polling places will be open for regular voting during the Presidential Preference Primaries on Tuesday, April 2, 2024. – Registrars/Town Clerk**

Town Clerk Kate Wall explained that it has been decided that the polling place for early voting during the April 2, 2024 Presidential Preference Primary will be at Town Hall. As Berlin is considered a mid-size town due to its population of over 20,000 there is a requirement to receive endorsement from its governing body to only provide that one location.

Ms. Wall added that as early voting is new there is some uncertainty as to how it will go but she asked the Town Council to keep in mind that if a second early voting location is added there are costs associated with staffing that as well as the need to have the election software available there.

The Registrars of Voters were in attendance and stated that they are in agreement with the one early voting polling location.

Councilor Paonessa moved to conduct Early Voting in one location, Town Hall, for the April 2, 2024 Presidential Preference Primary.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**2. Topic re: Presentation on the work being done on the town owned cemeteries. – Cemetery Committee**

Cemetery Committee Chairman Charles Colaresi stated that the Town of Berlin is responsible for the upkeep and maintenance of seven previously abandoned cemeteries: Ledge, Christian Lane, Beckley, Spruce Brook, Denison, Dunham, and Hall.

Mr. Colaresi thanked Grounds Superintendent Steve Wood for his assistance in providing grounds crews and support to the Committee with the work that has been done at these cemeteries.

When the Cemetery Committee was first reestablished several years ago the members visited the seven cemeteries, and it was decided that the first thing to concentrate on was tree trimming to open the canopies that were contributing to the mold on the gravestones. After that fences were repaired or replaced, and new signage was installed.

Mr. Colaresi added that funds were donated to the Town for the maintenance of Dunham Cemetery. The stone wall was replaced, and new fencing installed. Approximately \$10,000 remains in that fund for continued maintenance and repairs.

In 2023 a new contractor was hired to mow and trim the grass at all the town owned cemeteries along with providing Spring and Fall clean up. The Committee is very happy with the service they have been providing as they are very meticulous and show respect around the gravestones.

With the above tasks completed the Committee's next task was to repair the damaged gravestones. Two summers ago, an Eagle Scout was able to clean up some gravestones at Ledge cemetery before leaving for college. Committee member Riza Brown found a Connecticut contractor that specializes in repairing and cleaning gravestones. They finished the work at Ledge and will begin work at Denison in the Spring and move on to the other cemeteries after that.

Mr. Colaresi added that Economic Development Coordinator Jim Mahoney has been very successful in obtaining a \$5,000 grant every year which is spent before using town funds.

Mr. Colaresi thanked the Town Council for funding the Cemetery Committee.

NO ACTION NEEDED

### **3. Topic re: Presentation from the YMCA. – Town Manager**

Meriden, New Britain, Berlin YMCA (MNBBY) CEO John Benigni stated that tonight's presentation is to share what the YMCA could bring to Berlin and introduced COO Steve Markoja.

Mr. Markoja stated the YMCA is the leading nonprofit committed to strengthening community by connecting all people to their potential, purpose, and each other and the local MNBBY has served its communities for 166 years.

In 2023 the MNBBY welcomed over 192,000 visitors, provided childcare for over 1,600 children, and provided fun summer camp experiences. No one is turned away for inability to pay and in 2023 over \$1.7 million in scholarships was provided for memberships and programs.

In Berlin the MNBBY provides daycare at McGee Middle School and Hubbard Elementary School, as well as before and after school care at the three elementary schools. Camp Thundermoon is held at McGee during the summer, there is the Berlin YMCA Ski Club for grades 3 – 12, and the Berlin High School swim team practices at the Meriden YMCA.

The MNBBY serves active older adult members with a variety of activities such as yoga, aqua aerobics, and tai chi along with programs such as healthy cooking classes, and diabetes prevention. Older adults that are eligible to participate in fitness programs such as the Silver Sneakers program may even qualify for a YMCA membership at little or no cost. Over 50% of Berlin seniors could be eligible for these programs. The MNBBY also offers membership discounts to veterans.

A variety of membership options are available for the community which can be cancelled at any time.

A video presentation of the Meriden YMCA was shown, and a footprint of the building layout was explained. The pool at this facility is a six-lane pool designed to be multiple purpose which he stated is a bare minimum need for Berlin. Also part of that facility are multi-purpose rooms, gymnasium with suspended jogging track, locker rooms, a fitness center, and childcare room.

Mr. Benigni addressed a concern expressed by the owner of Powerhouse Gym during Audience of Citizens regarding the YMCA taking business away from local gyms stating that the YMCA is not meant to be an elite workout facility but more of a location for children and families to exercise together.

Mr. Benigni stated that the YMCA may not be able to fit every need stated in the statement of needs, but they will do an outstanding job serving the community.

**Barbara Gombotz, Commission for the Aging Chair** – Ms. Gombotz inquired as to how the YMCA arranges and conducts senior programming.

Mr. Benigni stated that the MNBBY offers Fit Senior Yoga, Silver Sneakers, Zumba Gold, aqua aerobics, tai chi, pickleball, Senior Fit, stretching, Brain Gym, cardiac rehab, a blood pressure program, diabetes prevention program, healthy cooking classes, Lunch and Learn, Y's Men, Mahjong, and Pool Pals.

Ms. Gombotz inquired about rooms designated for activities such as knitting. Mr. Benigni stated that there would not be a room designated for that specifically, but a room could be set up for a membership-driven knitting club that could be established.

NO ACTION NEEDED

#### **4. Topic re: Discussion on Tax Sales – Town Council**

Corporation Counsel Donofrio stated that at the Town Council meeting two weeks ago there were some questions about a Kensington Fire District (KFD) tax sale, and it had been agreed that Attorney Adam Cohen would be invited to address the matter with the Council. Attorney Cohen is joining via Zoom tonight.

Councilor Atkinson stated that one of the questions that had come up during the previous discussion was that after the KFD tax sale went through the Town of Berlin Revenue Collector made a discretionary call regarding the payoff amount of the debt owed to the Town of Berlin for taxes and interest without approval of the Town Council. Councilor Atkinson asked if Attorney Cohen believes that the Tax Collector has the discretion to do that and if so, what is the basis for that assertion.

Attorney Cohen state that the Tax Collector was his primary contact for direction on what the Town wanted to do regarding its tax liens which were not the subject of the Fire District's tax sale but which the purchaser would be responsible to pay after acquiring title to the property. The Tax Collector conveyed to Attorney Cohen that she would find out and later emailed him that the acceptable amount would be \$54,000. As far as the Tax Collector's legal authority Attorney Cohen stated that is purely a matter of the Town's internal rules or practices.

Councilor Paonessa asked if it was necessary for the Town of Berlin taxes to be settled at the KFD tax sale. Attorney Cohen stated that the Town could have conducted its own auction but at the time the KFD started its auction in 2013 the Town was invited to do that but declined. The notice made it clear that anyone that bought the property through the Fire District's auction would be liable for the Town's taxes. The KFD held its auction in 2013 but nobody bid on the property, and it is assumed that was because the Town was owed so much in taxes and there was a belief that there was a history of contamination on the property.

The auction sat postponed for ten years listed on Attorney Cohen's website and during those years he would occasionally receive an inquiry. In October 2022 a purchaser came through that was willing to accept the Town's offer of fifty cents on the dollar and that allowed the sale to go through.



Attorney Cohen explained that the bidder paid \$10,825 which was the total due to KFD plus the cost of the auction. The bidder at that time knew he would need to write a separate check to the Town for \$54,000 after the deed was held for the required six months.

Councilor Paonessa asked why his bid of \$15,000 was not accepted and why he was told by Attorney Cohen that the bidding was going to be stopped at \$10,825 and the property awarded to the bidder that had called into the auction. Attorney Cohen stated that Councilor Paonessa had been outbid because someone was willing to pay more than he was.

When questioned by Councilor Paonessa Attorney Cohen explained that the KFD tax sale was advertised as the Statute explains the procedures for advertising and that was followed to the letter. The Town of Berlin could have told anybody that asked and was interested in the property to contact his office as many people did over the ten-year period, and the Town could have held its own auction.

Councilor Atkinson asked if it was correct that if the KFD had its tax sale the Town of Berlin could not then have its own tax sale. Attorney Cohen stated that the Town could have done that, but no one would buy the property through the KFD tax sale specifically because they would know that the Town could then do their own tax sale.

Councilor Paonessa asked if, after the first time the tax sale had been advertised in 2013, had it been advertised again. Attorney Cohen stated that the law only requires newspaper advertising and return receipt notices the first time. It was then listed on his website.

#### NO ACTION NEEDED

5. **Topic re: Authorize the Town Manager to: Withdraw the ‘Spruce Brook Road Bridge No 007020 Replacement Project’ from the former State Local Bridge Program which has a 31.41% reimbursement rate and work with Staff and SLR International to submit a new application for funding from the State’s current Local Bridge Program with a 50% reimbursement rate and work with Staff, SLR International and Corporation Counsel to execute a subsequent ‘Commitment to Fund Agreement’ with the Connecticut Department of Transportation following acceptance into the 50% reimbursement program. – Public Works**

Public Works Director Mike Ahern stated that the Spruce Brook Road Bridge project has been in the permitting process for several years and the Town finally received the Federal Army Corps of Engineers permit in August of 2023. The State of Connecticut previously committed to fund 31.41% of eligible project costs but is currently offering 50% reimbursement and staff was advised that this project would be eligible for the increased funding following a resubmission of the project to the DOT which is due by April 1, 2024. An official request from the Town to withdraw the previous application is required prior to resubmission into the 50% funding program.

SLR International designed a structure which was required to incorporate several historic features of the Simeon North Pistol Factory which occupied a portion of the existing site. Although SLR will need to prepare additional documents for the resubmission the increased level of reimbursement by the State will outweigh the anticipated increase in engineering fees.

Councilor Coppola asked if the Town withdraws from the old program are we guaranteed to be approved for the new program. Mr. Ahen stated that there are no guarantees, but the State is encouraging towns to do this as they have the funds available, and they want the Town to reconstruct this bridge. Currently Bristol and Waterbury have withdrawn and resubmitted their applications.

Councilor Paonessa moved to authorize the Town Manager to withdraw the 'Spruce Brook Road Bridge No 007020 Replacement Project' from the former State Local Bridge Program which has a 31.41% reimbursement rate.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved to authorize the Town Manager to work with Staff and SLR International to submit a new application for funding from the State's current Local Bridge Program with a 50% reimbursement rate.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved to authorize the Town Manager to work with Staff, SLR International and Corporation Counsel to execute a subsequent 'Commitment to Fund Agreement' with the Connecticut Department of Transportation following acceptance into the 50% reimbursement program.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**6. Topic re: Approve the Transfer of \$40,000 from Vehicle Fuel into Auto Parts to cover expenditures due to increases in the cost of parts and larger repair jobs for the remainder of Fiscal Year 2024, pending approval by the Board of Finance. – Fleet Garage**

Fleet Manager Jim Simons stated that due several large repairs required during the current fiscal year and unanticipated increases in the price of parts there is a shortage in the Fleet Garage Auto Parts account. Funding is available in the Vehicle Fuel account due to a downturn in the market.

Councilor Paonessa moved to approve the Transfer of \$40,000 from Vehicle Fuel into Auto Parts to cover expenditures due to increases in the cost of parts and larger repair jobs for the remainder of Fiscal Year 2024, pending approval by the Board of Finance.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**7. Topic re: Appropriate \$31,165.50 from the Sale of Land, Labor, & Materials Revenue Account to the Vehicle Reserve to be used for the purchase of vehicles Account in the Capital Nonrecurring Fund, pending approval by the Board of Finance. – Fleet Garage**

Town Manager Jayawickrema stated that the Town has sold surplus items via the online auction site “Public Surplus”. The Fleet Department sold various vehicles totaling \$31,165.50. To assist in funding the Capital Vehicle 2025 Tier I request Fleet Manager Jim Simons is requesting to appropriate these proceeds to the Vehicle Reserve account.

Councilor Paonessa moved to appropriate \$31,165.50 from the Sale of Land, Labor, & Materials Revenue Account to the Vehicle Reserve to be used for the purchase of vehicles Account in the Capital Nonrecurring Fund, pending approval by the Board of Finance.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**8. Topic re: Authorize the Town Manager to issue a request for qualifications for developers for redevelopment of 143 Percival Avenue as affordable senior housing as permitted in section XI. Q. of the Berlin Zoning Regulations and state that development proposals providing more than 50% of units as affordable and more units affordable at lower income levels will be preferred. – Economic Development**

Economic Development Coordinator Jim Mahoney stated that the option the Town had with the Berlin Housing Authority to develop Senior Housing on Percival Avenue has expired.

At their February 1, 2024 meeting the Planning & Zoning Commission (PZC) amended the Berlin Zoning Regulations to allow by special permit the development of senior affordable housing in residential zones by those other than the Berlin Housing Authority. An RFQ has been prepared to initiate the process to determine if there are developers interested in developing senior housing in Berlin.

The senior housing amendment passed by the PZC requires a minimum of 50% of the units in the development be affordable housing units. As it is difficult to finance affordable housing projects the PZC approved amendment provides an appropriate minimum standard for affordability.

Corporation Counsel Donofrio stated that he has spoken with Mr. Mahoney about this, and he believes it is the right approach.

Councilor Paonessa moved to authorize the Town Manager to issue a request for qualifications for developers for redevelopment of 143 Percival Avenue as affordable senior housing as permitted in section XI. Q. of the Berlin Zoning Regulations and state that development proposals providing more than 50% of units as affordable and more units affordable at lower income levels will be preferred.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

9. **Topic re: Authorize the Town Manager to participate in a grant application to be submitted by the Town of Middletown for the Lamentation Mountain/Pistol Creek Area for a Recreational Trails grant that will include improvements in Berlin at an estimated cost of \$250,000 and that the Town contribute \$50,000 in cash match for the Berlin portion of the project from the fee in lieu of open space account. – Economic Development**

Agenda item #9 was moved prior to Agenda item #1.

10. **Topic re: Approve the attached resolution to authorize the Town Manager to apply to the CT DECD for a \$360,000 additional municipal brownfields grant for the 889 Farmington Avenue and, if a grant is offered, to accept the grant, execute a grant proposal, grant agreement and other documents as necessary to secure and carry out the purposes of the grant and to appropriate the grant of up to the amount awarded to the Municipal Brownfields grant account for 889 Farmington Avenue, subject to approval of Corporation Counsel and to appropriate said funds to the Municipal Brownfields Grant account and to refer the appropriation to the Board of Finance. Also, to authorize the Town Manager to enter the seventh amendment to Purchase Agreement with Newport Realty Group LLC to provide that 20% of the units at 55 Steele Boulevard be affordable to households with family income equal to or less than 80% of the area median, for a duration of at least 40m years, subject to review and approval of Corporation Counsel and to approve a \$50,000 Town match for the supplemental Municipal Brownfields grant for 55 Steele Boulevard from the Farmington Ave Development non-grant account (\$50,000). – Economic Development**

Economic Development Coordinator Mahoney stated that this item has been discussed previously and a \$50,000 Town match for the Municipal Brownfields Grant was approved by the Board of Finance.

Some aspects of the program have changed and there is a new requirement that states if there is housing involved at least 20% of that residential housing must be affordable to households with income at 80% or less of the area median. The Town's Purchase Agreement with Newport Realty Group, LLC will need to be amended to add that Newport will provide these affordable units.

Due to design changes including those due to unsuitable materials discovered during excavation there are \$410,000 in projected added project costs which includes the installation of geo piers. The State will also be expecting the Town to contribute to the added project costs therefore staff recommends that the Town provide a local match of \$50,000 and apply for a Municipal Brownfields Grant in the amount of \$360,000 for the project.

Councilor Paonessa moved to approve the attached resolution to authorize the Town Manager to apply to the CT DECD for a \$360,000 additional municipal brownfields grant for the 889 Farmington Avenue and, if a grant is offered, to accept the grant, execute a grant proposal, grant agreement and other documents as necessary to secure and carry out the purposes of the grant and to appropriate the grant of up to the amount awarded to the Municipal Brownfields grant account for 889 Farmington Avenue, subject to approval of Corporation Counsel and to appropriate said funds to the Municipal Brownfields Grant account and to refer the appropriation to the Board of Finance.

Seconded by Councilor Veach.



Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved to authorize the Town Manager to enter the seventh amendment to Purchase Agreement with Newport Realty Group LLC to provide that 20% of the units at 55 Steele Boulevard be affordable to households with family income equal to or less than 80% of the area median, for a duration of at least 40 years, subject to review and approval of Corporation Counsel.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved to approve a \$50,000 Town match for the supplemental Municipal Brownfields grant for 55 Steele Boulevard from the Farmington Ave Development non-grant account (\$50,000) subject to Board of Finance approval of a non-budgeted appropriation transfer for this purpose.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

#### **I. APPOINTMENTS:**

1. **Cemetery Committee – Vacancy** – Edward Hornkohl, Jr. (R) has resigned. Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
2. **Conservation Commission – Vacancy – Alternate** – Term would be until January 31, 2026. Can be filled with a D, R or U.
3. **Conservation Commission – Vacancy – Alternate** – Term would be until January 31, 2026. Can be filled with a D, R or U (Depending on the above appointment).
4. **Constables – 5 Vacancies** – Terms would be until December 2025. Can be filled with R, D or U with no more than a bare majority to be from one political party (Section 8-6).
5. **Golf Course Commission – Vacancy** – Replacement term would be until January 31, 2027. Can be filled with a D, R or U and must be a non-golfer (per ordinance).
6. **Inland Wetlands & Water Courses Commission – Vacancy – Alternate** - Replacement would be until January 31, 2026. Can be filled with a D, R or U.
7. **Inland Wetlands & Water Courses Commission – Vacancy – Alternate** - Replacement would be until January 31, 2026. Can be filled with a D, R or U. (Depending on the above appointment).
8. **Mattabassett District – Vacancy** – Replacement term would be until September 1, 2026. Can be filled with a D, R or U.

9. **Parks and Recreation Commission – Vacancy** – Replacement would be until January 31, 2027. Can be filled with a D, R or U.

Councilor Atkinson placed in nomination the name of Christine Vale da Serra (D) of 1518 Kensington Road for appointment to the Parks and Recreation Commission.

Mayor Kaczynski asked if there were any further nominations. There being no further nominations, he declared the nominations closed.

Vote being 7-0 in favor of Christine Vale da Serra (D) to serve on the Parks and Recreation Commission. Term ending January 31, 2027.

10. **Plainville Area Cable Television Advisory Council (PACTAC) – 2 Vacancies** – New terms would be until June 30, 2025. Can be filled with a D, R or U. There are only two members from Berlin for this board.

11. **Public Building Commission – Vacancy** – Replacement term would be until January 31, 2029. Can be filled with a D, R or U.

12. **Veterans' Commission – Vacancy** – Replacement term would be until January 31, 2027. Can be filled with a D, R or U.

13. **Veterans' Commission – Vacancy** – Replacement term would be until January 31, 2027. Can be filled with a D, R or U (depending on the above appointment).

14. **VNA – Vacancy** – Replacement would be until January 31, 2026. Can be filled with a D, R or U.

Councilor Paonessa placed in nomination the name of Frances Geschimsky (R) of 173 Grandview Avenue for appointment to the VNA.

Mayor Kaczynski asked if there were any further nominations. There being no further nominations, he declared the nominations closed.

Vote being 7-0 in favor of Frances Geschimsky (R) to serve on the VNA. Term ending January 31, 2026.

15. **VNA – Vacancy** – Replacement would be until January 31, 2026. Can be filled with a D, R or U.

Councilor Paonessa placed in nomination the name of Cyndi McKinnon (D) of 46 Deerfield Drive for appointment to the VNA.

Mayor Kaczynski asked if there were any further nominations. There being no further nominations, he declared the nominations closed.

Vote being 7-0 in favor of Cyndi McKinnon (D) to serve on the VNA. Term ending January 31, 2026.

16. **VNA – Vacancy** –Replacement would be until January 31, 2027. Can be filled with a D, R or U.
17. **VNA – Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
18. **VNA –Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
19. **VNA –Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
20. **Water Control Commission – Vacancy** -Term would be until January 31, 2029. Can be filled with a D, R or U.
21. **Water Control Commission – Alternate - Vacancy** -Term would be until January 31, 2026. Can be filled with a D, R or U.
22. **Water Control Commission – Alternate – Vacancy** – Term would be until January 31, 2026. Can be filled with a D, R or U.
23. **Water Control Commission – Alternate – Vacancy** –Term would be until January 31, 2027. Can be filled with a D, R or U (Depending on the above two appointments).
24. **Youth Services Advisory Board** – Cyndi McKinnon (Service Consumer) term expired January 31, 2024. Reappointment or replacement term would be until January 31, 2027.

Councilor Paonessa placed in nomination the name of Cyndi McKinnon (D) of 46 Deerfield Drive for appointment to the Youth Services Advisory Board – Service Consumer.

Mayor Kaczynski asked if there were any further nominations. There being no further nominations, he declared the nominations closed.

Vote being 7-0 in favor of Cyndi McKinnon (D) to serve on the Youth Services Advisory Board – Service Consumer. Term ending January 31, 2027.

#### **J. TOWN MANAGER'S REPORT:**

- The Department of Public Health (DPH) has been notified in writing that Alea Piatek has resigned from the VNA. The Town has been granted a 60-day window to replace the Administrator/Clinical Supervisor with a candidate with proper qualifications and the job has been posted. The temporary Clinical Supervisor needs to complete six additional hours of credits required by the DPH and she has already enrolled. He added that Statute requires the VNA Board to hire the new Director.

With budget season approaching the VNA census numbers are not tracking well, and the \$700,000 revenue budget will most likely not be met. Therefore, the Town Manager has reached out to a partner at Shipman and Goodwin that specializes in home healthcare and is familiar with the DPH requirements to inquire about how much the Town Manager can reduce the VNA budget and staff while complying with those regulations.

The Town Manager met with VNA Board Chair Cara Staus today to share the information he sent to the DPH and the approach he has discussed with Shipman and Goodwin.

The budget must go out to the Board of Finance next week and the Town Manager will be proposing to reduce the VNA staff to the recommended level of four fulltime staff and he would like to determine where the Town Council stands on this plan adding that the projected revenue will also be decreased and there will still be a deficit in the VNA of about \$600,000 to \$700,000. The Town Manager added that he will be discussing this approach with the VNA Board.

The Town Council agreed with the Town Manager's approach.

- Budget – This year the Town and Board of Education (BOE) budgets will be presented on separate evenings. The Town budget will be presented at the Board of Finance (BOF) meeting on March 4<sup>th</sup> and the BOE budget will be presented at the BOF meeting on March 6<sup>th</sup>. The Town Manager requests the Town Council attend the BOE budget meeting as well.

Board of Finance Budget Workshops will be held throughout the month of March to make any adjustments to the presented budgets. The Annual Budget Hearing will be held at Berlin High School on Tuesday March 26<sup>th</sup> and at the end of that meeting the BOF will vote to send the budget to the Town Council.

Typically, the Town Council would meet the following Tuesday at a regular Town Council meeting, however this year that Tuesday is the Presidential Preference Primary and there is no Town Council meeting therefore the Town Manager is requesting that a special meeting be held, and it was agreed that would be on Wednesday April 3<sup>rd</sup> at 6:00 p.m.

Information regarding the Budget meetings, Budget Hearing, and Budget Referendum will be posted on social media, published in the Citizen and postcards will be mailed to all voters.

**K. SPECIAL COMMITTEE REPORTS:**

None

**L. COUNCILORS' COMMUNICATION:**

Councilor Paonessa thanked the Town Council for allowing discussion of his concerns with the Christian Lane tax sale.

**M. ACCEPTANCE OF MINUTES:**

February 6, 2024



Councilor Paonessa moved to accept the Town Council Meeting Minutes of February 6, 2024 as presented.

Seconded by Councilor Veach

Vote being 7-0 (MOTION CARRIED)

**N. EXECUTIVE SESSION:**

**Real Estate – C.G.S.S. Sec. 1-200 (6) (D) discussion of the selection of a site, sale or purchase of real estate by the Town – Wethersfield Road**

Councilor Paonessa moved to go into Executive Session: Real Estate – C.G.S.S. Sec. 1-200 (6) (D) discussion of the selection of a site, sale or purchase of real estate by the Town – Wethersfield Road at 10:24 p.m. Invited in: Town Manager Jayawickrema and Corporation Counsel Donofrio.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Executive Session ended at 10:32 p.m.

**O. ADJOURNMENT:**

Councilor Paonessa moved to adjourn at 10:32 p.m.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall  
Clerk of the Meeting