

The Town Council will meet in person. Due to the COVID-19 pandemic and in accordance with applicable Executive Orders by Governor Lamont, no public will be allowed to attend in person at this meeting. The Town Council invites the public to join the meeting by clicking on the following link or by phone. Please see the following information:

Meeting Link:

<https://townofberlin.my.webex.com/webappng/sites/townofberlin.my/meeting/download/bf05be4403ff4edb8d9082a18abac72f?siteurl=townofberlin.my&MTID=mddd8e0cd82d57ab4d595737cf3de4eed>

Meeting Number: 132 076 5127

Password: Council (2686245 from phones and video systems)

Join by video system

Dial 1320765127@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-408-418-9388 United States Toll

Access code: 132 076 5127

Password: Council (2686245 from phones and video systems)

TOWN OF BERLIN
TOWN COUNCIL MEETING

Tuesday, July 7, 2020

Board of Education Conference Room – Remote Meeting
7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. AUDIENCE OF CITIZENS

E. MEETING AGENDA – Immediately Following the Audience of Citizens

F. CONSENT AGENDA:

1. Topic re: Accept monetary donations totaling \$500.00 for the Berlin Peck Memorial Library and deposit \$500.00 into the library agency account to be used to purchase adult fiction books. – Berlin-Peck Memorial Library
2. Topic re: Approve Berlin High School Class of 2021 to sell food, beverages and merchandise at Berlin High School events during the 2020 – 2021 school year. – Parks and Recreation

G. PUBLIC HEARINGS

The Town Council of the Town of Berlin will meet at Berlin Board of Education, Conference Room, 238 Kensington Road, Berlin, CT on Tuesday, July 7, 2020, at 7:00 p.m. for the purpose of holding a public hearing on the following proposed Ordinance:

TAXATION AND FINANCE

Exemption of Property Leased to Charitable, Religious or Nonprofit Organizations (a) Pursuant to and subject to the requirements and terms of Connecticut General Statutes Section 12-81(58), any real or personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization, shall be exempt from taxation by the municipality. (b) The exemption set forth in (a) hereof shall apply to the Grand List of October 1, 2019, and each Grand List thereafter. (c) Upon the cessation of any factor serving as a basis for the exemption, as determined by the Tax Assessor, the property owner shall be liable for the payment of municipal taxes on that portion of the property that was exempt from the date of such cessation, including a prorated share of the taxes for the tax year in which such cessation took place. Such liability shall attach to the property as a charge thereon.

Following the public hearing, the Town Council is expected to consider and act upon the ordinance.

Dated at Berlin, Connecticut this 19th day of June 2020.

H. NEW BUSINESS:

1. Topic re: Adopt the ordinance which allows exemption from taxation of real or personal property when the property is leased to a charitable, religious or nonprofit organization. – Town Manager
2. Topic re: Authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority, currently set to expire on 7.31.2020, out to a date in November of 2020. – Housing Authority
3. Topic re: Approve the transfer of \$11,365 from Nursing Department Professional Services account to Department Head account (\$10,000), Social Security account (\$765) and the Pension account (\$600) to perform the Quality Assurance processes.

Waive the bidding procedure for the Quality Assurance processes including quarterly auditing, quarterly reporting, and annual reporting and allow the work to be performed internally by the Director of Nursing. This is in the best interest of the town. -VNA

4. Topic re: Waive the Town's bidding procedures and approve issuing purchase orders for the following vendors due to the Library's participation in Connecticut Library Consortium and in the Library Connection, Inc. as the best discounts have already been provided. This is in the best interest of the town.

Supplies. Books. **Baker and Taylor Co.** For adult books - \$43,000.00

Books. **Baker and Taylor Co.** For children's and teen books - \$22,000.00

Databases. Books. Supplies. Data Services. Audio/Visual - **Library Connection, Inc.** - \$54,000.00
Network Maintenance. Data Services **Novus** - \$13,000.00 – Berlin-Peck Memorial Library

5. Topic re: Award Contract # 2020-21 (Miscellaneous Concrete Sidewalks) to William Laydon Construction of North Haven, CT to allow for concrete sidewalk construction throughout the Town, by various Town departments (including the Board of Education), through established unit prices. Funding will come from established line item accounts within the fiscal year 2020/2021 and 2021/2022 departmental budgets. The contract will involve work to be performed through December 31, 2021. – Public Works
6. Topic re: Waive the bidding procedure and award a contract for GIS annual maintenance and departmental services to New England Geo-Systems of Middletown, CT for an amount not to exceed \$30,000.00, as this is in the best interest of the Town. – Public Works
7. Topic re: Authorize the Finance Director to file claims for reimbursement of General Government and Board of Education COVID-19 related expenses, as permitted under applicable federal/state programs, with the Federal Emergency Management Agency (FEMA) and the State of Connecticut Office of Policy and Management Coronavirus Relief Fund (CRF). – Finance
8. Topic re: Transfer \$44,808, as detailed on the accompanying spreadsheet, to cover higher than budgeted expenditures in identified accounts. - Finance
9. Topic re: Waive the Town's bidding procedures and authorize the Town Manager to increase Purchase Order 200439 for Greenwood Roof Services of Milford, Massachusetts for an amount not to exceed \$25,000, for fiscal year 2019/2020, as this is in the best interest of the Town. - Facilities
10. Topic re: Authorize the Town Manager to apply for State financial assistance in an amount not to exceed \$836,043.21 for the Boulevard to the Train Station Project, 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 the Town per the attached resolution, subject to the review and approval of Corporation Counsel. – Economic Development
11. Topic re: Refer the obtaining of an easement or license from the Connecticut Department of Transportation for the Boulevard project for a review by the Planning and Zoning Commission pursuant to section 8-24 of the Connecticut General Statutes. – Economic Development
12. Topic re: Refer the granting of an easement to supply electricity to the Boulevard project and to the Steele Center @ Farmington Ave. transit-oriented development project for a review by the Planning and Zoning Commission pursuant to section 8-24 of the Connecticut General Statutes. – Economic Development
13. Topic re: Authorize the Town Manager to execute the attached subordination agreements pertaining to AMCO Machine and its related entities, FAV Realty LLC and FAVTO Realty LLC, with respect to the Town's right of first refusal to purchase 921 Farmington Avenue, recorded in Volume 697, page 1136 of the Berlin Land Records, and the Town's Mortgage on 945 Farmington Avenue

recorded in Volume 721, Page 1043 of the Berlin Land Records, subject to the review and approval of Corporation Counsel. – Economic Development

14. Topic re: Approve a tax abatement for MC Barber LLC for the renovation of 1427 Berlin Turnpike of 50% in year 1, 40% in year 2, and 30% in year 3 per the town's tax abatement policy. – Economic Development

15. Topic re: Waive the Town's bidding procedures to allow the Town Clerk's Office to continue to use Cott Systems, Inc. software for land records and dog licensing, provide maintenance, auditing services and supplies to the office for an amount not to exceed \$13,500 for fiscal year 2020/2021. – Town Clerk

I. TOWN MANAGER'S REPORT:

J. SPECIAL COMMITTEE REPORTS:

K. COUNCILORS' COMMUNICATION:

L. ACCEPTANCE OF MINUTES: June 16, 2020

M. ADJOURNMENT

RECEIVED FOR RECORD
BERLIN TOWN CLERK

2020 JUL -2 AM 10:25

Kathryn Wall

BERLIN, CT.

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 29, 2020

SUBJECT: Accept Library Donations

SUMMARY:

Accept donations to the Berlin-Peck Memorial Library

Category	Amount	Description	Purpose	Donor
Cash	500.00	Lib agency acct	purchase of adult fiction books	Ronald & Beverly Cook Fund
Total	500.00			

*Unless a name is mentioned, donors have requested anonymity.

ACTION NEEDED:

Move to accept monetary donations totaling \$500.00 for the Berlin Peck Memorial Library and deposit \$500.00 into the library agency account to be used to purchase adult fiction books.

ATTACHMENTS:

None


PREPARED BY:

Helen Malinka, Library Director



Consent
Agenda Item No. 2
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: June 18, 2020

SUBJECT: Berlin High School Class of 2021, approval to sell food, beverages and merchandise during the 2020 – 2021 school year

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, June 11, 2020 recommended approval for the Berlin High School Class of 2021 to sell food, beverages and merchandise at Berlin High School events during the 2020 – 2021 school year.

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


ACTION NEEDED:

Move to approve Berlin High School Class of 2021 to sell food, beverages and merchandise at Berlin High School events during the 2020 – 2021 school year.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Park Services 

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Meeting Number: (access code): 132 076 5127

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NOTICE OF PUBLIC HEARING CONTINUANCE

THE TOWN OF BERLIN

July 7, 2020

The Town Council of the Town of Berlin will meet at Berlin Board of Education, Conference Room, 238 Kensington Road, Berlin, CT on Tuesday, July 7, 2020, at 7:00 p.m. for the purpose of holding a public hearing on the following proposed Ordinance:

TAXATION AND FINANCE

Exemption of Property Leased to Charitable, Religious or Nonprofit Organizations (a) Pursuant to and subject to the requirements and terms of Connecticut General Statutes Section 12-81(58), any real or personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization, shall be exempt from taxation by the municipality. (b) The exemption set forth in (a) hereof shall apply to the Grand List of October 1, 2019, and each Grand List thereafter. (c) Upon the cessation of any factor serving as a basis for the exemption, as determined by the Tax Assessor, the property owner shall be liable for the payment of municipal taxes on that portion of the property that was exempt from the date of such cessation, including a prorated share of the taxes for the tax year in which such cessation took place. Such liability shall attach to the property as a charge thereon.

Following the public hearing, the Town Council is expected to consider and act upon the ordinance.

Dated at Berlin, Connecticut this 19th day of June 2020.

Kathryn J. Wall, Town Clerk
Town of Berlin

Publish Date
July 2, 2020

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: June 26, 2020
SUBJECT: Exemption of Property from Taxation

Summary of Agenda Item:

Mooreland Hill School, Inc. closed its doors officially in August of 2019. Richard H. Pentore, attorney for Mooreland Hill School, Inc. is requesting that the Town Council consider an Ordinance that would allow a tax exemption to a charitable, religious, or non-profit organization that is leasing property. State Statutes allows a town to adopt an ordinance to extend the tax exemption to a charitable, religious, or non-profit organization that is leasing property. The town must adopt an Ordinance for the exemption to be applied to a property.

The Ordinance Committee held a Special Meeting on Tuesday, May 26th and voted in support of extending the tax exemption to a charitable, religious, or non-profit organization that is leasing property. The Town Council at its June 2, 2020 meeting voted to authorize the Town Manager to schedule and advertise for a Public Hearing to be held June 16, 2020 at 7:00 PM. At the June 16th meeting the Council decided to continue the Public Hearing to their July 7th meeting and requested additional information about the towns that have adopted this ordinance. The staff reached out to CCM and received the attached information.

A Public Hearing was held earlier in the evening, so the Town Council can vote to accept the ordinance.

The following is the proposed ordinance:

TAXATION AND FINANCE

Exemption of Property Leased to Charitable, Religious or Nonprofit Organizations (a) Pursuant to and subject to the requirements and terms of Connecticut General Statutes Section 12-81(58), any real or personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization, shall be exempt from taxation by the municipality. (b) The exemption set forth in (a) hereof shall apply to the Grand List of October 1, 2019, and each Grand List thereafter. (c) Upon the cessation of any factor serving as a basis for the exemption, as determined by the Tax Assessor, the property owner shall be liable for the payment of municipal taxes on that portion of the property that was exempt from the date of such cessation, including a prorated share of the taxes for the tax year in which such cessation took place. Such liability shall attach to the property as a charge thereon.

Action Needed:

Move to adopt the ordinance which allows exemption from taxation of real or personal property when the property is leased to a charitable, religious or nonprofit organization.

Attachments:

Information from CCM about towns that adopted the Tax Exempt Ordinance.

Prepared By: Arosha Jayawickrema, Town Manager

GENERAL STATUTES

OF

CONNECTICUT

**SECTION 12
TAXATION**

Sec. 12-81. Exemptions. The following-described property shall be exempt from taxation:

...(58) **Property leased to a charitable, religious or nonprofit organization.** Subject to authorization of the exemption by ordinance in any municipality, any real or personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization and not otherwise exempt under this section;

Durham

§ 15-4 Personal property leased to certain non-profit organizations exempt from taxation.

[Ord. of 1-9-90, §§ 1—3]

(a) Personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, shall be exempt from municipal taxation within the Town of Durham, provided such property is used exclusively for the purpose of such organization.

(b) Anyone wishing to claim the benefit of this exemption shall apply to the Town's tax Assessor not later than the date of the assessment list for which the exemption is claimed.

(c) The Town tax Assessor may require anyone seeking an exemption under this section to submit satisfactory evidence that:

(1) The organization leasing the property is certified by the Internal Revenue Service as exempt from taxation for federal income tax purposes; and

(2) That the property for which the exemption is sought is used exclusively for the purposes of the organization.

Manchester

§ 285-15 Tax exemption for the Odyssey Community School, Inc.

[Added 6-3-1997]

The Odyssey Community School, Inc., a local charter school formed pursuant to Chapter 164, Part IVB of the General Statutes^[1] is hereby granted an exemption pursuant to General Statutes § 12-81(58) from any taxes assessed against real or personal property leased to it, so long as the Odyssey Community School, Inc. continues to use said leased property for educational purposes pursuant to Chapter 164, Part IVB of the General Statutes.

[1]

Editor's Note: See C.G.S. § 10-66aa et seq.

Middletown

§ 272-6 Exemption of certain nonprofit organizations.

[Added 4-2-1990; amended 3-4-1991; 7-1-1996; 10-5-2009 by Ord. No. 46-09; 7-3-2017 by Ord. No. 12-17]

A. Pursuant to the authority of C.G.S. § 12-81b, as amended, any real property acquired by an organization exempt from taxation on the date of acquisition of said property under § 12-81, as amended, and utilized in conformance with C.G.S. § 12-81, Subsections (7) to (16), inclusive, as amended, shall be exempt from taxation as of the date of acquisition of such property, upon application to and verification of such tax-exempt status and intended use by the Tax Assessor of the City of Middletown. Said exempt organization shall notify the Tax Assessor of the City of Middletown of the acquisition, intended use and claimed exempt status of the real property for which an exemption is claimed within 90 days from the date of acquisition of such real property.

B. If any amount shall have been paid on account of taxes upon real property which is exempt from taxation hereunder, then, upon application made timely as set forth in Subsection C herein,

the Treasurer of the City of Middletown is authorized and directed to refund to the exempt organization, without interest, such portion of said amount as represents taxes for the period subsequent to the date of acquisition.

C. An application for the reimbursement of taxes under Subsection B of this section shall be made to the Tax Collector of the City of Middletown on a form prescribed by the Tax Collector, not later than the first day of October next following the date of acquisition of the real property for which an exemption is claimed or within 90 days from the date of acquisition of such real property, whichever period is longer.

D. This section shall apply to real property acquired by an exempt organization described in Subsection A on or after October 1, 1995.

E. Pursuant to the authority of Connecticut General Statutes § 12-81, Subsection (58), as amended, any real property used as a house of religious worship and leased to a religious organization exempt from taxation for federal income tax purposes shall be exempt from taxation, provided such property is used exclusively and entirely for the purposes of such religious organization and not otherwise exempt under this section. Application for such exemption shall be made upon such forms as may be prescribed by the Tax Assessor and shall include a copy of the lease. Applications shall be filed no later than November 1 in the year such exemption is requested.

West Haven

§ 211-7 Charitable, religious or nonprofit organizations.

A. 228 Elm Street.

(1) Pursuant to Connecticut General Statutes, Section 12-81(58), the City Council of the City of West Haven grants tax-exempt status to the real property known as "228 Elm Street, West Haven, Connecticut," which property is currently owned by the Corporation for Independent Living, Inc., and which property is further leased to the West Haven Community House, Inc., a charitable organization, for the purposes of a nonprofit group home.

(2) This tax-exempt status shall commence effective with the passage of this Article and shall continue in effect so long as the lessee of the property is a charitable, nonprofit organization which is tax exempt for federal income tax purposes and otherwise meets the criteria of said section of the Connecticut General Statutes and so long as the lease to said nonprofit corporation is in effect and the property is used exclusively for charitable, nonprofit purposes.

B. 126 Prindle Hill Road.

[Added 6-24-1991 by Ord. No. 305]

(1) Pursuant to Connecticut General Statutes, Section 12-81(58), the City Council of the City of West Haven grants tax-exempt status to the real property known as "126 Prindle Hill Road, West Haven, Connecticut," which property is currently owned by Prindle Realty and which property is further leased to the Open Door Ministries, Inc., a religious organization, for purposes of a church.

(2) This tax-exempt status shall commence effective with the passage of this subsection and shall continue in effect so long as the lessee of the property is a religious organization which is tax-exempt for federal income tax purposes and otherwise meets the criteria of Section 12-81(58) of

the Connecticut General Statutes and so long as the lease to said religious organization is in effect and the property is used exclusively for religious purposes.

C. 320A Campbell Avenue.

[Added 4-26-1993 by Ord. No. 328]

(1) Pursuant to Connecticut General Statutes, Section 12-81(58), the City Council of the City of West Haven grants tax-exempt status to the real property known as "320A Campbell Avenue, West Haven, Connecticut," which property is currently owned by the CO-FOR Corporation, and which property is further leased to WHEAT, Inc., a charitable, nonprofit organization.

(2) This tax-exempt status shall commence effective with the passage of this subsection and shall continue in effect so long as the lessee is a charitable, nonprofit organization which is tax-exempt for federal income tax purposes and otherwise meets the criteria of Section 12-81(58) of the Connecticut General Statutes and so long as the lease to said nonprofit corporation is in effect and the property is used exclusively for charitable, nonprofit purposes.

D. 296 Elm Street.

[Added 8-28-1995 by Ord. No. 349]

(1) Pursuant to Connecticut General Statutes, Sections 12-81(7) and 12-81b, the City Council of the City of West Haven grants tax-exempt status to the real property known as "296 Elm Street, West Haven, Connecticut," which property is currently owned by the Village Improvement Association of West Haven, Inc., a nonprofit organization, and used for library purposes.

(2) This tax-exempt status shall commence as of April 17, 1995, and shall continue in effect so long as the owner of the property is a nonprofit organization which is tax-exempt for federal income tax purposes and otherwise meets the criteria of Section 12-81(7) of the Connecticut General Statutes and the property is used exclusively for nonprofit purposes.

E. 390 Boston Post Road (Orange Avenue) and contiguous parcels.

[Added 8-27-2007]

(1) Pursuant to Connecticut General Statutes Section 12-81(58), the City Council of the City of West Haven grants tax-exempt status to: (a) 94.6% of the parcel of land known as "390 Boston Post Road (Orange Avenue) West Haven, Connecticut," and certain parcels contiguous thereto, all as shown on a certain map filed in the Town and City Clerk's office of the City of West Haven as Map Number 207-1939, which land is owned by the University of New Haven, Incorporated, a nonprofit corporation, and leased to Acorn Property Management, LLC which in turn subleases said land back to the University of New Haven, a nonprofit organization; and (b) 80% of the building located on such land, which is owned by Acorn Property Management, LLC and leased to the University of New Haven, a nonprofit corporation.

(2) The tax exempt status of said land and building shall be effective as of October 1, 2006, and shall continue in effect so long as the University of New Haven remains a nonprofit corporation which is tax exempt for federal income tax purposes and otherwise meets the criteria of Section 12-81(58) of the Connecticut General Statutes and so long as the lease of said land and building is in effect and said portions of said land and buildings are used exclusively for nonprofit purposes.

F. 30 Hood Terrace.

[Added 11-20-2010]

(1) Pursuant to Connecticut General Statutes Section 12-81(58), the City Council of the City of West Haven grants tax-exempt status to the real property known as "30 Hood Terrace, West Haven, CT," which property is currently owned by 30-32 Hood Terrace, LLC, and which property is further leased to the City of West Haven and is further subleased to 102nd Infantry

Regiment Museum, Inc., a nonprofit corporation under Section 502(c)(3) of the Internal Revenue Code.

(2) This tax exemption status shall commence on November 30, 2009, and shall continue in effect so long as the sublessee is a nonprofit organization which is tax exempt for federal income tax purposes and otherwise meets the criteria of Section 12-81(58) of the Connecticut General Statutes and so long as the sublease to said nonprofit corporation is in effect and the property is used exclusively as a military museum.

ORDINANCE RE: TAX EXEMPTION FOR PERSONAL PROPERTY LEASED TO THE TOWN OF STONINGTON

WHEREAS, the Town of Stonington (hereinafter "Town") is a duly organized municipality under the laws of the State of Connecticut; and

WHEREAS, the Town is a non-profit organization for purposes of taxation under Chapter 203 of the Connecticut General Statutes; and

WHEREAS, the Town is exempt from taxation for federal income tax purposes; and

WHEREAS, General Statute §12-81(58) authorizes the Town, by ordinance, to exempt from taxation, inter alia, any personal property leased to a non-profit organization that is exempt from taxation for federal income tax purposes; and

WHEREAS, the Town wishes to save money on its leased equipment by exempting taxes on said leased equipment in order to reduce lease payments the Town is obligated to make.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:

Section 1. The ordinances of the Town of Stonington be amended by adding a section to read as follows:

Pursuant to the authority of General Statute §12-81(58), any personal property leased to the Town of Stonington shall be exempt from taxation, provided such personal property is used exclusively and entirely for the purposes of the Town, and is not otherwise exempt under General Statute §12-81.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. If any provision of this ordinance or the application thereof is held to be invalid such invalidity shall not affect other provisions or applications of any other part of this ordinance which can be given effect without the invalid provisions or applications; and to this end the provisions of this ordinance and the various applications thereof are declared to be severable.

This Ordinance shall become effective following approval by Town Meeting and fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington.

Adopted – June 30, 2010

Effective – July 21, 2010

3.16.030 Tax exemption--Nonprofit organization.

Pursuant to the authority set forth in Section 12-81(58) of the General Statutes of Connecticut, as amended, real property shall be exempt from property tax provided all of the following requirements are met:

- A. The real property is owned by a charitable, religious or nonprofit organization, exempt from federal income tax;
- B. The real property, or a portion thereof, is leased to a charitable, religious or nonprofit organization, exempt from federal income tax (the "lessee");
- C. The portion of the real property that is leased to the lessee is used exclusively for the purposes of the lessee;
- D. The tax assessor shall provide the council with a report every six months stating the impact to the city from this tax exemption;
- E. More than twenty (20) percent of the real property is being used exclusively by the lessor for exempt purposes as outlined in the lessor's filing with the assessor;
- F. The tax assessor shall report annually, on or about the month of July, upon the fiscal impact of this chapter; and it is the intention of the city council to periodically review and assess this chapter for purposes of further amendment and/or revocation. The public is hereby expressly noticed to not rely upon this chapter continuing to be in effect in its current form for any particular period of time.

Nothing in this chapter shall relieve the lessor or lessee from their obligations and rights as outlined in Title 12 C.G.S., nor shall this chapter in any way limit the assessor's authority as provided in Title 12 C.G.S.

(Ord. dated 11/6/06; Ord. dated 9/3/02; Ord. dated 5/21/90; prior code § 28-5)

Sec. 18-18. Exemption of property leased to charitable, religious or nonprofit organizations.

(a) Pursuant to the provisions of subsection 58 of Section 12-81 of the Connecticut General Statutes, the City of Danbury does hereby exempt any real or personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization. Said exemption shall apply to the tax list of October 1, 1984, and to each tax list thereafter.

(b) Any such organization may, at any time prior to the payment of the tax or within one year subsequent to the payment thereof, request a certificate of correction from the tax assessor removing leased property from the tax list of such organization pursuant to Connecticut General Statutes, Section 12-57. Thereafter, in the event of prior payment of the tax, any such organization may make application, in writing, to the tax collector for a refund of said tax pursuant to Section 12-129 of the Connecticut General Statutes.

(Ord. No. 332, 4-1-86)

Editor's note: Ordinance No. 332, adopted April 1, 1986, amended Ch. 18 by adding provisions designated as a new § 18-16. Inasmuch as Ord. No. 321, adopted Jan. 7, 1986, already enacted provisions designated as § 18-16, the editor has redesignated the provisions of Ord. No. 323 as a new § 18-18.

Sec. 22-15. Exemption from taxation of real property owned by certain exempt organizations and leased to other exempt organizations.

Pursuant to the provisions of Section 12-81(58) of the Connecticut General Statutes, real property owned by a religious or charitable organization or a nonprofit organization organized for educational, scientific, literary or historical purposes which is leased to the City of New Britain, or another religious or charitable organization or another nonprofit organization organized for educational, scientific, literary or historical purposes, shall be exempt from property taxation provided that:

- (1) The organization owning the property and the organization leasing the property are both exempt from taxation for federal income tax purposes; and
- (2) Only such leased property or portion of such leased property which is used for an exempt purpose as defined by Sections 12-81(4), 12-81(7), 12-81(13), 12-81(14) or 12-81(15) of the Connecticut General Statutes shall qualify for such exemption, provided, however, that housing shall not constitute an exempt purpose as defined by Section 12-81(7) of the Connecticut General Statutes; and
- (3) Any owner of real property claiming exemption under this provision shall file an annual statement with the city assessor concerning such claim for exemption within the period assessors have to complete their duties for each assessment year; and
- (4) With each annual claim, both the organization owning the property and the organization leasing the property shall have furnished to the city assessor evidence of certification from the Internal Revenue Service, effective at the time of the request, that such organization has been approved for exemption from federal income tax as an exempt organization; and
- (5) Failure to file a claim in the manner and within the time limit prescribed shall constitute a waiver of the right to the exemption for such assessment year.

(Ord. of 4-91; Ord. of 2-92)

ARTICLE X. PROPERTY LEASED TO CHARITABLE, RELIGIOUS OR NONPROFIT ORGANIZATIONS

Sec. 220-30. Exemption for property leased to a charitable, religious or nonprofit organization.¹⁵

¹⁵ Added Jan. 2, 2007, by Ord. No. 1061.

Pursuant to Section 12-81(58) of the Connecticut General Statutes, as amended, the City of Stamford does hereby establish a program to provide for tax exemption for any real property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the exempt purposes of such charitable, religious or nonprofit organization, and provided further that the requirements of this Article are satisfied.

Sec. 220-31. Parties required to apply.¹⁶

¹⁶ Added Jan. 2, 2007, by Ord. No. 1061.

Applications for tax exemption under this Article shall be made jointly by (1) the owner or owners of the real property leased or to be leased to a charitable, religious or nonprofit organization, and (2) the charitable, religious or nonprofit organization that leases or will lease the real property.

Sec. 220-32. Eligibility requirements.¹⁷

¹⁷ Added Jan. 2, 2007, by Ord. No. 1061.

No property shall be eligible for a tax exemption under this Article unless it is shown, through sufficient documentation submitted to the Tax Assessor as provided in the next Section, that the respective applicant parties will meet all of the following requirements, and unless the applicant parties enter into a contract with respect thereto as provided in Section 220-34:

A. The applicant charitable, religious or nonprofit organization provides or will provide services directly to the City or its residents.

B. The services so provided are or will be secular in nature and not in furtherance of any religion.

C. The services will have a value for the fiscal tax year equal to or greater than the amount of the exemption applied for.

D. The exemption will be entirely for the benefit of the applicant charitable, religious or nonprofit organization and not the applicant owner of the real property.

Sec. 220-33. Application procedure.¹⁸

¹⁸ Added Jan. 2, 2007, by Ord. No. 1061.

Applications for tax exemption under this Article shall be made between July 1 and August 31, and annually thereafter at the office of the Tax Assessor of the City of Stamford on forms provided by the Assessor, which shall be accompanied by documentation showing: (1) federal tax exempt status of the applicant charitable, religious or nonprofit organization, including a copy of the organization's most recent federal tax returns for the calendar year preceding the fiscal year for which tax relief is being requested, (2) that the property is or will be used exclusively for the exempt purposes of the applicant charitable, religious or nonprofit organization, and (3) that the requirements of Section 220-32 will be satisfied.

Sec. 220-34. Required Contracts.¹⁹

¹⁹ Added Jan. 2, 2007, by Ord. No. 1061.

Tax exemption under this Article shall be pursuant to a one-year contract between the city and the applicants, which contract shall set forth the description of the property and the requirements of this Article, and further shall provide that such exemption shall be deemed nullified, as if it had never been granted, in the event of a failure to meet or comply with any such requirement; whereupon the Tax Collector of the city is authorized and empowered to collect taxes on the property based upon the assessment.

Sec. 220-35. Annual Limitation and Schedule of Exemptions.²⁰

²⁰ Added Jan. 2, 2007, by Ord. No. 1061.

A schedule of eligible tax exemptions shall be set each year in the following manner:

A. Annually, in March, the Board of Finance shall recommend to the Board of Representatives a limit for the total assessed value of property as to which exemptions shall be authorized under this Article.

B. On or before its April meeting, the Board of Representatives shall, by resolution, set a limit for the total assessed value of property as to which exemptions shall be authorized under this Article, which limit shall be not less than \$5 million.

C. The Tax Assessor shall prepare a schedule of properties determined to be eligible for exemption and the assessed values thereof. In the event the total of the assessed values of the eligible properties exceeds said limit, the Tax Assessor shall reduce all exemptions proportionally.

D. Said schedule of tax exemptions, as the same may be proportionally reduced, shall be approved by the Board of Representatives by resolution. If the Board of Representatives fails to approve the schedule in whole or part, the Tax Assessor shall revise the schedule and the schedule, as revised, shall be approved by the Board of Representatives.

Sec. 220-36. Authority to enforce.²¹

²¹ Added Jan. 2, 2007, by Ord. No. 1061.

3.12.050 Property leased to nonprofit organization.

Pursuant to Section 12-81 (58) of the Connecticut General Statutes Annotated, an exemption from any personal property tax is authorized for any personal property leased to a charitable, religious or nonprofit organization which is exempt from taxation for federal tax purposes, and provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization.

(Prior code § 15-11)

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 26, 2020

SUBJECT: Option Agreement for Development of K of C for Affordable Senior Housing

Summary of Agenda Item:

The Housing Authority continues to pursue all manner of funding in order to move forward with Affordable Senior housing at 143 Percival Avenue.

Recent discussions with the State Department of Housing have indicated a path forward to obtaining 9% tax credit financing on age restricted affordable housing projects. The age restriction component of the site approval for this development has been, up to now, an impediment to successful sourcing of 9% tax credit financing due to QAP changes.

The BHA will be required to make application for Tax Credit Financing on or before a November 2020 deadline.

It is anticipated that awards of financing will be announced in March of 2021.

Action Needed:

Move to authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority, currently set to expire on 7.31.2020, out to a date in November of 2020.

Attachments:

None

Prepared By: Joseph Bajorski, Housing Authority Chairman

Agenda Item No. 3
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 25, 2020

SUBJECT: Waive the bidding requirements to perform the Quality Assurance processes including quarterly auditing, quarterly reporting, and annual reporting

Summary of Agenda Item:

The Nursing Department currently outsources required documentation auditing and reporting to an external Quality consulting firm. The current contract with Qualidigm Consulting is due for renewal. The contract is for 3 years with 2 option years after 3 years. The cost for the service is \$28,000 – \$29,000 for the first 3 years and \$29,500 - \$30,000 for the 2 option years. During the COVID-19 Pandemic the patient census has decreased and the process of quarterly audits and reporting can be accomplished internally by the Nursing Department. This can be done at a significant cost savings to the department and the Town.

Funds are available in the Professional Services Account. The total transfer of funds should not exceed \$11,365 for fiscal year 2021. This approach for one year allows us to go out to bid for the following year.

Action Needed:

Move to approve the transfer of \$11,365 from Nursing Department Professional Services account to Department Head account (\$10,000), Social Security account (\$765) and the Pension account (\$600) to perform the Quality Assurance processes.

Move to waive bidding procedure for the Quality Assurance processes including quarterly auditing, quarterly reporting, and annual reporting and allow the work to be performed internally by the Director of Nursing. This is in the best interest of the town.

Attachments:

Budget Change Form

Prepared By:

Wendy Russo RN, Administrator





TOWN OF BERLIN

BUDGET CHANGE FORM

Section 1: To be completed by Department:

Department:	VNA	Fiscal Year:	FY2021	Date:	6/9/20
To Acct #:	Description:	Amount:	Requested by:		
001.30.3053.0.51100.00000	Department Head	\$10,000	W. Russo <i>WR</i>		
001.30.3053.0.52100.00000	Social Security	\$765			
001.30.3053.0.52200.00000	Pension	\$600			
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:		
001.30.3053.0.53920.00000	Professional Services	\$11,365.00	<i>FD</i>		

Contingency Balance (If applicable):

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

The VNA pays Qualidigm \$28,000 per year for quality assurance services. To reduce the department cost, the department head has agreed to take on the QA process in FY21 for a \$10,000 annual stipend (plus fringe benefits). This transfer moves the budget from Profesional Services to Personnel to provide adequate fuding for the stipend and remove the funding that is no longer needed for Qualidgm in Professional Services.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:	6/25/2020
Comments:				
<i>Anasha Guevarra</i>				

Section 3a: Town Council action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				

Section 3b: Board of Finance action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				

Section 4: To be completed by Finance Department:

Budget Change # :	JE#	Approved by Town Meeting	Date approved:
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TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 29, 2020

SUBJECT: Opening Purchase Orders for Berlin-Peck Memorial Library

Summary of Agenda Item:

The Berlin Peck Memorial Library belongs to the Connecticut Library Consortium, based in Middletown. With over 800 members, CLC leverages its market power to negotiate deep discounts on essential library products such as books, media, databases and movie licensing. The \$700.00 we pay in annual dues is more than made up for by the discounts received.

The library is also one of 30 members in the Library Connection, Inc., a consortium that supplies and maintains our computerized library system. By participating in LCI, we do not have to employ an IT Systems professional whose salary would easily be twice our assessed fee.

Action Needed:

Move to waive the Town's bidding procedures and approve issuing purchase orders for the following vendors due to the Library's participation in Connecticut Library Consortium and in the Library Connection, Inc. as the best discounts have already been provided. This is in the best interest of the town.

- Supplies. Books. **Baker and Taylor Co.** For adult books - \$43,000.00
- Books. **Baker and Taylor Co.** For children's and teen books - \$22,000.00
- Databases. Books. Supplies. Data Services. Audio/Visual - **Library Connection, Inc.** - \$54,000.00
- Network Maintenance. Data Services **Novus** - \$13,000.00

Attachments:

None

Prepared By:

Helen Malinka, Library Director



TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 16, 2020

SUBJECT: Contract #2020-21 Miscellaneous Concrete Sidewalks

SUMMARY:

Bids for Contract #2020-21 were publicly opened and read aloud on June 11, 2020. This contract is structured to establish unit prices for numerous activities associated with repair/replacement and/or new construction of sidewalks throughout Town. The contract specifications are such that it will allow Public Works to coordinate and supervise sidewalk construction as funding sources become available for repair, or new sidewalk work. The actual contract value will be determined upon those *unit prices* chosen for the work needed. The bids received (per the bid forms) were the following:

Workers LLC - Norwich	\$ 66,305.00
Martin Laviero Contractors – Bristol	\$ 70,525.00
William Laydon Construction - North Haven	\$ 94,930.00
Star Construction – Stratford	\$118,425.00
T&S Caminito Concrete – Middletown	\$136,350.00

Per staff's bid analysis and review:

- 1) Workers LLC was determined to be non-responsive, as two (2) unit price items were left blank (see attached detailed bid tabulation).
- 2) Martin Laviero indicated, per post-bid questions from the Town Purchasing Agent, that it had inadvertently submitted a lower unit price for Item 12 (submitted price was \$13.75 per Linear Foot, intended price was \$110.00 per Linear Foot).

Based upon bid review and analysis, staff recommends award of Contract #2020-21 to William Laydon Construction of North Haven, CT as the lowest responsive bidder. The contract will involve work to be performed through December 31, 2021.

ACTION NEEDED:

Move to award Contract # 2020-21 (Miscellaneous Concrete Sidewalks) to William Laydon Construction of North Haven, CT to allow for concrete sidewalk construction throughout the Town, by various Town departments (including the Board of Education), through established unit prices. Funding will come from established line item accounts within the fiscal year 2020/2021 and 2021/2022 departmental budgets. The contract will involve work to be performed through December 31, 2021.

ATTACHMENT:

Bid Tabulation Sheet

PREPARED BY:

Michael S. Ahern, P.E., Director of Public Works/Town Engineer

MSA

Town of Berlin
Engineering Department
Bid Tabulation Sheet
6/11/2020'
2:00pm Room 120
Project No. 2020-21

Project Name: MISCELLANEOUS CONCRETE SIDEWALKS

Item No.	Item	Unit	Quant	1			2			3			4			5		
				Workers LLC of Norwich, CT			William M. Laydon Construction of North Haven, CT			T&S Caminito Concrete, LLC of Middletown, CT			Martin Laviere Contractors of Bristol, CT			Star Construction of Stratford, CT		
				Unit	Price	Total	Unit	Price	Total	Unit	Price	Total	Unit	Price	Total	Unit	Price	Total
1.	Removal of old walk excavate & replace w/ 8" Processed Stone & 4" Concrete Sidewalk 5' Thick	SF	400		\$10.00	\$4,000.00		\$11.00	\$4,400.00		\$16.00	\$6,400.00		\$11.50	\$4,600.00		\$13.00	\$5,200.00
2.	Removal of old walk excavate & replace w/ 8" Processed Stone & 4" Concrete Sidewalk 8" Thick & reinforced	SF	100		\$20.00	\$2,000.00		\$12.40	\$1,240.00		\$40.00	\$4,000.00		\$13.00	\$1,300.00		\$16.00	\$1,600.00
3.	Removal of old walk excavate & replace w/ 8" Processed Stone & 5" Concrete Sidewalk 5' Thick	SF	500		\$12.00	\$6,000.00		\$11.00	\$5,500.00		\$38.00	\$19,000.00		\$10.25	\$5,125.00		\$14.00	\$7,000.00
4.	Removal of old walk excavate & replace w/ 8" Processed Stone & 5" Concrete Sidewalk 8" Thick & reinforced	SF	500		\$20.00	\$10,000.00		\$12.40	\$6,200.00		\$48.00	\$24,000.00		\$12.50	\$6,250.00		\$17.00	\$8,500.00
5.	4FT Concrete Sidewalk 5' Thick including all fill material & 8" of Processed Stone Base	SF	200		\$12.00	\$2,400.00		\$9.00	\$1,800.00		\$32.00	\$6,400.00		\$11.50	\$2,300.00		\$14.00	\$2,800.00
6.	4FT Concrete Sidewalk 8" Thick reinforced including all fill material & 8" of Processed Stone Base	SF	100		\$12.00	\$1,200.00		\$10.00	\$1,000.00		\$40.00	\$4,000.00		\$13.00	\$1,300.00		\$16.00	\$1,600.00
7.	5FT Concrete Sidewalk 5' Thick including all fill material & 8" of Processed Stone Base	SF	250		\$10.00	\$2,500.00		\$9.00	\$2,250.00		\$40.00	\$10,000.00		\$10.50	\$2,625.00		\$14.50	\$3,625.00
8.	5FT Concrete Sidewalk 8" Thick reinforced including all fill material & 8" of Processed Stone Base	SF	125		\$16.00	\$2,000.00		\$10.00	\$1,250.00		\$55.00	\$6,875.00		\$12.50	\$1,562.50		\$17.00	\$2,125.00
9.	Removal of 6" Bituminous Concrete Curb	LF	200		\$5.00	\$1,000.00		\$3.00	\$600.00		\$1.00	\$200.00		\$1.75	\$350.00		\$4.00	\$800.00
10.	Installation of 6" Bituminous Concrete Curb	LF	200		\$10.00	\$2,000.00		\$6.00	\$1,200.00		\$5.00	\$1,000.00		\$9.75	\$1,950.00		\$14.00	\$2,800.00
11.	Removal of 6" Bituminous Concrete Curb, 5' wide grass shoulder & 4' wide Concrete Sidewalk. Install 8" Processed Stone Base, 8" Thick reinforced concrete walk 8' w & 6' thick, 6' wide monolithic Concrete Curb	LF	400		\$5.00	\$2,000.00		\$9.00	\$3,600.00		\$10.00	\$4,000.00		\$3.75	\$1,500.00		\$10.00	\$4,000.00
12.	Installation of Concrete Curb where ordered complete in place	LF	400		\$14.95	\$5,980.00		\$115.00	\$46,000.00		\$98.00	\$39,200.00		\$13.75	\$5,500.00		\$120.00	\$48,000.00
13.	For furnishing & installing borrow material compacted in place	LF	50		\$29.00	\$1,450.00		\$35.00	\$1,750.00		\$30.00	\$1,500.00		\$35.00	\$1,750.00		\$40.00	\$2,000.00
14.	For furnishing & installing bank run gravel compacted in place	CY	20		Did not provide			\$1.00	\$20.00		\$5.00	\$100.00		\$30.00	\$600.00		\$38.00	\$760.00
15.	Permanent pavement restoration of driveways to include 8" processed stone base compacted & 2" Bituminous concrete where ordered	CY	20		Did not provide			\$1.00	\$20.00		\$10.00	\$200.00		\$40.00	\$800.00		\$42.00	\$840.00
16.	For restoration of maintained lawns where ordered to include 6" of screened loam & seed fertilization & mulch complete	SY	100		\$45.00	\$4,500.00		\$54.00	\$5,400.00		\$38.00	\$3,800.00		\$60.00	\$6,000.00		\$65.00	\$6,500.00
17.	For restoration of non-maintained lawns where ordered to include 3" loam & seed fertilization & mulch complete	SY	100		\$10.00	\$1,000.00		\$1.00	\$100.00		\$8.00	\$800.00		\$10.00	\$1,000.00		\$15.00	\$1,500.00
18.	For restoration of maintained lawns where ordered to include 6" of loam & seed	SY	100		\$10.00	\$1,000.00		\$1.00	\$100.00		\$4.00	\$400.00		\$9.75	\$975.00		\$12.00	\$1,200.00
19.	For removal of old walk & concrete curb (or bituminous curb) 5' wide	SY	100		\$10.00	\$1,000.00		\$1.00	\$100.00		\$6.00	\$600.00		\$14.00	\$1,400.00		\$25.00	\$2,500.00
20.	For removal of old walk & concrete curb (or bituminous curb) 8' wide	LF	25		\$48.00	\$1,200.00		\$40.00	\$1,000.00		\$30.00	\$750.00		\$25.00	\$625.00		\$38.00	\$760.00
21.	For removal of old walk & concrete curb (or bituminous curb) 5' wide	LF	25		\$100.00	\$2,500.00		\$40.00	\$1,000.00		\$35.00	\$875.00		\$36.00	\$900.00		\$10.00	\$250.00
22.	For hand-laid ramps complete	Unit	5		\$1,395.00	\$6,975.00		\$1,100.00	\$5,500.00		\$750.00	\$3,750.00		\$2,500.00	\$12,500.00		\$1,500.00	\$7,500.00
23.	For establishment of traffic control flag man per hr	HR	100		\$50.00	\$5,000.00		\$30.00	\$3,000.00		\$20.00	\$2,000.00		\$50.00	\$5,000.00		\$60.00	\$6,000.00
24.	For establishment of traffic control police officer per hr	HR	100		\$78.00	\$7,800.00		\$65.00	\$6,500.00		\$65.00	\$6,500.00		\$93.00	\$9,300.00		\$75.00	\$7,500.00
Total Bid						\$66,305.00			\$94,950.00			\$136,550.00			\$70,525.00			\$116,425.00

Agenda Item No. 6
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 29, 2020

SUBJECT: Bid Waiver for GIS Annual Maintenance Contract- Public Works

SUMMARY:

New England Geo-Systems (NEGEO) maintains the Town's Geographic Information System (GIS) used by various departments and the public. They were selected a number of years ago and have invested equipment and software to maintain our GIS system both in-house and on the website (www.berlingis.com). Their services include support for various departments, training, map printing, map updates, software support and host fees. In an effort to increase services that enhance and complement our engineering department, we have requested continued programming from NEGEO. With the use of in-house Staff providing more map updates, we will continue to work towards providing more information on-line to better serve the public. In the past six (6) months, 9,400 customers have used the public GIS site in over 18,000 individual sessions.

Since NEGEO already maintains our GIS network and database off site, we are requesting a bid waiver to utilize them for services throughout the fiscal year. Their services (for departments town-wide) are shown on the attached budget proposal totaling \$30,000. Funding is available from 001.20.2036.0.53821.00000 GIS Programming.

ACTION NEEDED:

Move to waive the bidding procedure and award a contract for GIS annual maintenance and departmental services to New England Geo-Systems of Middletown, CT for an amount not to exceed \$30,000.00, as this is in the best interest of the Town.

ATTACHMENTS:

Sufficiency of Funds
Proposal from NEGEO (dated June 22, 2020)

PREPARED BY:

Michael S. Ahern, P.E., Director of Public Works



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 26-Jun-20

Purchase Item or Contract: GIS Annual Maint. Contract - FY21		Requested by: Mike Ahern	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	GIS Annual Maintenance Contract	\$30,000.00	\$30,000.00
	(Not to exceed \$30,000)		
			-
			-
			-
			-
Account No. 001.20.2036.0.53821.00000 GIS Programming			TOTAL \$30,000.00

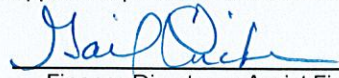
Budgeted Amount.....	\$38,500.00	Available balance.....	\$38,500.00
Encumbrances to Date.....	\$0.00	Amount Needed for This Package.....	\$30,000.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$8,500.00

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:


Finance Director or Assist.Finance Director

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

Finance Director or Assist.Finance Director

June 22, 2020

20-046

**Town of Berlin CT
FY21 General GIS Consulting Support**

In preparation of fiscal year 2021, we have prepared a summary of the GIS budget and the projects which are annually recurring, in progress, and which have been identified as being a priority.

Summary

In keeping with a zero increase policy for FY20, NEGEO proposes that the overall operating budget remain unchanged from FY20 with some minor reallocation of department funds based on recent activity. All basic recurring annual projects will remain in place and funded at close to the same levels. The budget for FY21 is recommended to remain at \$30,000.

Below is a summary of the main initiatives of FY21 and the recommended allocation of funds. This is subject to change based on input from the various department heads.

MapXpress Public & Internal Hosting

The total cost of licensing, hosting, and maintenance for fiscal year 2021 has been reduced to \$6,000. \$3,500 for MapXpress Public and \$2,500 for MapXpress Advanced – the staff GIS application.

Engineering Department

Services specific to the engineering department in FY20 included pole attribution development and quality control services related to base map updates. Pole reconciliation will continue in the FY21 as well as anticipated GCX application training, the budget for engineering departmental support should increase to \$5,000.

Economic Development & Planning and Zoning

NEGEO has assisted these two departments over the years in maintaining open space, zoning and other thematic mapping products up to date. Activities falling under economic development/planning & zoning have decreased in the past year and we recommend decreasing the budget for it to \$3,000 for FY21.

Assessor's Parcel Base Updates

The foundation of Berlin's GIS program is the continued maintenance of the parcel base. NEGEO is scheduled to perform two parcel updates this upcoming year as has been the pattern for the last few years. The budget for the assessor's office is recommended to remain at the FY 2018 level of \$7,000.

Water & Sanitary

NEGEO has not assisted water & sanitary sewer department in maintaining the quality and contents of their GIS database for three years. NEGEO recommends making or verifying updates and corrections to existing mapping data, publishing new field map books, digitization and cataloging of new and updated water & sewer connection cards. We recommend an allocation of \$3,000 for FY21.

General Services

Every year there are always requests for service which do not fall neatly into one of the outlined budget line items. The allocation in FY20 had set aside a budget of \$6,000 and we recommend maintaining that level for FY21.

BERLIN FY21 GIS BUDGET

TASK	BUDGET	CHANGE
MapXpress Hosting	\$6,000	0
Engineering	\$5,000	+\$1,000
Econ Dev. / P&Z	\$3,000	- \$1,000
Assessor	\$7,000	0
Water & Sanitary	\$3,000	0
General Services	\$6,000	0
	\$30,000	\$0

Thank you again for allowing New England GeoSystems to be of service to the Town of Berlin. If you have any issues, questions, concerns whatsoever, please feel free to contact me directly.

Very Truly Yours,



Kristen LaBrie

Project Manager

New England GeoSystems

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 29, 2020

SUBJECT: Authorize the Finance Director to file COVID-19 claims with FEMA and OPM

Summary of Agenda Item:

On March 13, 2020, President Trump declared a national emergency for the coronavirus (COVID-19). Several federal programs were developed to provide financial assistance. The Town of Berlin is eligible for several programs, as outlined below. The CRF program requires that the town legislative body authorize the town's CFO to file a claim.

Program	Filing Dept.	Requirements	Aid Available
Elementary and Secondary School Emergency Relief Fund (ESSERF).	BOE	BOE must apply for these funds before pursuing FEMA funds	\$144,750 (est. \$12,000 must be provided to St. Paul's)
USDA	BOE	BOE submits for reimbursement	\$126,758 (estimated based on food program costs)
Health & Human Service (HHS) Stimulus	VNA	Funds provided to the Town; VNA required to track	\$35,099
Federal Emergency Management Agency (FEMA)	Town	Town must submit eligible costs online and FEMA will review submission; FEMA reimburses 75% of eligible costs	Undetermined
Coronavirus Relief Fund (CRF) – Governor dedicated CARES Funds State received from the Federal government to create this program	Town	Reimbursement of eligible costs; Other sources must be utilized first; funds may be used for 25% of FEMA eligible costs not reimbursed by FEMA	\$135,475

Action Needed:

Move to authorize the Finance Director to file claims for reimbursement of General Government and Board of Education COVID-19 related expenses, as permitted under applicable federal/state programs, with the Federal Emergency Management Agency (FEMA) and the State of Connecticut Office of Policy and Management Coronavirus Relief Fund (CRF).

Attachments:

Secretary McCaw's Coronavirus Relief Fund Memo

Prepared By:

Kevin Delaney, Finance Director



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Intergovernmental Policy and Planning Division

To: Municipal Chief Executive Officials
Municipal Chief Financial Officers
Superintendents of Schools
Directors of Regional Councils of Governments
DEMHS Region Coordinators

From: Melissa N. McCaw, Secretary
Martin L. Heft, Acting Undersecretary IGPP

Date: June 4, 2020

RE: **Municipal Coronavirus Relief Fund (CRF) Program**

The Federal Coronavirus Aid, Relief and Economic Security Act (CARES Act) includes funds for Connecticut governments to pay costs incurred in responding to the COVID-19 pandemic. The Office of Policy and Management (OPM) has established the Municipal Coronavirus Relief Fund (CRF) Program to reimburse municipalities for such costs.

Eligible Uses

Under federal law, eligible uses must meet three conditions. They must be:

- "Necessary expenditures incurred due to the public health emergency with respect to...COVID-19"
 - Funds may not be used to substitute for lost revenue
- Not budgeted as of March 27, 2020 when the CARES Act was enacted
 - May not supplant state or municipal spending
- Incurred on or after March 1, 2020, through December 30, 2020

Under new, verbal guidance issued from the Treasury Department on May 20, 2020, we are expecting to receive written assurance that the CRF can be used as the local 25% match against the FEMA 75% Disaster Declaration reimbursement. As a condition of accepting Federal Coronavirus Relief Fund money, municipalities must maximize Federal Emergency Management Agency (FEMA) reimbursements. In other words, you are required to process your direct COVID-19 eligible costs through FEMA to begin the Federal reimbursement process.

For further context on costs that OPM anticipates municipalities may incur, see the attached list of potential uses. Note that these eligible uses are as currently described in federal law and relevant guidance from the U.S. Treasury Department. If these uses are modified by future federal actions, OPM will revisit the process and procedures described in this guidance.

Intersection with Other Funding Sources

Eligible uses of the federal CRF may overlap with allowable uses of other federal grants and reimbursements. Federal dollars cannot under any circumstances be claimed twice for the same spending. As a condition of accepting federal Coronavirus Relief Fund money, municipalities must maximize the use of the following programs first:

1. Elementary and Secondary School Emergency Relief Fund (ESSERF) for Pre-K to 12 education
2. Department of Public Health for local health districts
3. Department of Housing Small Cities CDBG and ESG Funding for sheltering, congregate housing
4. FEMA

Municipalities should continue to file applications with Federal Emergency Management Agency (FEMA), as costs may potentially escalate and there may be circumstances where OPM funding for municipalities may not cover all costs. After confirmation from the FEMA regarding approved FEMA expenditures, municipalities may claim reimbursement from Municipal CRF Program for eligible costs that are not covered by reimbursement from the programs noted in the preceding paragraph.

Available Funds

Based on estimates submitted by municipalities of COVID costs through June 30, 2020, OPM is making available maximum municipal CRF amounts. The administration has set aside \$75 million of the CRF to aid municipalities throughout this crisis, with nearly \$40 million of direct costs being reported by local governments through June 30. The program will be re-evaluated for expense reimbursements beyond June 30, 2020. Please note: Given the recent verbal guidance from Treasury of the ability to match FEMA with CRF, and pending written confirmation of this policy, it is expected that municipalities may not utilize their full amounts given the ability to leverage FEMA first.

The program will be re-evaluated for expense reimbursements beyond June 30, 2020. Attachment B indicates capped reimbursement amounts for each municipality through June 30.

Disbursement of Funds

Municipalities, through their Chief Financial Officer, should complete the web-based reimbursement and certification (Attachment C). The program is a reimbursement of actual COVID-related expenses paid for each category listed in Attachment A. The process does not require the submission of invoices; however, FEMA match does require the upload of your FEMA approved documentation and a transaction detail of all submitted items is required.

Reimbursements for expenses incurred through June 30, 2020, must be submitted no later than August 31, 2020.

Audit Provisions and Documentation

Federal Coronavirus Relief Fund expenditures are subject to Single Audit by an Inspector General within the U.S. Department of the Treasury. Documenting that costs were eligible uses are essential to managing compliance risk and to minimizing the possibility that the costs are deemed ineligible, thereby requiring that the municipality and the state may need to return funds to the federal government.

We ask that you document costs clearly with respect to the date and nature of the expense incurred so that together we can best manage resources in the interests of the residents of Connecticut. In general, we will be asking that you document expenses with the same specificity as for FEMA reimbursements.

Thank you for your cooperation as we work together to protect the interests of all our residents.

Attachment A – Potential Municipal COVID Related Expenditures

Attachment B – Maximum Municipal CRF Amounts

Attachment C – COVID-19 Related Expenditure Reimbursement Certification

Attachment A- Potential Municipal COVID Related Expenditures

Under new, verbal guidance, CRF can be used as the 25% match against the FEMA 75% Disaster Declaration reimbursement. CRF can only be used for the local share of any COVID-related costs not covered by FEMA or other Federally reimbursed programs.

A transaction level detail of all claims must be uploaded with submission.

Federal dollars cannot under any circumstances be claimed twice for the same spending.

Please refer to OPM website for more detail.

- **FEMA Disaster Declaration**

FEMA may provide assistance for emergency protective measures including, but not limited to, the following, if not funded by the HHS/CDC or other federal agency. While some activities listed may be eligible for funding through HHS/CDC, final reimbursement determinations will be coordinated by HHS and FEMA.

- Management, control and reduction of immediate threats to public health and safety
- Emergency medical care
- Medical sheltering (e.g. when existing facilities are reasonably forecasted to become overloaded in the near future and cannot accommodate needs)
- Purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits
- Movement of supplies and persons
- Security and law enforcement
- Communications of general health and safety information to the public
- Reimbursement for state, tribe, territory and/or local government force account overtime costs

The following list of items is compiled from municipality submissions during the data collection process:

- Cleaning Supplies
- Cleaning/disinfection of public buildings
- Equipment (IT, teleworking, etc.)
 - Support of the local EOC and Response
 - School distance learning, to the extent not funded from other sources


- Food Programs
- Hazard Pay - additional pay for performing hazardous duty or work involving direct COVID-19 exposure risk
- Legal Fees
- Local Health Department to the extent not funded from other sources
- Non-Congregate Sheltering to the extent not funded from other sources
- Office Modification (signs, shields, etc.)
 - Not full rebuilds where a lower cost option is available
- Overtime Related to Response
- Postage due to office closure
- PPE (masks, gloves, etc.)
- Training
 - Education-related
 - Linkage to COVID

Attachment B – Maximum Municipal CRF Amounts

CODE	MUNICIPALITY	CRF AMOUNT
1	Andover	\$ 6,974.00
2	Ansonia	\$ 251,000.00
3	Ashford	\$ 82,902.00
4	Avon	\$ 18,751.00
5	Barkhamsted	\$ 40,286.00
6	Beacon Falls	\$ 37,000.00
7	Berlin	\$ 135,475.00
8	Bethany	\$ 25,029.00
9	Bethel	\$ 130,954.00
10	Bethlehem	\$ 11,628.00
11	Bloomfield	\$ 41,064.00
12	Bolton	\$ 17,958.00
13	Bozrah	\$ 3,750.00
14	Branford	\$ 104,384.00
15	Bridgeport	\$ 1,185,000.00
16	Bridgewater	\$ -
17	Bristol	\$ 1,366,932.00
18	Brookfield	\$ 321,242.00
19	Brooklyn	\$ 2,500.00
20	Burlington	\$ 14,275.00
21	Canaan	\$ 23,000.00
22	Canterbury	\$ 58,926.00
23	Canton	\$ 71,869.00
24	Chaplin	\$ -
25	Cheshire	\$ 655,350.00
26	Chester	\$ 44,000.00
27	Clinton	\$ 65,210.00
28	Colchester	\$ 166,093.00
29	Colebrook	\$ 24,305.00
30	Columbia	\$ 37,690.00
31	Cornwall	\$ 14,500.00
32	Coventry	\$ 81,004.00
33	Cromwell	\$ 77,615.00
34	Danbury	\$ 1,055,918.00
35	Darien	\$ 10,282.00
36	Deep River	\$ 48,865.00
37	Derby	\$ 76,200.00
38	Durham	\$ 55,856.00

Agenda Item No. 8
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: June 29, 2020

SUBJECT: Budget Transfers to Clear Overbudget Accounts

Summary of Agenda Item:

Over the course of the fiscal year some accounts exceed budget for different reasons. All the higher than budgeted costs are being funded with savings in other areas or contingency. No new money is being appropriated with this request. These items are summarized on the Budget Adjustments spreadsheet submitted with this action item.


Action Needed:

Move to transfer \$44,808, as detailed on the accompanying spreadsheet, to cover higher than budgeted expenditures in identified accounts.

Attachments:

Budget Adjustments spreadsheet
Budget Change forms

Prepared By:

Kevin Delaney, Finance Director 

Budget Adjustments
July 7, 2020

<u>Department</u>	<u>GL Account #</u>	<u>From</u>	<u>To</u>	<u>Explanation</u>
IT	001.05.0503.0.51125.00000		\$7,660.00	The IT Manager retired as of 6/30/2020. Accrued vacation payouts are not budgeted. Often this additional cost is offset by the position vacancy, but with a 6/30 retirement date, there is no vacancy within FY20.
	001.05.0503.0.52100.00000		\$586.00	
	001.05.0507.0.53927.00000	\$8,246.00		
Town Manager	001.05.0501.0.52010.00000		\$375.00	When the Town Manager's compensation was adjusted (Interim to Permanent) the fringe benefit costs were not adjusted. There are additional funds in health insurance because the Town Manager declined coverage on the Town's plan.
	001.05.0501.0.52200.00000		\$187.00	
	001.05.0501.0.52235.00000	\$562.00		
Police	001.15.1532.0.51400.00000		\$25,000.00	Position vacancies and unplanned public events led to higher than budgeted overtime. The same position vacancies that led to the overtime costs also provides funding to cover the overbudget amount through this transfer.
	001.15.1532.0.51140.00000	\$25,000.00		
Assessor	001.05.0509.0.53814.00000		\$11,000.00	On March 6, 2018, the Town Council authorized the Town Manager to enter into an agreement with Tax Management Associates, Inc. (TMA) of Charlotte, North Carolina. TMA is a national firm that conducts personal property tax audits for municipalities on a contingent basis. TMA is paid 30% of the incremental tax (including penalties and fees) on property they identify as previously not taxed by the municipality. However, the municipality only pays the TMA fee once the municipality collects payment.
	001.05.0507.0.53927.00000	\$11,000.00		Bills for April-June from TMA exceed the available appropriation. This transfer will fund the contractual services account to pay invoices to TMA for the last quarter of the fiscal year.
GENERAL FUND TOTAL		\$44,808.00	\$44,808.00	
WATER CONTROL TOTAL		\$0.00	\$0.00	
GRAND TOTAL		\$44,808.00	\$44,808.00	

Water Control



TOWN OF BERLIN

BUDGET CHANGE FORM

Section 1: To be completed by Department:

Department:	IT	Fiscal Year:	FY2020	Date:	6/29/20
To Acct #:	Description:	Amount:	Requested by:		
001.05.0503.0.51125.00000 001.05.0503.0.52100.00000	Mid-Manager Social Security	\$7,660.00 \$586.00	C. Moore		
Are there funds from another account which can be requested: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Don't Know <input type="checkbox"/>					
From Acct #:	Description:	Amount:	Approved by:		
001.05.0507.0.53927.00000	Contingency	\$8,246.00	[Signature]		

Contingency Balance (If applicable): \$36,594.76

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

The IT Manager retired as of 6/30/2020. Accrued vacation payouts are not budgeted. Often this additional cost is offset by the position vacancy, but with a 6/30 retirement date, there is no vacancy within FY20.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:	6/18/2020
Comments:				
[Signature]				

Section 3a: Town Council action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				

Section 3b: Board of Finance action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				


Section 4: To be completed by Finance Department:

Budget Change # :	JE#	Approved by Town Meeting	Date approved:
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TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

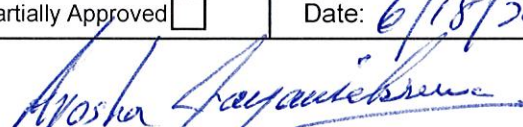
Department: Town Manager		Fiscal Year: FY2020	Date: 6/29/20
To Acct #: 001.05.0501.0.52010.00000 001.05.0501.0.52200.00000	Description: Worker's Compensation Pension	Amount: \$375.00 \$187.00	Requested by: A. Jayawickrema
Are there funds from another account which can be requested: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Don't Know <input type="checkbox"/>			
From Acct #: 001.05.0501.0.52235.00000	Description: Health Insurance	Amount: \$562.00	Approved by: 

Contingency Balance (If applicable):

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

When the Town Manager's compensation was adjusted (Interim to Permanent) the fringe benefit costs were not adjusted. There are additional funds in health insurance because the Town Manager declined coverage on the Town's plan.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date: 6/18/2020
Comments: 			

Section 3a: Town Council action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				

Section 3b: Board of Finance action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				

Section 4: To be completed by Finance Department:

Budget Change # :	JE#	Approved by Town Meeting	Date approved:
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TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

Department:	Police	Fiscal Year:	FY2020	Date:	6/29/20
To Acct #:	Description:	Amount:	Requested by:		
001.15.1532.0.51400.00000	Overtime	\$25,000.00	C. Ciuci		

Are there funds from another account which can be requested: Yes ☒ No ☐ Partially ☐ Don't Know ☐

From Acct #:	Description:	Amount:	Approved by:
001.15.1532.0.51140.00000	Police Personnel	\$25,000.00	

Contingency Balance (If applicable):

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

Position vacancies and unplanned public events led to higher than budgeted overtime. The same position vacancies that led to the overtime costs also provides funding to cover the overbudget amount through this transfer.

Section 2: To be completed by Town Manager:

Request approved ☒ Disapproved ☐ Partially Approved ☐ Date: **6/24/2020**

Comments:

Aroshe Caporale

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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TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

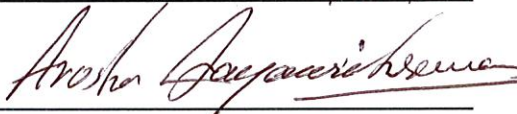
Department:	Assessor	Fiscal Year:	FY2020	Date:	6/29/20
To Acct #:	Description:	Amount:	Requested by:		
001.05.0509.0.53814.00000	Contractual Services	\$11,000.00	J. Ferraro		
Are there funds from another account which can be requested: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Don't Know <input type="checkbox"/>					
From Acct #:	Description:	Amount:	Approved by:		
001.05.0507.0.53927.00000	Contingency	\$11,000.00	KT		
Contingency Balance (If applicable):		\$27,948.76			

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

On March 6, 2018, the Town Council authorized the Town Manager to enter into an agreement with Tax Management Associates, Inc. (TMA) of Charlotte, North Carolina. TMA is a national firm that conducts personal property tax audits for municipalities on a contingent basis. TMA is paid 30% of the incremental tax (including penalties and fees) on property they identify as previously not taxed by the municipality. However, the municipality only pays the TMA fee once the municipality collects payment.

Bills for April-June from TMA exceed the available appropriation. This transfer will fund the contractual services account to pay invoices to TMA for the last quarter of the fiscal year.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:	6/25/2020
Comments:				
				

Section 3a: Town Council action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				

Section 3b: Board of Finance action:

Request approved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Referred to Town Mtg. <input type="checkbox"/>	N/A <input type="checkbox"/>
Comments:				

Section 4: To be completed by Finance Department:

Budget Change # :	JE#	Approved by Town Meeting	Date approved:
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TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 30, 2020

SUBJECT: Increase Purchase Order 200439 for Greenwood Roof Services up to \$25,000 for roofing and related repairs at all five school buildings.

Summary of Agenda Item:

Over the course of the current fiscal year 2019/2020, the Facilities Department has procured Greenwood Roof services of Milford, Massachusetts for various roofing and associated repairs necessary at all Berlin Public Schools. On average, they have provided the most competitive pricing on such repairs. Due to the volume of work performed by Greenwood Roof Services to meet the needs of various repairs, throughout all of the 5 schools, an increase to purchase order 200439 is required to cover expenses incurred. We are requesting authorization for the Town Manager to approve a Purchase Order increase up to \$25,000 to cover outstanding repair invoices. Funds are currently available in the School Expenses Department 61 Contractual Services Account 001.35.3561.0.53814.00000.

Action Needed:

Move to waive the Town's bidding procedures and authorize the Town Manager to increase Purchase Order 200439 for Greenwood Roof Services of Milford, Massachusetts for an amount not to exceed \$25,000, for fiscal year 2019/2020, as this is in the best interest of the Town.

Attachments:

Certification of Sufficiency of Funds

Prepared By:

Douglas Solek, Director of Facilities





TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 30-Jun-20

Purchase Item or Contract: Greenwood Roof Services		Requested by: Doug Solek	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Increase Greenwood Roof Services PO by \$15,001	\$15,001.00	\$15,001.00
	PO currently issued for \$9,999 - not to exceed \$25,000 in total		
			-
			-
			-
			-
TOTAL			\$15,001.00

Account No. 001.35.3561.0.53814.00000 Contractual Services

Budgeted Amount.....	\$525,000.00	Available balance.....	\$97,752.78
Encumbrances to Date.....	\$111,999.18	Amount Needed for This Package.....	\$15,001.00
Expenditures to Date.....	\$315,248.04	Available Balance After Purchase.....	\$82,751.78

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.


Finance Director or Assist.Finance Director

or:

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

Finance Director or Assist.Finance Director

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 24, 2020

SUBJECT: Authorization for the Town Manager to Sign Amendments to the STEAP Grant Contract for the Boulevard Project

Summary of Agenda Item:

The Town previously entered into a contract with the Connecticut Department of Economic and Community Development regarding \$500,000 in funding for the construction of a Boulevard from Farmington Avenue to the Berlin Train Station. \$336,043.21 in other STEAP funds awarded to the Town of Berlin for the Berlin Train Station project are being reprogrammed for use for the Boulevard Project and a contract amendment is being processed to accomplish this purpose. In order to execute the agreement on the Town's behalf, the Town Manager needs to be authorized and directed to apply for State financial assistance in an amount not to exceed \$836,043.21, 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 the Town per the attached resolution.

Action:

Move to authorize the Town Manager to apply for State financial assistance in an amount not to exceed \$836,043.21 for the Boulevard to the Train Station Project, 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 the Town per the attached resolution, subject to the review and approval of Corporation Counsel.

Attachments:

Authorizing resolution.

Prepared By:

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

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
(Meeting Date)

any way whatsoever and is at present in full force and effect.

(Date) (Signature and Title of Official)

WHEREAS, pursuant to _____
CGS 4-66g
(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)

\$ ____ 836,043.31 in order to undertake the Boulevard to the Berlin Train Station Project
and to execute an Assistance Agreement. _____
(Name and Phase of Project)

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

CGS 4-66g
(State Statutory Reference)

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

Town of Berlin
(Applicant)

in an amount not to exceed \$ ____ 836,043.31 is hereby approved and that

Aroscha 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 the Town of Berlin.

Agenda Item No. 11
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 25, 2020

SUBJECT: Section 8-24 Referral to the Planning and Zoning Commission regarding an Easement or License for the Portion of the Boulevard to be Constructed on Property of the Connecticut Department of Transportation

Summary of Agenda Item:

A portion of the Boulevard project will be constructed on land owned by the Connecticut Department of Transportation in order to connect Boulevard to the Train Station parking. The Connecticut Department of Transportation has determined that it will grant the Town a license or easement to permit the construction. Before the Town Council can act on accepting the easement or license it needs to refer the obtaining an easement or license from the Connecticut Department of Transportation for a review by the Planning and Zoning Commission pursuant to section 8-24 of the Connecticut General Statutes.

Action

Move to refer the obtaining of an easement or license from the Connecticut Department of Transportation for the Boulevard project for a review by the Planning and Zoning Commission pursuant to section 8-24 of the Connecticut General Statutes.

Attachments:

1. Map showing easement area.

Prepared By:

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

Agenda Item No. 12
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 30, 2020

SUBJECT: Section 8-24 Referral to the Planning and Zoning Commission regarding Easements to Eversource for the Boulevard Project

Summary of Agenda Item:

Eversource will be supplying electricity to the Boulevard project and to Steele Center @ Farmington Ave, our Transit-oriented development project. In order for Eversource to supply power to the project, the Town needs to grant easements to Eversource for its service lines. Before the Town Council can act on the granting of the easement to supply electricity to the Boulevard project and to Steele Center @ Farmington Ave, it needs to refer the granting of the easement for a review by the Planning and Zoning Commission pursuant to section 8-24 of the Connecticut General Statutes.

Action

Move to refer the granting of an easement to supply electricity to the Boulevard project and to the Steele Center @ Farmington Ave. for a review by the Planning and Zoning Commission pursuant to section 8-24 of the Connecticut General Statutes.

Attachments:

1. Two maps showing easement area.

Prepared By:

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

NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/1/01	PREPARED FOR TOWN OF BERLIN	W. J. HARRIS	
2	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	
3	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	
4	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	
5	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	

ELECTRIC & TELECOMMUNICATIONS

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONNECTICUT DEPARTMENT OF TRANSPORTATION AND THE TOWN OF BERLIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

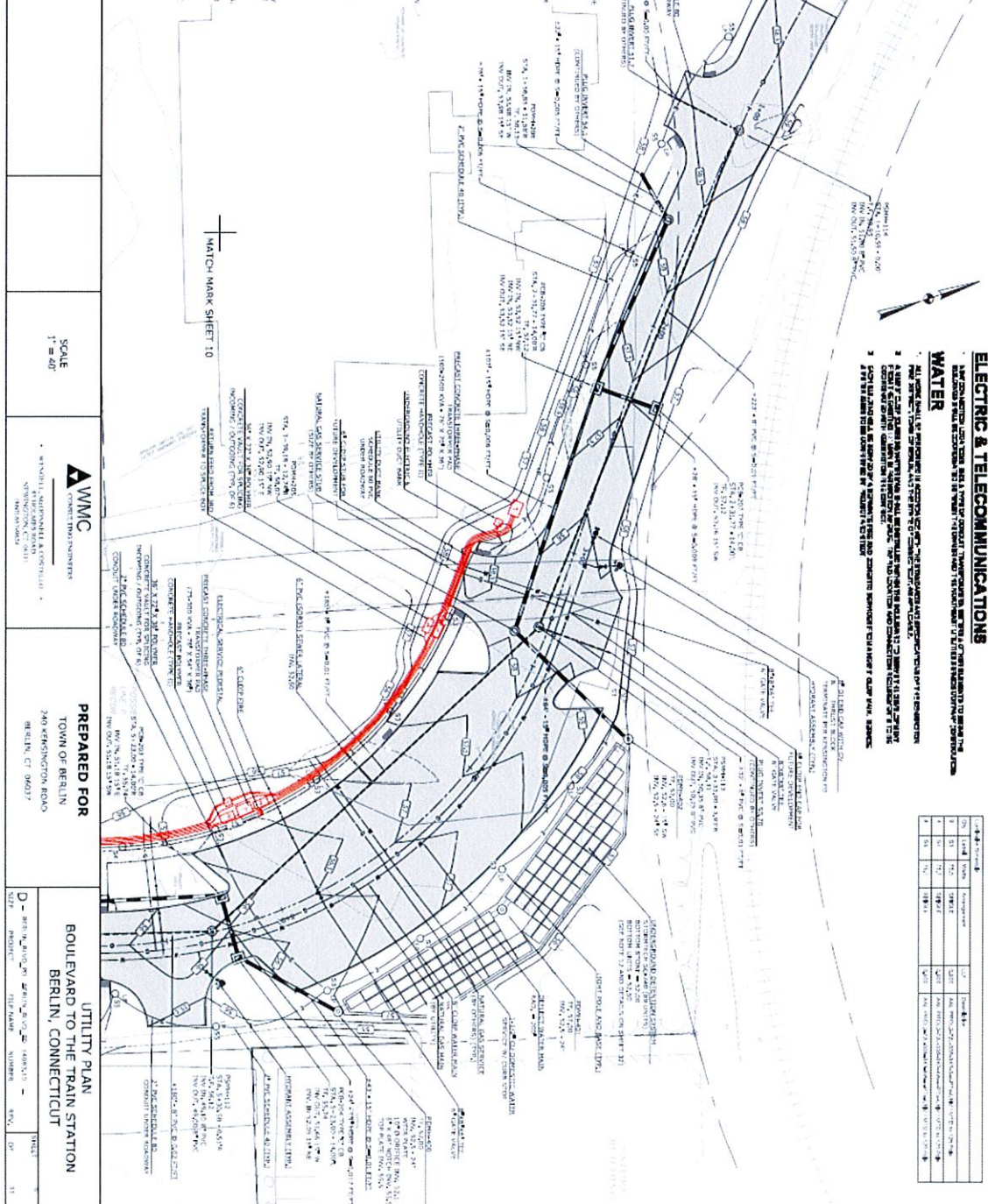
2. A UTILITY PLAN SHALL BE SUBMITTED TO THE TOWN OF BERLIN FOR REVIEW AND APPROVAL. THE PLAN SHALL SHOW THE LOCATION OF ALL UTILITIES, THE TYPE OF UTILITIES, AND THE DEPTH OF THE UTILITIES. THE PLAN SHALL ALSO SHOW THE LOCATION OF ALL STRUCTURES, THE TYPE OF STRUCTURES, AND THE DEPTH OF THE STRUCTURES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

GENERAL UTILITY NOTES

1. THE LOCATION OF EXISTING UTILITIES AND PROPOSED UTILITIES SHALL BE SHOWN ON THE PLAN.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/1/01	PREPARED FOR TOWN OF BERLIN	W. J. HARRIS	
2	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	
3	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	
4	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	
5	10/1/01	REVISED TO SHOW CHANGES	W. J. HARRIS	



UTILITY PLAN

BOULEVARD TO THE TRAIN STATION

BERLIN, CONNECTICUT

PREPARED FOR

TOWN OF BERLIN

340 KENNINGTON ROAD

BERLIN, CT 06037


DATE 10/1/01

BY W. J. HARRIS

CHKD. W. J. HARRIS

Agenda Item No. 13
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: July 1, 2020

SUBJECT: Authorization for the Town Manager to Subordinate the Town's Right of First Refusal with Respect to 921 Farmington Avenue and its Mortgage with Respect to 945 Farmington Avenue

Summary of Agenda Item:

AMCO Machine and its related entities, FAV Realty LLC and FAVTO Realty LLC, are in the process of modifying loans with Peoples United Bank. The Bank is requesting subordination by the Town of two interests held by Town as filed in the Berlin Land Records: the Town's right of first refusal to purchase 921 Farmington Avenue recorded in Volume 697, page 1136 of the Berlin Land Records and its Mortgage on 945 Farmington Avenue recorded in Volume 721, Page 1043 of the Berlin Land Records that relates to securing a commitment from the owner FAVTO Realty, LLC to maintain its Town assisted façade improvements for a period of 5 years. In 2018 and 2019 the Town Council authorized similar subordination related to earlier loan agreements between FAV Realty LLC and FAVTO Realty LLC and United Bank/Peoples United Bank that are now being modified.

Action:

Move to authorize the Town Manager to execute the attached subordination agreements pertaining to AMCO Machine and its related entities, FAV Realty LLC and FAVTO Realty LLC, with respect to the Town's right of first refusal to purchase 921 Farmington Avenue, recorded in Volume 697, page 1136 of the Berlin Land Records, and the Town's Mortgage on 945 Farmington Avenue recorded in Volume 721, Page 1043 of the Berlin Land Records, subject to the review and approval of Corporation Counsel.

Attachments:

Proposed subordination agreements

Prepared By:

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

WHEREAS, **THE TOWN OF BERLIN** ("Town of Berlin"), is the holder of a certain Agreement containing a Right of First Refusal to Purchase recorded on April 25, 2014 in Volume 697 at Page 1136 of the Berlin Land Records (collectively "Agreement") in connection with certain real property known as 921 Farmington Avenue, Berlin, Connecticut (the "Premises") and owned by **FAY REALTY LLC**, a Connecticut limited liability company having its chief executive office and principal place of business at 921 Farmington Avenue, Berlin, Connecticut 06037 ("Borrower"); and

WHEREAS, in June 2017 Borrower granted to **UNITED BANK**, having an address of 45 Glastonbury Boulevard, Glastonbury, Connecticut 06033 ("Bank"), an Open-End Mortgage Deed, Security Agreement, Assignment of Rents and Fixture Filing in the original principal amount of Three Million Six Hundred Fifty Thousand and 00/100 Dollars (\$3,650,000.00) dated June 16, 2017 and recorded in the Berlin Land Records in Volume 737 at Page 471 ("Mortgage"), given in connection with the Mortgage in connection with the Premises; and

WHEREAS, Borrower and Bank modified said Mortgage by First Mortgage Modification Agreement dated March 29, 2018 which increased the indebtedness by \$375,000.00 which was recorded in the Berlin Land Records in connection with the Premises ("Modification"); and

WHEREAS, Borrower and Bank further modified the Mortgage by Second Mortgage Modification Agreement to increase the principal amount of the loan secured by the Mortgage to One Million Two Hundred Thousand and 00/100 Dollars (\$1,200,000.00) and to extend the Maturity Date to May 31, 2020 ("Second Modification"); and

WHEREAS, **PEOPLE'S UNITED BANK, NATIONAL ASSOCIATION** is successor in interest to Bank by merger; and

WHEREAS, Borrower and Bank have further modified the Mortgage by Third Mortgage Modification Agreement ("Third Modification") pursuant to which Bank has agreed to extend the Revolving Loan Termination date to May 31, 2021 by amending the Second Amended and Restated Revolving Credit Note of May 31, 2019 by Allonge dated as of May 31, 2020 by Borrower and Bank ("Allonge"); and

WHEREAS, the parties wish to modify the Mortgage in accordance with the Third Modification so as to attach the Allonge, a copy of which is attached hereto, as Schedule A to the Second Amended Revolving Note; and

WHEREAS, Bank desires that the Mortgage as modified by said Third Modification be fully superior in priority to the Agreement.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the Town of Berlin does hereby agree for itself and its successors and assigns, that the Mortgage as modified by said Third Modification shall be and hereby is made superior and prior in lien and effect to the Agreement, and hereby covenants and agrees with respect to the Premises that the Mortgage as modified by said Third Modification shall be entitled to the same rights and privileges, both in law and equity, as they would have had if the same had been executed, delivered and recorded prior to the Agreement.

Approved to Form

Corporation Counsel

IN WITNESS WHEREOF, this Subordination is made effective as of the ____ of _____, 2020.

TOWN OF BERLIN

By: _____

Its Town Manager
Duly Authorized

STATE OF CONNECTICUT)

: ss

_____, 2020

COUNTY OF HARTFORD)

Personally appeared _____, Town Manager of **THE TOWN OF BERLIN**, as aforesaid, signer of the foregoing instrument, and acknowledged the same to be her free act and deed as such Town Manager and the free act and deed of said municipality, before me.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Commissioner of Superior County
Notary Public
My Commission Expires:

Schedule A

ALLONGE

This is an ALLONGE to a certain Second Amended and Restated Revolving Credit Note dated as of May 31, 2019 in the original principal amount of \$1,200,000 made by AMCO PRECISION TOOLS, INC. to the order of UNITED BANK (predecessor in interest by merger to People's United Bank, National Association).

The parties hereto agree that Paragraph 4 of such note shall be deleted and replaced with the following:

“4. **Maturity.** On May 31, 2021 (the “Maturity Date”), or at Lender's option upon any earlier Event of Default, the entire unpaid principal balance of this Note, together with accrued and unpaid interest hereon and all other sums owing hereunder and/or under the Loan Agreement, shall become due and payable in full without notice to Borrower.”

Dated as of May 31, 2020.

PEOPLE'S UNITED BANK, NATIONAL ASSOCIATION
(successor in interest to United Bank)

By _____
Name:
Title:

AMCO PRECISION TOOLS, INC.

By: _____
Name:
Title:

SUBORDINATION AGREEMENT

WHEREAS, **THE TOWN OF BERLIN** ("Town of Berlin"), is the holder of a certain Mortgage from **FAVTO REALTY, LLC** to **THE TOWN OF BERLIN** dated April 1, 2016 and recorded in Volume 721 at Page 1043 of the Berlin Land Records ("Town Mortgage") in connection with certain real property known as 945 Farmington Avenue, Berlin, Connecticut (the "Premises") and owned by **FAVTO REALTY LLC**, a Connecticut limited liability company having its chief executive office and principal place of business at 921 Farmington Avenue, Berlin, Connecticut 06037 ("Mortgagor"); and

WHEREAS, in June 2017 Mortgagor granted to **UNITED BANK**, having an address of 45 Glastonbury Boulevard, Glastonbury, Connecticut 06033 ("Mortgagee") an Open-End Mortgage Deed, Security Agreement, Assignment of Rents and Fixture Filing related to the Premises, which Mortgage dated June 16, 2017 and recorded in the Berlin Land Records in Volume 737 at Page 424 ("Mortgage"); and

(capitalized terms herein shall have the meaning ascribed to such terms in the Mortgage. As amended as set forth below, unless otherwise set forth herein)

WHEREAS, the Mortgage secures, inter-alia, Mortgagor's guaranty of (i) a certain \$750,000 revolving loan ("Revolving Loan") made by Mortgagee to AMCO Precision Tools, Inc., a Connecticut corporation with a place of business at 921 Farmington Avenue, Berlin, Connecticut 06037 ("Borrower"); and

WHEREAS, on April 18, 2018, Mortgagor and Mortgagee entered into a certain First Mortgage Modification Agreement relating to such premises ("First Modification"); and

WHEREAS, as of May 31, 2019, Mortgagor and Mortgagee entered into a Second Mortgage Modification Agreement ("Second Modification") pursuant to which Mortgagee agreed (i) to increase the maximum availability under the Revolving Loan to \$1,200,000 and (ii) to extend the termination date of Revolving Loan to May 31, 2020, all as set forth in a certain Second Amended and Restated Revolving Credit Note dated May 31, 2019 in the original principal amount of \$1,200,000 made by Borrower to the order of Mortgagee (as the same may be amended and/or restated from time to time, "Second Amended Revolving Note"); and

WHEREAS, **PEOPLE'S UNITED BANK, NATIONAL ASSOCIATION** is successor in interest to Mortgagee by Merger; and

WHEREAS, as of _____, 2020, Mortgagor and Mortgagee entered into a Third Mortgage Modification Agreement ("Third Modification") pursuant to which Mortgagee agreed to extend the Revolving Loan Termination date to May 31, 2021 by amending the Second Amended and Restated Revolving Credit Note of May 31, 2019 by Allonge dated as of May 31, 2020 by Mortgagor and Mortgagee ("Allonge"); and

WHEREAS, Mortgagor has agreed to guaranty the Second Amended Revolving Note, as set forth in the Guaranty (as such term is defined in the Mortgage); and

WHEREAS, the parties wish to modify the Mortgage in accordance with the Third Modification so as to attach the Allonge a copy of which is attached hereto as Schedule A to the Second Amended Revolving Note; and

WHEREAS, Mortgagee desires that the Mortgage as modified by said Third Modification be fully superior in priority to the Town Mortgage.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, **THE TOWN OF BERLIN** does hereby agree for itself and its successors and assigns, that the Mortgage as modified by said Third Modification shall be and hereby is made superior and prior in lien and effect to the Town Mortgage, and hereby covenants and agrees with respect to the Premises that the Mortgage as modified by said Third Modification shall be entitled to the same rights and privileges, both in law and equity, as they would have had if the same had been executed, delivered and recorded prior to the Town Mortgage.

Approved to Form

Corporation Counsel

IN WITNESS WHEREOF, this Subordination is made effective as of the ____ of _____, 2020.

TOWN OF BERLIN

By: _____

Its Town Manager
Duly Authorized

STATE OF CONNECTICUT)

: ss

_____, 2020

COUNTY OF HARTFORD)

Personally appeared _____, Town Manager of **THE TOWN OF BERLIN**, as aforesaid, signer of the foregoing instrument, and acknowledged the same to be her free act and deed as such Town Manager and the free act and deed of said municipality, before me.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Commissioner of Superior County
Notary Public
My Commission Expires:

Schedule A

ALLONGE

This is an ALLONGE to a certain Second Amended and Restated Revolving Credit Note dated as of May 31, 2019 in the original principal amount of \$1,200,000 made by **AMCO PRECISION TOOLS, INC.** to the order of **UNITED BANK** (predecessor in interest by merger to People's United Bank, National Association).

The parties hereto agree that Paragraph 4 of such note shall be deleted and replaced with the following:

"4. Maturity. On May 31, 2021 (the "Maturity Date"), or at Lender's option upon any earlier Event of Default, the entire unpaid principal balance of this Note, together with accrued and unpaid interest hereon and all other sums owing hereunder and/or under the Loan Agreement, shall become due and payable in full without notice to Borrower."


Dated as of May 31, 2020.

PEOPLE'S UNITED BANK, NATIONAL ASSOCIATION
(successor in interest to United Bank)

By _____
Name:
Title:

AMCO PRECISION TOOLS, INC.

By: _____
Name:
Title:

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager 
DATE: June 25, 2020
SUBJECT: Tax Abatement Application for M C Barber LLC

Summary of Agenda Item:

M C Barber LLC has submitted an application for the renovation of a 1,700 square foot building at 1427 Berlin Turnpike as well as relocate their barber school to Berlin. The abatement would be based on the increase in assessed value resulting from the real property improvements using the following schedule: 50% in year 1, 40% in year 2, and 30% in year 3 per the Town's tax abatement policy. The Economic Development Commission recommends that the Town Council approve the tax abatement for M C Barber LLC.

Actions Needed:

Move to approve a tax abatement for MC Barber LLC for the renovation of 1427 Berlin Turnpike of 50% in year 1, 40% in year 2, and 30% in year 3 per the town's tax abatement policy.

Attachments:

- 1) A copy of the tax abatement application
- 2) Estimated taxes and abated taxes
- 3) A copy of the letter to abutters

Prepared By: Christopher Edge, Economic Development Director 

Town of Berlin

Department of Economic Development

Tax Abatement Application

Name of Operating Company: Mc Barber

Name of Parent Company (If applicable): _____

Name of Entity that will own the real estate: Merhan Cecunjanin

Mailing Address: #-687 Silas Deane Highway

Project Address (If applicable): Wethersfield, CT 06109

Company Number: Mc Barber

Phone Number: 860-997-9203 Email: mcbarber@gmail.com

Description of the business to be located in the facility including the types of products manufactured or distributed:

It is a Barber Academy
+ Barber Shop

Project Description – Please include square footage of building to be constructed or renovated, a general description of machinery and equipment and other personal expected to be added to the grand list, expected project start and completion dates. Attach an additional sheet if needed.

- 1700 sq. footage
- Renovating 2 walls, roof
and front facade.

Visit our Web Site <http://www.town.berlin.ct.us>

Town of Berlin

Department of Economic Development

Estimated Value of Real Estate Improvements: \$50,000

Estimated Value of Additional Personal Property: _____

Number of Jobs to be Retained in Berlin: 1

Number of Jobs to be Created: 5

Additional Details (If needed):

6/5/2020
Date


Signature of Company Representative

Visit our Web Site <http://www.town.berlin.ct.us>

Town of Berlin, Connecticut • Chris Edge, Economic Development Director
240 Kensington Road • Berlin, CT 06037 • (860) 828-7005 • Fax: (860) 828-7180 • Email: cedge@town.berlin.ct.us

PRO FORMA - M C BARBER LLC

<u>Year</u>	<u>Estimated Assessment Increase</u>	<u>Mill Rate</u>	<u>Real Estate Taxes</u>	<u>Personal Property Taxes</u>	<u>Total Taxes</u>	<u>Tax Abatement</u>	<u>Net Taxes</u>
1	35,000	33.93	\$ 1,188	\$ 119	\$ 1,306	\$594	\$ 713
2	35,000	34.27	\$ 1,199	\$ 120	\$ 1,319	\$480	\$ 840
3	35,000	34.61	\$ 1,211	\$ 121	\$ 1,333	\$363	\$ 969
4	35,000	34.96	\$ 1,224	\$ 122	\$ 1,346		\$ 1,346
5	35,000	35.31	\$ 1,236	\$ 124	\$ 1,359		\$ 1,359
6	35,000	35.66	\$ 1,248	\$ 125	\$ 1,373		\$ 1,373
7	35,000	36.02	\$ 1,261	\$ 126	\$ 1,387		\$ 1,387
8	35,000	36.38	\$ 1,273	\$ 127	\$ 1,401		\$ 1,401
9	35,000	36.74	\$ 1,286	\$ 129	\$ 1,415		\$ 1,415
10	35,000	37.11	\$ 1,299	\$ 130	\$ 1,429		\$ 1,429
11	35,000	37.48	\$ 1,312	\$ 131	\$ 1,443		\$ 1,443
12	35,000	37.85	\$ 1,325	\$ 132	\$ 1,457		\$ 1,457
13	35,000	38.23	\$ 1,338	\$ 134	\$ 1,472		\$ 1,472
14	35,000	38.62	\$ 1,352	\$ 135	\$ 1,487		\$ 1,487
15	35,000	39.00	\$ 1,365	\$ 137	\$ 1,502		\$ 1,502
16	35,000	39.39	\$ 1,379	\$ 138	\$ 1,517		\$ 1,517
17	35,000	39.79	\$ 1,392	\$ 139	\$ 1,532		\$ 1,532
18	35,000	40.18	\$ 1,406	\$ 141	\$ 1,547		\$ 1,547
19	35,000	40.59	\$ 1,420	\$ 142	\$ 1,563		\$ 1,563
20	35,000	40.99	\$ 1,435	\$ 143	\$ 1,578		\$ 1,578
	Total		\$ 26,149	\$ 2,615	\$ 28,764	\$ 1,437	\$ 27,327

June 25, 2020

Dear Berlin Property Owner,

The Town of Berlin Economic Development Commission has received an application pursuant to its Tax Partnership Program. This involves a phase in of increases in real property taxes resulting from the renovation of 1427 Berlin Turnpike. The applicant, M C Barber LLC, will be renovating a 1,700 square foot building and has requested a 3-year tax abatement on these renovations.

This tax abatement will not increase your taxes, but will give M C Barber LLC a small tax abatement over the next 3 years following the approval in order to bring their business to Berlin and invest into the existing building.


This matter is **scheduled** to be considered at the Town Council meeting on **Tuesday July 7, 2020 through a teleconference at 7:00 PM**. I am providing you this notice because you are the owner of record of a nearby property. The Town Council has requested that all property owners within 500 feet of the subject property be notified that this application will be considered at the meeting on July 7th, 2020.

Please call me at 828-7005 if you have any questions in this regard.

Sincerely,

Christopher D. Edge
Economic Development Director

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: June 25, 2020

SUBJECT: Bid Waiver for Cott Systems, Inc.

Summary of Agenda Item:

The Town Clerk's Office uses Cott Systems, Inc. for their land records and dog licenses software. During the October 1, 2019 meeting, the Council approved a five-year contract with Cott Systems, Inc. for a yearly amount of \$10,800 with cloud support.

In May 2020, the Town Clerk asked the Council to approve increasing the number of licenses used in the office for their dog license program. The Council approved the one-time license fee and the increase of \$75.00 per month (total amount of \$900.00 per year) for the maintenance.

In fiscal year 20/21, the Town Clerk switched Auditors from an outside vendor to the audit being completed by Cott Systems. The outside vendor charged .50 cents per document compared to Cott Systems .485 cents per document. The total amount for the land records audit is budgeted for \$1,600.

The Town Clerk's Office also purchases supplies from Cott usually in the amount of \$200.00

Land Records software	\$10,800 (yearly fee)
Dog License maintenance	\$ 900 (yearly fee)
Auditor	\$ 1,600 (approx. yearly fee)
Supplies	\$ 200
Total Amount	\$13,500

Action Needed:

Move to waive the Town's bidding procedures to allow the Town Clerk's Office to continue to use Cott Systems, Inc. software for land records and dog licensing, provide maintenance, auditing services and supplies to the office for an amount not to exceed \$13,500 for fiscal year 2020/2021.

Attachments:

None

Prepared By: Kate Wall, Town Clerk 

The Town Council will meet in person. Due to the COVID-19 pandemic and in accordance with applicable Executive Orders by Governor Lamont, no public will be allowed to attend in person at this meeting. The Town Council invites the public to join the meeting by clicking on the following link or by phone. Please see the following information:

Meeting Link:

<https://townofberlin.my.webex.com/townofberlin.my/j.php?MTID=m743b22a878030b2350ba51fd60e76c5e>

Meeting Number: 132 663 7718

Password: Council (2686245 from phones and video systems)

Join by video system

Dial 1326637718@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-408-418-9388 United States Toll

Access code: 132 663 7718

Password: Council (2686245 from phones and video systems)

**TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, June 16, 2020
Board of Education Conference Room
7:00 P.M.**

A. CALL TO ORDER

Mayor Kaczynski called the meeting to order at 7:05 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Those in attendance were:

Councilor JoAnn Angelico-Stetson
Mayor Mark Kaczynski
Councilor Brenden Luddy
Councilor Charles Paonessa
Councilor Peter Rosso
Councilor Mike Urrunaga
Councilor Donna Veach

Also in attendance:

Town Manager Aroscha Jayawickrema
Corporation Counsel Jeffrey Donofrio

D. AUDIENCE OF CITIZENS

Mary-Kathryn LaRose, 26 Woodruff Lane – Ms. LaRose addressed the Council about the possibility of reopening Percival Pool. She had concerns regarding the following recommendations; fees to be charged, cleaning between swim times as opposed to ongoing cleaning throughout the day, the continued need for five lifeguards if less people allowed in at a time, the hiring of a person to enforce social distancing, and the additional custodian to spot clean throughout the day. Ms. LaRose also inquired about the possibility of opening sooner than the July 6th date mentioned.

E. MEETING AGENDA – Immediately Following the Audience of Citizens

F. CONSENT AGENDA:

- 1. Topic re: Approve a donation of \$200 from the Timberlin Lady Niners Club for the purchase of a tree in memory of Barbara Brochetti, Jean King and Nancy Benford. – Golf Course**
- 2. Topic re: Approve a credit of \$437 to be applied to the purchase of Mr. Gonzales's 2021 Resident Senior Season Pass. – Golf Course**
- 3. Topic re: Approve the refund of \$460.00 to Mr. Jerry Pangakis for his Senior Restricted Season Pass. This is due to a medical condition that will prevent him from playing golf in the future. – Golf Course**
- 4. Topic re: Accept the donation of \$100.00 and appropriate the funds to the Police Peer Support Program Expenditure Account. – Police Department**

Councilor Rosso requested that that in the future requests for refunds from the Golf Course Commission be held off on since the Council has never received written policy from the Commission concerning refunds.

Town Manager Jayawickrema stated that he followed up on the policy that covers refunds for medical conditions. The policy states that a doctor's note is required.

Councilor Luddy moved to approve the Consent Agenda as presented.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

G. PUBLIC HEARINGS

The Town Council of the Town of Berlin will meet at Berlin Board of Education, Conference Room, 238 Kensington Road, Berlin, CT on Tuesday, June 16, 2020, at 7:00 p.m. for the purpose of holding a public hearing on the following proposed Ordinance:

TAXATION AND FINANCE

Exemption of Property Leased to Charitable, Religious or Nonprofit Organizations (a) Pursuant to and subject to the requirements and terms of Connecticut General Statutes Section 12-81(58), any real or personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization, shall be exempt from taxation by the municipality. **(b)** The exemption set forth in (a) hereof shall apply to the Grand List of October 1, 2019, and each Grand List thereafter. **(c)** Upon the cessation of any factor serving as a basis for the exemption, as determined by the Tax Assessor, the property owner shall be liable for the payment of municipal taxes on that portion of the property that was exempt from the date of such cessation, including a prorated share of the taxes for the tax year in which such cessation took place. Such liability shall attach to the property as a charge thereon.

Following the public hearing, the Town Council is expected to consider and act upon the ordinance.

Mayor Kaczynski convened the public hearing at 7:15 p.m. for the Exemption of Property Leased to Charitable, Religious or Nonprofit Organizations (a) Pursuant to and subject to the requirements and terms of Connecticut General Statutes Section 12-81(58), any real or personal property leased to a charitable, religious or nonprofit organization, exempt from taxation for federal income tax purposes, provided such property is used exclusively for the purposes of such charitable, religious or nonprofit organization, shall be exempt from taxation by the municipality. (b) The exemption set forth in (a) hereof shall apply to the Grand List of October 1, 2019, and each Grand List thereafter. (c) Upon the cessation of any factor serving as a basis for the exemption, as determined by the Tax Assessor, the property owner shall be liable for the payment of municipal taxes on that portion of the property that was exempt from the date of such cessation, including a prorated share of the taxes for the tax year in which such cessation took place. Such liability shall attach to the property as a charge thereon.

No public comments were made.

Councilor Paonessa requested more information regarding what properties would be eligible for this exemption.

Mayor Kaczynski stated that the Town does have the discretion to look at each request to determine its eligibility. He requested that Corporation Counsel and the Tax Assessor provide more information as to what the tax ramifications would be if this ordinance would pass and which properties in town would be eligible.

Corporation Counsel Jeff D'Onofrio stated that this ordinance would extend this type of exemption to an owner where the owner is not engaged in charitable, religious or nonprofit use of the property but is leasing the property to an entity that is.

Mayor Kaczynski suggested the Council needs more information such as which other towns have this ordinance, the number of properties that could be affected, any additional input the Tax Assessor can provide, and the amount of revenue the Town could stand to lose as tax-exempt organizations lease current tax-paying properties.

Based on the need for additional information the Public Hearing was continued to July 7, 2020 at 7:00 p.m.

The Public Hearing was closed at 7:29 p.m.

H. NEW BUSINESS:

- 1. Topic re: Adopt the ordinance which allows exemption from taxation of real or personal property when the property is leased to a charitable, religious or nonprofit organization. – Town Manager**

NO ACTION TAKEN

NEW ITEM

Councilor Luddy moved to add Item 1a to the agenda. A discussion and possible motion on the reopening of Town pools or pool.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 1a. Topic re: A discussion and possible motion on the reopening of a Town pools or pool.**

Mayor Kaczynski introduced the topic of discussion of the possible reopening of Town pools.

Jen Ochoa, Director of Community, Recreation and Parks Services stated that she spoke with neighboring towns and found that Rocky Hill is opening one pool on a reservation system, Newington has decided to not open any pools, and Wethersfield is only opening their pond. She also shared that the Central Connecticut Health District is discouraging the opening of public pools.

Ms. Ochoa addressed some concerns expressed during the Audience of Citizens. Regarding an email Ms. Ochoa sent to the Town Manager last week there have been some updates. There would not be a newly hired custodian at the pool. Cleaning would be done by current blue-collar Facility department employees between reservations at the pool.

Regarding the number of lifeguards required at pools, that is based on the circumference of the pool and not the number of swimmers in it. Currently at Percival Pool there are three lifeguard chairs. Five lifeguards are scheduled at a time to give breaks to those in the chairs in order to maintain focus and give them a break from the sun.

The hiring of someone to monitor social distancing is recommended in the Reopen Connecticut plan. This person will simply remind people to wear masks and social distance. Wearing masks on the pool deck is in the guidelines. This states that if you are not in the pool or showers you should be wearing masks.

Rocky Hill has decided to charge a \$1 per person fee with 50 people allowed per a two-hour time block.

Mayor Kaczynski stated that with more residents staying home this summer due to the pandemic he would like to see at least one pool in town opened. When questioned about what the earliest the pool could open, Ms. Ochoa stated that it must be inspected by the Health Department and staff training must be done. Also, the pool staff had been told they would not have jobs available this summer, so it needs to be determined if they are still available.

Mayor Kaczynski questioned if only one pool should be opened, and Ms. Ochoa stated that would be the most feasible and other towns are choosing to open just one pool.

Councilor Urrunaga asked Ms. Ochoa to clarify if a pool pass would still be required or if a per use fee would be charged. She stated that no pool pass would be required and suggested following Rocky Hill's guideline of \$1 per person per reservation. Councilor Urrunaga inquired about allowing walk-ups if less than 50 people are at the pool. Ms. Ochoa explained that pool staff would need some of wi-fi enable device to accept payments so they are not handling cash. Councilor Urrunaga stated that the reservation process could also allow residents to be contacted in case of a COVID-19 exposure and Ms. Ochoa confirmed that.

Ms. Ochoa also explained that reservations would be based on a household to discourage multiple families from traveling together to the pool. She also stated that social distancing would be required while in the pool.

Corporation Counsel Jeff Donofrio explained that as best practice a waiver could be required from pool users and the Town's insurance carrier may require it as there is still so much unknown about how the virus is transmitted.

Councilor Luddy moved to authorize the Town Manager and appropriate staff to proceed to open Percival Pool with all safeguards recommended by the State and Local Health Department in place.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to set a rate of \$1 per person, per two-hour reservation.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

2. Topic re: Discussion on authorizing the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority, currently set to expire on 7.31.2020, out to a date in November of 2020. – Housing Authority

Town Manager Jayawickrema introduced the item to extend the option agreement between the Town and the Berlin Housing Authority.

Housing Authority Chairman Joe Bajorski stated that it had come to his attention that there was going to be some loosening of the age restriction component for obtaining 9% tax credit financing on affordable housing. Until this point the age restriction component had been an impediment to obtaining this financing from the Department of Housing.

The Housing Authority is therefore asking for an extension of the option agreement for the development of the Knights of Columbus building project through November to take advantage of this incentive.

More information will be obtained, presented, and discussed at a future Town Council meeting.

NO ACTION NEEDED

3. Topic re: Approve a transfer of \$1,000 from Medical Services to Medical Supplies for purchasing supplies.

Waive the bidding procedure to increase the Purchase Order to McKesson Medical by \$4,000 for amount not to exceed \$14,000 to allow for purchasing medical supplies and medical services, since this is in the best interest of the town. – Visiting Nurses Association

Town Manager Jayawickrema introduced the item regarding the purchasing of medical supplies. He explained that this approval is needed as the Purchase Order amount exceeds \$10,000.

Councilor Luddy moved to approve a transfer of \$1,000 from Medical Services to Medical Supplies for purchasing supplies.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to waive the bidding procedure to increase the Purchase Order to McKesson Medical by \$4,000 for amount not to exceed \$14,000 to allow for purchasing medical supplies and medical services, since this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

4. Topic re: Approve the purchase of ten Dell laptops from Imperium Technology Group of Brookfield for \$21,186.20 using State contract #13PSX0280-MNWNC108AD. - Finance

Director of Finance Kevin Delaney explained that in April 2020 the Town Manager approved an emergency purchase of eight laptops for work-from-home use during the COVID-19 pandemic. This request is to purchase ten additional laptops to continue the Town's readiness during the pandemic and in consideration of a possible relapse in the Fall.

The Town will include the cost of all 18 laptops in the reimbursement request to FEMA and the Coronavirus Relief Fund (CRF) administered by OPM.

Councilor Luddy moved to approve the purchase of ten Dell laptops from Imperium Technology Group of Brookfield for \$21,186.20 using State contract #13PSX0280-MNWNC108AD.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

5. Topic re: Accept the donation, of a computer module and the related supplies needed to create Identification cards for the Town of Berlin Fire Departments, the donation is worth \$4,505. – Fire Administrator

Fire Administrator Jim Simons stated that the Joseph Manzi Foundation has donated a computer software module and related supplies that will allow the Town of Berlin Fire Departments to create identification cards for its members. Joseph Manzi was a member of the Berlin Volunteer Fire Department at the time of his death.

Councilor Luddy moved to accept the donation, of a computer module and the related supplies needed to create Identification cards for the Town of Berlin Fire Departments, the donation is worth \$4,505.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

6. Topic re: Approve the changes for the Paid On Call Program. – Fire Administrator

Fire Administrator Simons explained that the Paid On Call program began in 2011 with about 100 firefighters and currently there are 63 Paid On Call. The Town of Berlin is losing firefighters to neighboring towns that are paying for part time services. The Fire Department is requesting a raise in the Paid On Call agreement in order to keep members and to prolong the life of the Volunteer Fire Departments in Berlin.

The proposed change would be that all calls would now be worth 3 points (or \$30) instead of the staggered 1 or 2 points per call (with each point worth \$10). This increase would put Berlin in line with neighboring towns.

Councilor Luddy moved to approve the changes for the Paid On Call Program.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

7. Topic re: Approve the purchase of auto parts and supplies using the Source Well Contract (062916-GPC) from N.A.P.A. Auto Parts for an amount not to exceed \$30,000.

Approve the purchase of auto parts and supplies using the above U.S. Communities Contract from Advanced Auto for an amount not to exceed \$15,000.

Waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Fleet Pride for an amount not to exceed \$20,000, since this is in the best interest of the town.

Approve the purchase of auto parts and supplies using the above State of Connecticut Department of Administrative Services Contract # 16PSX0069 from Tasca Ford for an amount not to exceed \$30,000.

Waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Monaco Ford for an amount not to exceed \$10,000, since this is in the best interest of the town.

Waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Rock Auto for an amount not to exceed \$10,000, since this is in the best interest of the town. – Municipal Garage

Fleet Manager Jim Simons stated that over the course of fiscal year 2020/2021 the Fleet Garage is anticipating utilizing various vendors for auto parts and supplies. Cumulatively the expenditures listed above, and other vendors approved for less than \$10,000, will not exceed \$125,000 for the Auto Parts Account. The motions requested are required to be approved by Town Council as they are over the \$10,000 threshold.

Councilor Luddy moved to approve the purchase of auto parts and supplies using the Source Well Contract (062916-GPC) from N.A.P.A. Auto Parts for an amount not to exceed \$30,000.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to approve the purchase of auto parts and supplies using the above U.S. Communities Contract from Advanced Auto for an amount not to exceed \$15,000.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Fleet Pride for an amount not to exceed \$20,000, since this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to approve the purchase of auto parts and supplies using the above State of Connecticut Department of Administrative Services Contract # 16PSX0069 from Tasca Ford for an amount not to exceed \$30,000.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Monaco Ford for an amount not to exceed \$10,000, since this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Rock Auto for an amount not to exceed \$10,000, since this is in the best interest of the town. – Municipal Garage

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

8. Topic re: Approve an increase to Purchase Order 200446 for Daikin Applied up to \$60,000 for additional maintenance, testing, cleaning and repairs of the Berlin High School Chillers utilizing OMNIA partners contract R150505. - Facilities

Facilities Director Doug Solek explained that this increase is for additional repairs, maintenance, etc to the high school chillers, and also includes a software update.

Councilor Luddy moved to approve an increase to Purchase Order 200446 for Daikin Applied up to \$60,000 for additional maintenance, testing, cleaning and repairs of the Berlin High School Chillers utilizing OMNIA partners contract R150505.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

9. Topic re: Authorize the Town Manager to increase the purchase orders for FY 20-21 for sole source service provider Automated Building Systems, of Glastonbury Connecticut, in the amount not to exceed \$50,000, collectively. - Facilities

Facilities Director Solek stated that this is for the annual service agreement for the Emergency Management Controls at all five schools. The sole source provider of service in New England is Automated Building Systems.

Councilor Luddy moved to authorize the Town Manager to increase the purchase orders for FY 20-21 for sole source service provider Automated Building Systems, of Glastonbury Connecticut, in the amount not to exceed \$50,000, collectively.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 10. Topic re: Waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 for each of the following vendors: F.W. Webb; Electrical Wholesalers; Filter Sales & Service; MC Management; Tull Bothers; John Boyle; Swan Associates; Hajoca (New Britain Plumbing), New England Industrial; K & S Distributors and C & C Custodial as this is in the best interest of the town. - Facilities**

Facilities Director Solek stated that the Facilities Department is anticipating utilizing various vendors for daily materials and supplies in fiscal year 2020/2021. Listed above are the vendors used the most due to favorable pricing and expeditious delivery of products and it is anticipated purchase orders will cumulatively exceed \$10,000 in the Dept. 38 Operating Materials Account.

Councilor Luddy moved to waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 for each of the following vendors: F.W. Webb; Electrical Wholesalers; Filter Sales & Service; MC Management; Tull Bothers; John Boyle; Swan Associates; Hajoca (New Britain Plumbing), New England Industrial; K & S Distributors and C & C Custodial as this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 11. Topic re: Waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 for each of the following vendors: F.W. Webb; Electrical Wholesalers; Filter Sales & Service; MC Management; Tull Bothers; John Boyle; Swan Associates; and Hajoca (New Britain Plumbing), as this is in the best interest of the town. – Facilities**

Town Manager Jayawickrema explained this item is similar to agenda item #10 but refers to the Dept. 61 Operating Materials Account.

Councilor Luddy moved to waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 for each of the following vendors: F.W. Webb; Electrical Wholesalers; Filter Sales & Service; MC Management; Tull Bothers; John Boyle; Swan Associates; and Hajoca (New Britain Plumbing), as this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 12. Topic re: Waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 for each of the following Contractors; ClearWater Industries; WaterOne Tech; Landry Communications; Drain Dr.; Associated Security; Security 101; Johnson Controls; Trane US.; Automated Building Systems; Calvert Safe & Lock; Stanley Access Technology; Daikin Applied; Hussey Advantage; Swan Associates; Encore; Kone Elevator; Tull Bros; and Carrier and as this is in the best interest of the Town. – Facilities**

These purchase orders involve Dept.38 Contractual Services. These vendors are utilized the most due to favorable pricing and diligence of job completion.

Councilor Luddy moved to waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 in fiscal year 2020/2021 for each of the following Contractors; ClearWater Industries; WaterOne Tech; Landry Communications; Drain Dr.; Associated Security; Security 101; Johnson Controls; Trane US.; Automated Building Systems; Calvert Safe & Lock; Stanley Access Technology; Daikin Applied; Hussey Advantage; Swan Associates; Encore; Kone Elevator; Tull Bros; and Carrier and as this is in the best interest of the Town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 13. Topic re: Waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 for each of the following Contractors; ClearWater Industries; WaterOne Tech; Landry Communications; Drain Dr.; Associated Security; Security 101; Johnson Controls; Trane US.; Tull Bros.; Calvert Safe & Lock; Stanley Access Technology; Hussey Advantage; Swan Associates; Kone Elevator; Daiken Applied, and Horton Electric, as this is in the best interest of the Town. – Facilities**

Town Manager Jayawickrema stated that these purchase orders involve Dept. 61 Contractual Services. The Facilities Department is anticipating utilizing these various vendors for service and repairs beyond their normal scope of work.

Councilor Luddy moved to waive the Town's Bidding Procedures and approve issuing Purchase Orders in an amount not to exceed \$25,000 for each of the following Contractors; ClearWater Industries; WaterOne Tech; Landry Communications; Drain Dr.; Associated Security; Security 101; Johnson Controls; Trane US.; Tull Bros.; Calvert Safe & Lock; Stanley Access Technology; Hussey Advantage; Swan Associates; Kone Elevator; Daiken Applied, and Horton Electric, as this is in the best interest of the Town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 14. Topic re: Utilize State of Connecticut DAS Contract No. 17PSX0002 and approve Fee Proposal No.131141.2 from Security 101, Advanced Security Integration LLC, of Plainville, CT. for an amount not to exceed \$92,331.47. – Facilities**

Facilities Director Solek stated that the final component identified in the School Security Grant for Berlin High School, Willard Elementary School and Hubbard Elementary School is access control upgrades to the entrances and secured spaces within the schools.

Councilor Luddy moved to utilize State of Connecticut DAS Contract No. 17PSX0002 and approve Fee Proposal No.131141.2 from Security 101, Advanced Security Integration LLC, of Plainville, CT. for an amount not to exceed \$92,331.47.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 15. Topic re: Authorize the Town Manager to enter into an amendment to the Town's contract with Newport Realty Group LLC regarding the sale of 861, 889, 903 and 913 Farmington Avenue to modify the Seller contingency regarding Buyer financing, to eliminate the requirement that the Town remove slabs for 889 Farmington Avenue, to define the sharing arrangement for off-site costs, to provide a easements on two parts of 889 Farmington Avenue at the time of the phase 1 closing, to allow the filing of an ELUR on 861 Farmington Avenue either before or after closing and to provide Town indemnification of Newport with respect to third party claims relating to groundwater issues on 861 Farmington Avenue at the time of the phase 1 closing, subject to review and approval of the amendment by Corporation Counsel. – Economic Development**

Economic Development Coordinator Jim Mahoney explained that there has been a delay in Newport Realty Group LLC's ("Newport") ability to obtain a financing commitment for 861 Farmington Avenue due to a zoning appeal by an abutting property owner. Approval of financing is a contingency of the Town's obligation to sell the property to Newport. The appeal has been resolved pending execution of the settlement documents.

The project has also been delayed because the purchase of the property by Newport was contingent on the Town awarding a construction contract for the Boulevard project. A substantial portion of the State funding for the project is due to expire at the end of the calendar year.

Newport is currently in the process of obtaining funding for the purchase of 861, 903 and 913 Farmington Avenue (\$470,000), its shared cost of funding off-site costs (\$269,000 less a \$90,000 credit for constructing an underground detention system to not increase discharge into the CTDOT drainage system in Farmington Avenue), and the cost of renovating 861 Farmington Avenue.

Newport has agreed not to require the Town remove the slabs and footings at 889 Farmington Avenue.

The Town will grant the buyer an easement over 889 Farmington Avenue. The parties agree that an Environmental Land Use Restriction may be filed on 861 Farmington Avenue either before or after the closing. The Town will indemnify Newport from third party claims related to groundwater contamination originating at 889 Farmington Avenue that migrated to 861 Farmington Avenue. The Town agrees to provide a parking easement on a portion of 889 Farmington Avenue for the benefit of 861 Farmington Avenue.

Councilor Luddy moved to authorize the Town Manager to enter into an amendment to the Town's contract with Newport Realty Group LLC regarding the sale of 861, 889, 903 and 913 Farmington Avenue to modify the Seller contingency regarding Buyer financing, to eliminate the requirement that the Town remove slabs for 889 Farmington Avenue, to define the sharing arrangement for off-site costs, to provide a easements on two parts of 889 Farmington Avenue at the time of the phase 1 closing, to allow the filing of an ELUR on 861 Farmington Avenue either before or after closing and to provide Town indemnification of Newport with respect to third party claims relating to

groundwater issues on 861 Farmington Avenue at the time of the phase 1 closing, subject to review and approval of the amendment by Corporation Counsel.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

16. Topic re: Authorize the Town Manager to enter into agreements to grant easements on a portion of 889 Farmington Avenue to the properties at 861 and 873 Farmington Avenue, subject to review and approval of Corporation Counsel. – Economic Development

Councilor Luddy moved to authorize the Town Manager to enter into agreements to grant easements on a portion of 889 Farmington Avenue to the properties at 861 and 873 Farmington Avenue, subject to review and approval of Corporation Counsel.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

17. Topic re: Award the contract for construction of a Boulevard from Farmington Avenue to the Berlin Train Station to the low bidder, Guerrera Construction Company of Oxford, Connecticut in the amount of \$1,194,692.50 and to authorize the Town Manager to enter into a contract with Guerrera Construction Company and to enter into change orders not to exceed \$26,956.50, subject to review and approval of Corporation Counsel and to sale to Newport of 861, 903 and 913 Farmington Avenue for \$470,000 plus a shared cost contribution for off-site work of \$179,000, the granting of an encroachment permit from the Connecticut Department of Transportation (CTDOT) and an agreement from the Connecticut Department of Transportation to grant the Town rights to construct the portion of the Boulevard that will be on a parcel that connects to the Train Station parking lot and is owned by CTDOT said contract and change orders to be funded from the following accounts and sources, a portion of the proceeds of the sale 861, 903 and 903 913 Farmington Avenue (\$399,000), Newport net shared cost contribution (\$179,000), STEAP Blvd at the Berlin Train Station account (\$360,000), TOD Property Acquisition account (\$245,397) and STEAP Downtown Sidewalks account (\$38,252).

Authorize the Town Manager to enter into an amendment to the contract with WMC Consulting Engineers to increase the scope to add \$71,000 in additional construction administration services to be funded by a portion of the proceeds of the sale 861, 903 and 913 Farmington Avenue (\$71,000). – Economic Development

Economic Development Coordinator Mahoney stated that this item is for the awarding of the contract to construct a Boulevard from Farmington Avenue to the Berlin Train Station to Guerrera Construction Company. Funding for the project is coming from the various sources noted. The Connecticut Department of Transportation items are expected to be granted in the near future. The sale of the properties to Newport is expected to occur in late June.

WMC Consulting Engineers is the Town's consultant for the Boulevard project. The size and complexity of the project has increased significantly since the original consulting contract was

awarded and staff recommends that the construction administration services be increased by \$71,000.

Councilor Luddy moved to award the contract for construction of a Boulevard from Farmington Avenue to the Berlin Train Station to the low bidder, Guerrera Construction Company of Oxford, Connecticut in the amount of \$1,194,692.50 and to authorize the Town Manager to enter into a contract with Guerrera Construction Company and to enter into change orders not to exceed \$26,956.50, subject to review and approval of Corporation Counsel and to sale to Newport of 861, 903 and 913 Farmington Avenue for \$470,000 plus a shared cost contribution for off-site work of \$179,000, the granting of an encroachment permit from the Connecticut Department of Transportation (CTDOT) and an agreement from the Connecticut Department of Transportation to grant the Town rights to construct the portion of the Boulevard that will be on a parcel that connects to the Train Station parking lot and is owned by CTDOT said contract and change orders to be funded from the following accounts and sources, a portion of the proceeds of the sale 861, 903 and 903 Farmington Avenue (\$399,000), Newport net shared cost contribution (\$179,000), STEAP Blvd at the Berlin Train Station account (\$360,000), TOD Property Acquisition account (\$245,397) and STEAP Downtown Sidewalks account (\$38,252).

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to authorize the Town Manager to enter into an amendment to the contract with WMC Consulting Engineers to increase the scope to add \$71,000 in additional construction administration services to be funded by a portion of the proceeds of the sale 861, 903 and 913 Farmington Avenue (\$71,000).

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 18. Topic re: Authorize the Town Manager to enter into two contract amendments with Alta Environmental one in the amount of \$12,500 for work on a verification report to be funded by AIG and paid from the insurance account and the second in the amount of \$5,300 for groundwater monitoring and reports to be funded from the Monitoring – Newman Property account. – Economic Development**

Economic Development Coordinator Mahoney stated that the property is located at 1567 Berlin Turnpike. The Town acquired the property and has been doing post remediation monitoring to comply with State standards and close out the project.

Councilor Luddy moved to authorize the Town Manager to enter into two contract amendments with Alta Environmental one in the amount of \$12,500 for work on a verification report to be funded by AIG and paid from the insurance account and the second in the amount of \$5,300 for groundwater monitoring and reports to be funded from the Monitoring – Newman Property account.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

19. Topic re: Affirm prior support proposals from the Prudence Crandall Center for the 2020 Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program. – Town Manager

Town Manager Jayawickrema stated that a Public Hearing was held on June 2, 2020 to discuss the 2020 Connecticut Neighborhood Assistance Act Tax Credit Program and to present two proposals submitted by the Prudence Crandall Center. The Town Council must vote to approve the program applications.

Councilor Luddy moved to affirm prior support proposals from the Prudence Crandall Center for the 2020 Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

I. APPOINTMENTS:

- 1. Berlin-Peck Memorial Library Board – Vacancy** – Replacement term would be until January 31, 2022. Can be filled with a D, R or U.

Councilor Rosso placed in nomination the name of Karen A. Pagliaro (D), of 221 Still Meadow for appointment to the Berlin-Peck Memorial Library Board.

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 Karen A. Pagliaro (D) to serve on the Berlin-Peck Memorial Library Board. Term ending January 31, 2022.

- 2. Board of Ethics – Vacancy** – New term would be until January 31, 2023. Can be filled with a D, R or U.
- 3. Board of Ethics – Vacancy** – New term would be until January 31, 2023. Can be filled with a D, R or U.
- 4. Board of Ethics – Alternate – Vacancy** - New term would be until January 31, 2022. Can be filled with a D, R or U.
- 5. Board of Ethics – Alternate – Vacancy** - New term would be until January 31, 2023. Can only be filled with depends on what party affiliation is filled on the above alternate appointment
- 6. Constables** – Seven Constables are to be appointed, not more than four of whom shall be of the same political party. Their term expires when a new Town Council is elected, and new appointments were made at the Council's second regularly scheduled meeting. The current

Constables are as follows: John Baccaro (D), Paul N. Eshoo (R), John Kozak (R). Bob Zipadelli (D) and **three (3) vacancies.**

7. **Inland Wetlands & Water Courses Commission – Alternate - Vacancy** – New term would be until January 31, 2023. Can be filled with a D, R or U.
8. **Inland Wetlands & Water Courses Commission – Alternate – Vacancy** – New term would be until January 31, 2023. Can be filled with depends on the above Alternate appointment.
9. **Plainville Area Cable Television Advisory Council (PACTAC) – Vacancy** – New term would expire on June 30, 2021. Can be filled with a D, R or U.
10. **Plainville Area Cable Television Advisory Council (PACTAC) – Vacancy** – New term would expire on June 30, 2021. Can be filled with depends on the above appointment. There are only two members from Berlin for this board.
11. **Planning & Zoning Commission – Alternate – Vacancy** – Replacement term would be until January 31, 2021. Can be filled with a D, R or U.
12. **Planning & Zoning Commission – Alternate – Vacancy** - Replacement term would be until January 31, 2024. Can be filled with a D, R or U.
13. **Public Building Commission – Vacancy** - New term would be until January 31, 2025. Can be filled with a D, R or U.
14. **VNA – Vacancy** - Replacement term would be until January 31, 2022. Can be filled with a D, R or U.
15. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.
16. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.
17. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.
18. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.
19. **Water Control Commission – Alternate – Vacancy** -New term would be until January 31, 2023. Can only be filled with a D or U.
20. **Youth Services Advisory Board – Vacancy - Service Consumer** – New term would be until January 31, 2023.

J. TOWN MANAGER'S REPORT:

- Town Fields will be opening tomorrow. The Library is scheduled to open on July 6th with plans for the public to make reservations for study rooms, computer use, etc. There is no date to reopen the Senior Center currently.
- Mayor Kaczynski inquired about the cost of the Black Lives Matter march the previous week. The Town Manager stated the cost to the Town was about \$10,000.

K. SPECIAL COMMITTEE REPORTS:

None

L. COUNCILORS' COMMUNICATION:

None

M. ACCEPTANCE OF MINUTES:

June 2, 2020

Councilor Luddy moved to accept the June 2, 2020 Town Council Minutes.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

N. EXECUTIVE SESSION:

1. Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation – Rio Vista
2. Personnel Matters – Conn. General State Statute Sec. 1-200 (6) (A) concerning the appointment, employment, performance, evaluation of a public employee – Town Manager

Councilor Luddy moved to go into Executive Session: Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation – Rio Vista; and Personnel Matters – Conn. General State Statute Sec. 1-200 (6) (A) concerning the appointment, employment, performance, evaluation of a public employee – Town Manager at 9:02 p.m. Invited in: Town Manager Jayawickrema, Corporation Counsel Donofrio, Attorney Jennifer Coppola, Attorney Charles Andres.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Executive Session ended at 9:56 p.m.

O. ADJOURNMENT

Town Council Meeting Minutes 2020-06-16

Councilor Luddy moved to adjourn at 9:56 p.m.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall
Clerk of the Meeting