

The Town Council will meet remotely. Due to the COVID-19 pandemic and in accordance with applicable Executive Orders by Governor Lamont, no one 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 number (access code): 132 074 1415

Meeting password: Council (2686245 from phones and video systems)

[Join meeting](#)

Tap to join from a mobile device (attendees only)

+1-408-418-9388,,1320741415#2686245# United States Toll

Some mobile devices may ask attendees to enter a numeric meeting password.

Join by phone

+1-408-418-9388 United States Toll

Global call-in numbers

AMENDED  
TOWN OF BERLIN  
TOWN COUNCIL MEETING  
Tuesday, December 15, 2020  
Remote  
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 donations to the Berlin Animal Control Donation Account for \$300.00 and items valued at \$100.00.- Animal Control
2. Topic re: accept monetary donations totaling \$1,938.38 for the Berlin Peck Memorial Library and deposit \$1,000.00 into the library agency account for the purchase of books and/or programs in memory of Guy P. Lombardi and deposit \$805.00 into the friends of the library miscellaneous account for the purchase of programs, supplies and museum pass renewals and deposit \$133.38 into the friends of the library credit card account for credit card charges and move to accept the donation

of a CD with an estimated value of \$20.00 to be added to the appropriate department collection. – Berlin Peck Memorial Library

G. NEW BUSINESS:

1. Topic re: Update from Central Connecticut Health District on COVID-19. – Health District
2. Topic re: Authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority from an end date of November 30, 2020 to a new date of March 31, 2021. – Economic Development
3. Topic re: Appointment to fill vacancy on the Board of Finance. – Town Council
4. Topic re: Adopt the attached non-discrimination resolution to affirm that the Town will follow the non-discrimination provisions of sections 4a-60 and 4a-60a of the Connecticut General Statutes related to the grant for the planning and design of a senior/community center. – Economic Development
5. Topic re: Appropriate \$2,000,000 of General Fund Unassigned Fund Balance to the Pension/Actuarial Funding account within the General Fund to fund projected pension payouts, pending approval by the Board of Finance. - Finance
6. Topic re: Approve the purchase of fourteen (14) Dell laptops from Winslow Technology Group of Waltham, Mass. for a total not to exceed \$22,000.00 using State contract #18PSX0264AG. – Information Technology
7. Topic re: Waive the Town of Berlin bidding requirements and award the purchase of one Fire Apparatus (Engine Tanker 12) from Pierce Manufacturing, for an amount not to exceed \$815,000 as this is in the best interest of the town. – Fire Administrator
8. Topic re: Waive the bidding procedure and purchase chemicals from Harrell's and Winfield in the amount not to exceed \$86,369 as this is in the best interest of the Town of Berlin. The chemical purchases are through the Early Order Programs of BASF, Syngenta, SePRO and Bayer Chemical Companies. – Golf Course
9. Topic re: Waive the town's bidding procedure for Turf Products to supply parts and equipment as they are the sole provider for Toro equipment in an amount not to exceed \$16,000 as this is in the best interest of the town. – Golf Course
10. Topic re: Authorize the Town Manager to enter into Contract Agreement #2021-07 with Staxx Construction of Berlin, CT to perform brush grinding and disposal services related to Storm Isaias in the amount of \$29,700.00. – Public Works
11. Topic re: Refer the matter of replacing the Kensington Road Bridge (No. 03657) to the Planning and Zoning Commission for a Section 8-24 Review, as per the Connecticut General Statutes, and to authorize the Town Manager to sign and return the Connecticut Department of Transportation's Commitment to Fund dated November 23, 2020. – Public Works

12. Topic re: Authorize the Town Manager to waive the bidding requirements and increase the purchase order to Pasquariello Electric Corporation by \$55,000 for Town streetlight maintenance, as this is in the best interest of the Town. – Public Works
13. Topic re: Approve the adoption of the Town Council Meetings Calendar for 2021 and January of 2022. – Town Clerk

H. TOWN MANAGER'S REPORT:

I. SPECIAL COMMITTEE REPORTS:

J. COUNCILORS' COMMUNICATION:

K. ACCEPTANCE OF MINUTES:

November 24, 2020

L. ADJOURNMENT

Consent

Agenda Item No. 1 or A  
Request for Town Council Action

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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** December 1, 2020

**SUBJECT** Donation to Berlin Animal Control

**Summary of Agenda Item:**

Accept donations to Berlin Animal Control Donation Account # 001.00.0000.0.20020.00000

Period	Amount	Purpose	Donor*
October 1, 2020 to December 1, 2020	\$100.00 ( ck# 127 )	Animal Care	Senior Crafters Berlin
	\$195.00 ( Ck# 2227 )	Animal Care	McClure Family Southbury, CT.
	\$ 5.00 ( cash )	Animal Care	Frank Fusco Berlin
	\$ 100.00 Value	Dry cat/ can cat	FOBAC Berlin

\* Unless a name is mentioned, donors requested anonymity

**Action Needed:**

Move to accept donations to the Berlin Animal Control Donation Account for \$ 300.00  
and items valued at \$100.00

**Attachments :** thank you notes

**Prepared by:**

Janice Lund, Animal Control Officer  
December 1, 2020





TOWN OF BERLIN  
*Animal Control Department*

October 16, 2020

Berlin Senior Crafters  
C/O Sandra Bouffard  
2 Stonebridge Way  
Berlin, CT. 06037

Dear Sandra & Berlin Crafters,  
Thank you for the donation of \$100.00 for the animal shelter and its animals. We appreciate your kindness and you thinking of us and the animals we care for! All monies go directly to the animals for vet care.  
Sincerely,

Jan Lund, ACO  
Kate Matson, AACO

*Jan Lund  
Thank you for  
your generous  
donation!*



Cc: Jennifer Ochoa, Director of Community, Recreation and Parks Services.



# TOWN OF BERLIN

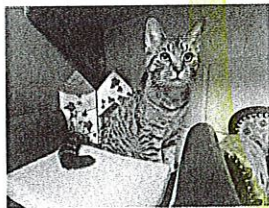
## *Animal Control Department*

November 23, 2020

The McClure family  
94 Fox Run Dr.  
Southbury, CT. 06488

Dear McClure family,  
Thank you for the donation of \$200.00 for the animal shelter and its animals. We appreciate your kindness and you thinking of us and the animals we care for! Thank you for adopting "Montana". We hope he is adjusting well and fitting in with your family. Please keep in touch and let us know he things go. Thanks again for your generosity.  
Sincerely,

Jan Lund, ACO  
Kate Matson, AACO



Cc: Jennifer Ochoa, Director of Community, Recreation and Parks Services.

November 27, 2020

Frank Fusco  
107 Savage Hill Rd.  
Berlin, CT. 06037

Dear Mr. Fusco,  
Thank you for the donation of \$ 5.00 for the animal shelter and its animals. We appreciate your kindness. We are glad "Luna" was found by a nice citizen and returned home safely.  
We hope she is back to her old self and staying home.  
Sincerely,

Jan Lund, ACO  
Kate Matson, AACO



Cc: Jennifer Ochoa, Director of Community, Recreation and Parks Services.

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

**FROM:** Aroscha Jayawickrema, Town Manager

**DATE:** December 7, 2020

**SUBJECT:** Accept Library Donations

**SUMMARY:**

Accept donations to the Berlin-Peck Memorial Library

Category	Amount	Description	Purpose	Donor
Cash	1,000.00	Lib. Agency Acct.	in memory of Guy P. Lombardi	Patricia Lombardi
	805.00	FOL Misc. Acct	programs, supplies, and museum pass renewals	Friends of the Library
	133.38	FOL CC Acct	credit card charges	Friends of the Library
	1,938.38			
Equip/Merch	20.00	CD	add to collection	Various
	20.00			

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

**ACTION NEEDED:**

Move to accept monetary donations totaling \$1,938.38 for the Berlin Peck Memorial Library and deposit \$1,000.00 into the library agency account for the purchase of books and/or programs in memory of Guy P. Lombardi and deposit \$805.00 into the friends of the library miscellaneous account for the purchase of programs, supplies and museum pass renewals and deposit \$133.38 into the friends of the library credit card account for credit card charges and move to accept the donation of a CD with an estimated value of \$20.00 to be added to the appropriate department collection.

**ATTACHMENTS:**

None

**PREPARED BY:**

Helen Malinka, Library Director



Agenda Item No. 1 or A  
Request for Town Council Action

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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** December 7, 2020

**SUBJECT:** Update from the Central Connecticut Health District

**Summary of Agenda Item:**

The Town Manager has asked the Director of Central Connecticut Health District (CCHD), Charles Brown, to provide the Town Council with an update on the current surge of COVID-19 cases in Town and what the State and the CCHD are planning to do with the roll out of the vaccine for COVID-19.

**Action Needed:**

No action needed

**Attachments:**

None

**Prepared By:** Kate Wall, Town Clerk

Agenda Item No. 2 or B  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** November 30, 2020

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

**Summary of Agenda Item:**

As reported at the November 24 Town Council meeting, the Berlin Housing Authority is continuing to pursue funding in order to move forward with affordable senior housing at 143 Percival Avenue. In order to provide additional time for the Housing Authority to secure funding commitments, the Authority requests that the option period for purchase of the property be extended from an end date of November 30, 2020 to a new date of March 31, 2021.

**Action Needed:**

Move to authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority from an end date of November 30, 2020 to a new date of March 31, 2021.

**Attachments:**

None

**Prepared By:**

Jim Mahoney, Economic Development Coordinator

Agenda Item No. 3 or C  
Request for Town Council Action

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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** December 11, 2020

**SUBJECT:** Fill the vacancy on the Board of Finance

**Summary of Agenda Item:**

Recently, John Richards resigned from the Board of Finance. In accordance with the Town Charter:

**Section 2-13. Vacancies.** Any vacancy in any elective town office, except as provided otherwise in this Charter, shall be filled from the electorate of the town by appointment by the Council for the unexpired portion of the term. In filling any vacancy, the Council shall appoint a person of the same political party as that of the former incumbent unless said incumbent was not an enrolled member of a political party, in which case his successor shall not be an enrolled member of a political party.

Mr. Richards is a registered Democrat so the vacancy must be filled with a Democrat.

**Action Needed:**

Move to appoint \_\_\_\_\_ to fill the vacancy on the Board of Finance for a term ending November 21, 2023.

**Attachments:**

Application

**Prepared By:** Kate Wall, Town Clerk





**Please return application to:**

Town Manager's Office • 240 Kensington Road • Berlin, CT 06037

## TOWN OF BERLIN

### Application for Appointment to Boards and Commissions

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

Please list your Board/Commission preference below:

85:844 01 030 02,  
TOWN OF BERLIN  
20 DEC 10 AM 8:58

1. Board of Finance

2. \_\_\_\_\_

Name: Joseph Aresimowicz

Telephone No.: 860-371-6887

Home Address: 127 Clock Shop Dr

Number of years in Berlin: 45

(Note: To apply, you must be a resident of Berlin)

Email Address: joe.aresimowicz@gmail.com

Are you a Registered Voter? Yes

Party Affiliation: Democrat

(Note: To apply, you must be a Registered Voter in Berlin)

Berlin Schools - National Labor College

Educational Background (optional)

AFSCME Council 4 - Education Coordinator

Present Employment (company/position)

444 East Main St, New Britain, CT. 06051

Business Address

Current and Past Civic/Community Involvement: State Representative, Berlin Town Council, Berlin High School Varsity Football Coach

Tell us why you feel qualified for this appointment: My many years of elected service both at the state and municipal level have

provided me with firm understanding of municipal finances.

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

Signature: Joseph Aresimowicz

Date: 12-09-2020

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

Agenda Item No. 4 or D  
Request for Town Council Action

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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** December 7, 2020

**SUBJECT:** Affirmation of Affirmative Action Policy related to Senior/Community Grant

**Summary of Agenda Item:**

The Town Council recently reauthorized the Town Manager to apply for and enter into agreements related to a \$750,000 State of Connecticut Department of Mental Health and Addiction grant for the planning and design of a senior/community center. The contract also requires that the Town adopt the attached non-discrimination resolution pursuant to sections 4a-60 and 4a-60a of the Connecticut General Statutes. These statutes pertain to nondiscrimination on the basis of sexual orientation required in awarding agency, municipal public works and quasi-public agency project contracts and nondiscrimination and affirmative action provisions in awarding agency, municipal public works and quasi-public agency project contracts.

**Action**

Move to adopt the attached non-discrimination resolution to affirm that the Town will follow the non-discrimination provisions of sections 4a-60 and 4a-60a of the Connecticut General Statutes related to the grant for the planning and design of a senior/community center.

**Attachments:**

1. Affirmative Action Certification Form
2. Copies of sections 4a-60 and 4a-60a of the Connecticut General Statutes.

**Prepared By:** Jim Mahoney, Economic Development Coordinator  
Chris Edge, Economic Development Director

CE



**STATE OF CONNECTICUT**  
**NONDISCRIMINATION CERTIFICATION – New Resolution**  
**By Entity**  
**For Contracts Valued at \$50,000 or More**

*Documentation in the form of a corporate, company, or partnership policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of a Contractor that certifies the Contractor complies with the nondiscrimination agreements and warranties under Connecticut General Statutes §§ 4a-60 and 4a-60a, as amended*

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**INSTRUCTIONS:**

For use by an entity (corporation, limited liability company, or partnership) when entering into any contract type with the State of Connecticut valued at \$50,000 or more for any year of the contract. Complete all sections of the form. Submit to the awarding State agency prior to contract execution.

**CERTIFICATION OF RESOLUTION:**

I, Aroscha Jayawickrema, Town Manager of the Town of Berlin, an entity duly formed and existing under the laws of Connecticut, certify that the following is a true and correct copy of a resolution adopted on the \_\_\_\_\_ day of December, 2020 by the governing body of Berlin in accordance with all of its documents of governance and management and the laws of Connecticut, and further certify that such resolution has not been modified or revoked, and is in full force and effect.

**RESOLVED:** That the policies of the Town of Berlin comply with the nondiscrimination agreements and warranties of Connecticut General Statutes §§ 4a-60 and 4a-60a, as amended.

The undersigned has executed this certificate this \_\_\_\_\_ day of December, 2020

\_\_\_\_\_  
**Aroscha Jayawickrema**  
**Town Manager**

\_\_\_\_\_  
**Date**

**Sec. 4a-60.** (Formerly Sec. 4-114a). Nondiscrimination and affirmative action provisions in awarding agency, municipal public works and quasi-public agency project contracts. (a) Except as provided in section 10a-151i, every contract to which an awarding agency is a party, every quasi-public agency project contract and every municipal public works contract shall contain the following provisions:

(1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, status as a veteran, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut; and the contractor further agrees to take affirmative action to ensure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, status as a veteran, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved;

(2) The contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the Commission on Human Rights and Opportunities;

(3) The contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

(4) The contractor agrees to comply with each provision of this section and sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to sections 46a-56, 46a-68e, 46a-68f and 46a-86; and

(5) The contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as relate to the provisions of this section and section 46a-56.

(b) If the contract is a public works contract, municipal public works contract or contract for a quasi-public agency project, the contractor agrees and warrants that he or she will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works or quasi-public agency project.

(c) Except as provided in section 10a-151i:

(1) Any contractor who has one or more contracts with an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract is valued at less than fifty thousand dollars for each year of the contract, shall provide the awarding agency, or in the case of a municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities, with a written or electronic representation that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section, provided if there is any change in such representation, the contractor shall provide the updated representation to the awarding agency or commission not later than thirty days after such change.

(2) Any contractor who has one or more contracts with an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract is valued at fifty thousand dollars or more for any year of the contract, shall provide the awarding agency, or in the case of a

municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities, with any one of the following:

(A) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section;

(B) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of such contractor if (i) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and (ii) the head of the awarding agency, or a designee, or in the case of a municipal public works or quasi-public agency project contract, the executive director of the Commission on Human Rights and Opportunities or a designee, certifies that the prior resolution complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section; or

(C) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section and is in effect on the date the affidavit is signed.

(3) No awarding agency, or in the case of a municipal public works contract, no municipality, or in the case of a quasi-public agency project contract, no entity, shall award a contract to a contractor who has not provided the representation or documentation required under subdivisions (1) and (2) of this subsection, as applicable. After the initial submission of such representation or documentation, the contractor shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. If there is any change in the information contained in the most recently filed representation or updated documentation, the contractor shall submit an updated representation or documentation, as applicable, either (A) not later than thirty days after the effective date of such change, or (B) upon the execution of a new contract with the awarding agency, municipality or entity, as applicable, whichever is earlier. Such contractor shall also certify, in accordance with subparagraph (B) or (C) of subdivision (2) of this subsection, to the awarding agency or commission, as applicable, not later than fourteen days after the twelve-month anniversary of the most recently filed representation, documentation or updated representation or documentation, that the representation on file with the awarding agency or commission, as applicable, is current and accurate.

(d) For the purposes of this section, "contract" includes any extension or modification of the contract, "contractor" includes any successors or assigns of the contractor, "marital status" means being single, married as recognized by the state of Connecticut, widowed, separated or divorced, and "mental disability" means one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", or a record of or regarding a person as having one or more such disorders. For the purposes of this section, "contract" does not include a contract where each contractor is (1) a political subdivision of the state, including, but not limited to, a municipality, unless the contract is a municipal public works contract or quasi-public agency project contract, (2) any other state, as defined in section 1-267, (3) the federal government, (4) a foreign government, or (5) an agency of a subdivision, state or government described in subdivision (1), (2), (3) or (4) of this subsection.

(e) For the purposes of this section, "minority business enterprise" means any small contractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) Who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise, and (3) who are members of a minority, as such term is defined in subsection (a) of section 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

(f) Determination of the contractor's good faith efforts shall include, but shall not be limited to, the following factors: The contractor's employment and subcontracting policies, patterns and practices; affirmative advertising,

recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission on Human Rights and Opportunities may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(g) The contractor shall develop and maintain adequate documentation, in a manner prescribed by the Commission on Human Rights and Opportunities, of its good faith efforts.

(h) The contractor shall include the provisions of subsections (a) and (b) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state, and in every subcontract entered into in order to fulfill any obligation of a municipal public works contract or contract for a quasi-public agency project, and such provisions shall be binding on a subcontractor, vendor or manufacturer, unless exempted by regulations or orders of the Commission on Human Rights and Opportunities. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions, including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission regarding a state contract, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

**Sec. 4a-60a.** Provisions re nondiscrimination on the basis of sexual orientation required in awarding agency, municipal public works and quasi-public agency project contracts. (a) Except as provided in section 10a-151i, every contract to which an awarding agency is a party, every contract for a quasi-public agency project and every municipal public works contract shall contain the following provisions:

(1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation;

(2) The contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

(3) The contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said commission pursuant to section 46a-56; and

(4) The contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor which relate to the provisions of this section and section 46a-56.

(b) Except as provided in section 10a-151i:

(1) Any contractor who has one or more contracts with an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract is valued at less than fifty thousand dollars for each year of the contract, shall provide the awarding agency, or in the case of a municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities, with a written representation that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section.

(2) Any contractor who has one or more contracts with an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract is valued at fifty thousand dollars or more for any year of the contract, shall provide such awarding agency, or in the case of a

municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities, with any of the following:

(A) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section;

(B) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of such contractor if (i) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and (ii) the head of the awarding agency, or a designee, or in the case of a municipal public works or quasi-public agency project contract, the executive director of the Commission on Human Rights and Opportunities or a designee, certifies that the prior resolution complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section; or

(C) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section and is in effect on the date the affidavit is signed.

(3) No awarding agency, or in the case of a municipal public works contract, no municipality, or in the case of a quasi-public agency project contract, no entity, shall award a contract to a contractor who has not provided the representation or documentation required under subdivisions (1) and (2) of this subsection, as applicable. After the initial submission of such representation or documentation, the contractor shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. If there is any change in the information contained in the most recently filed representation or updated documentation, the contractor shall submit an updated representation or documentation, as applicable, either (A) not later than thirty days after the effective date of such change, or (B) upon the execution of a new contract with the awarding agency, municipality, or entity, as applicable, whichever is earlier. Such contractor shall also certify, in accordance with subparagraph (B) or (C) of subdivision (2) of this subsection, to the awarding agency or commission, as applicable, not later than fourteen days after the twelve-month anniversary of the most recently filed representation, documentation or updated representation or documentation, that the representation on file with the awarding agency or commission, as applicable, is current and accurate.

(c) For the purposes of this section, "contract" includes any extension or modification of the contract, and "contractor" includes any successors or assigns of the contractor. For the purposes of this section, "contract" does not include a contract where each contractor is (1) a political subdivision of the state, including, but not limited to, a municipality, unless the contract is a municipal public works contract or quasi-public agency project contract, (2) any other state, as defined in section 1-267, (3) the federal government, (4) a foreign government, or (5) an agency of a subdivision, state or government described in subdivision (1), (2), (3) or (4) of this subsection.

(d) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state, and in every subcontract entered into in order to fulfill any obligation of a municipal public works contractor contract for a quasi-public agency project, and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission on Human Rights and Opportunities. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions, including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission regarding a state contract, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

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

**FROM: Arosha Jayawickrema, Town Manager**

**DATE: November 24, 2020**

**SUBJECT: Non-Budgeted Defined Benefit Appropriation**

**Summary of Agenda Item:**

To ensure adequate funding is available, and in accordance with the pay-as-you-go funding strategy for the Town's closed defined benefit plan, this motion is to approve a non-budgeted appropriation of \$2,000,000 from fiscal year 2021 General Fund unassigned fund balance to the Pension/Actuarial Funding line (001.05.0507.0.52202.00000) in the General Fund.

After funding two pension payouts early in fiscal year 2021, and accounting for required monthly retiree payments, the Town's defined benefit pension plan has \$218,500 in defined benefit assets. Two payouts with a combined projected defined benefit payout of \$1,968,570 (combined projected total payout (DB & DC) of \$2,743,914) are expected to be paid out within the next 2-4 months.

Two additional payouts (beyond the two funded with this motion) are very possible based on employee comments. If both employees elect to retire before fiscal year 2021 year-end, an additional \$1,900,000 (at current interest rates) would need to be appropriated from General Fund unassigned fund balance. This additional amount is not being requested at this time but should be considered during the fiscal year 2022 budget process and any other potential non-budgeted appropriations.

**Action Needed:**

Move to appropriate \$2,000,000 of General Fund Unassigned Fund Balance to the Pension/Actuarial Funding account within the General Fund to fund projected pension payouts, pending approval by the Board of Finance.

**Attachments:**

None

**Prepared By:**

Kevin Delaney, Finance Director



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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** December 9, 2020

**SUBJECT:** Purchase of Fourteen Laptops

**Summary of Agenda Item:**

With the COVID-19 virus going through the second wave, we have had the need for several employees to work from home. As we continue to address this need to be able to work remotely while still having the same access through implementing a VPN connection, we are requesting to purchasing 14 additional laptops. In most cases, we are replacing an employee's desktop computer, while leaving their monitor, mouse and keyboard. This will negate the need to replace some aging PCs for many users. We can re-use the desktop PCs in less critical areas. In cases where departments had their own funds through donations or other means to purchase laptops, this was completed outside this request. To reduce the cost, we have found a lower cost option (Dell Latitude) for some users that don't require the power of the more expensive Dell Precision laptops. Specifically, these laptops are for the following departments.

- Senior Center
- Parks & Rec
- Director of Community, Recreation and Parks Services
- Economic Development Director
- Police IT Specialist
- Building Official and Staff (3)
- Public Work Director
- Engineering Tech. (GIS)
- Town Clerk Staff (3)
- Purchasing Agent

The laptops will be purchased through Winslow Technology Group (existing vendor computer purchases) using State contract #18PSX0264AG. The total cost for the laptops, docking station and shipping will not exceed \$22,000. Funding will come from the Business Continuity Hardware & Software Virtualization account (542.05.0503.0.54000.01008).

**Action Needed:**

Move to approve the purchase of fourteen (14) Dell laptops from Winslow Technology Group of Waltham, Mass. for a total not to exceed \$22,000.00 using State contract #18PSX0264AG.

**Attachments:**

Laptop Quote  
Sufficiency of Funds

**Prepared By:** Brian Freeman, Information Technology Director





303 Wyman St. Ste 210, Waltham, MA 02451-1253  
t. (781) 471-5021 f. (617) 507-6427

# QUOTE

Number WTGQ30415

Date 12/10/2020

Expiration 1/9/2020

## Sold To

**Town of Berlin, CT**  
Brian Freeman  
240 Kensington  
Berlin, CT 06037

## Ship To

**Town of Berlin, CT**  
Brian Freeman  
240 Kensington  
Berlin, CT 06037

## Account Executive

**Alex Zahoruiko**  
617-852-8819  
azahoruiko@winslowtg.com

**Phone** 860 828 7000  
**Fax**

**Phone** 860 828 7000  
**Fax**

Line	Qty	Description	Unit Amount	Ext. Amount
1	2	Mobile Precision 5550	\$2,325.00	\$4,650.00
2		Intel Core Processor i7-10750H (6 Core, 12MB Cache, 2.60 GHz to 5.00 GHz, 45W)		
3		Win 10 Pro 64 English, French, Spanish		
4		Microsoft Office Professional 2019		
5		16GB, 2X8GB, DDR4 2933Mhz Non-ECC Memory		
6		NVIDIA Quadro T1000		
7		No RAID		
8		M.2 512GB PCIe NVMe Class 40 Solid State Drive		
9		No Additional Hard Drive		
10		Intel Dual Band Wireless AX201 2x2 + Bluetooth 5.1 vPro		
11		No Out-of-Band Systems Management		
12		Palmrest, 79 KYBD layout, with fingerprint reader		
13		US English Backlit Keyboard		
14		ENERGY STAR Qualified		
15		EPEAT 2018 Registered (Gold)		
16		Intel AX201 2x2 + Bluetooth 5.1 Driver		
17		Black Power Cord (US)		
18		Quick Setup Guide for Mobile Precision 5550		
19		No UPC Label		
20		Quick Start Guide for USB Type-C to USB Type-A/HDMI Dongle		

Line	Qty	Description	Unit Amount	Ext. Amount
21		Mix Model Packaging		
22		USB Type-C to USB Type-A/HDMI Dongle, Black		
23		Regulatory Label included		
24		System Driver for Mobile Precision 5550		
25		Dell Optimizer for Precision		
26		Waves Maxx Audio		
27		Dell Power Manager		
28		Dell SupportAssist OS Recovery Tool		
29		Intel Sensor Solution		
30		Custom Configuration		
31		Dell Mobile Precision Workstation 5550 CTO		
32		15.6" UltraSharp FHD+ IGZO4, 1920x1200,AG,NT, w/Prem Panel Guar, 100% sRGB, Titan Gray w/ IR Camera		
33		Intel Core i7-10750H, NVIDIA Quadro T1000 4GB		
34		Bottom Door		
35		6-cell 86 Whr Lithium Ion battery with ExpressCharge		
36		OS-Windows Media Not Included		
37		No Anti-Virus Software		
38		Resource Media not Included		
39		130W E5 Type C Power Adapter (EPEAT)		
40		Dell Limited Hardware Warranty Plus Service		
41		ProSupport Plus: Accidental Damage Service, 5 Years		
42		ProSupport Plus: Keep Your Hard Drive, 5 Years		
43		ProSupport Plus: 7x24 Technical Support, 5 Years		
44		ProSupport Plus: Next Business Day Onsite, 5 Years		
45		Thank you for choosing Dell ProSupport Plus. For tech support, visit <a href="http://www.dell.com/contactdell">www.dell.com/contactdell</a> or call 1-866-516-3115		
46		Thank you for choosing Dell ProSupport Plus. For tech support, visit <a href="http://www.dell.com/contactdell">www.dell.com/contactdell</a> or call 1-866-516-3115		
47		BTO Standard Shipment (VS)		
48	12	Latitude 3510	\$1,179.00	\$14,148.00
49		Dell Latitude 3510		
50		10th Generation Intel Core i5-10310U (4 Core, 6M cache, base 1.7GHz, up to 4.4GHz, vPro Capable)		

Line	Qty	Description	Unit Amount	Ext. Amount
51		Win 10 Pro 64 English, French, Spanish		
52		No Microsoft Office License Included 30 day Trial Offer Only		
53		Integrated Intel(R ) UHD for 10th Generation Intel(R ) Core(TM ) i5-10310U		
54		16GB,1x16GB, DDR4 Non-ECC		
55		M.2 512GB PCIe NVMe Class 35 Solid State Drive		
56		15.6" LCD Display Back Cover, WLAN		
57		15.6" FHD WVA (1920 x 1080) Anti-Glare Non-Touch, Camera & Microphone		
58		Backlit Power Button with No Fingerprint Reader		
59		Single Pointing Backlit Keyboard, US English		
60		WLAN Driver Intel AX201, CML /9260, KBL-R (with Bluetooth)		
61		Intel Dual Band Wi-Fi 6 AX201 2x2 802.11ax 160MHz + Bluetooth 5.1		
62		No Mobile Broadband Card		
63		4 Cell 53Whr ExpressCharge Capable Battery		
64		65 Watt AC Adapter		
65		No Anti-Virus Software		
66		OS-Windows Media Not Included		
67		E4 US Power Cord		
68		Latitude 3510 Quick Start Guide		
69		Custom Configuration		
70		Regulatory Label, FCC		
71		Software Driver		
72		Waves Maxx Audio		
73		Dell Power Manager		
74		Dell SupportAssist OS Recovery Tool		
75		Dell Optimizer		
76		Direct Ship Info Mod		
77		Mix Model Packaging		
78		System Ship Info		
79		No Resource DVD / USB		

Line	Qty	Description	Unit Amount	Ext. Amount
80		ENERGY STAR Qualified		
81		BTO Standard Shipment (S)		
82		No UPC Label		
83		EPEAT 2018 Registered (Silver)		
84		Latitude 3510 Bottom Door Included		
85		Dell Limited Hardware Warranty Extended Year(s)		
86		Dell Limited Hardware Warranty		
87		ProSupport Plus: Accidental Damage Service, 3 Years		
88		ProSupport Plus: Keep Your Hard Drive, 3 Years		
89		ProSupport Plus: Next Business Day Onsite, 1 Year		
90		ProSupport Plus: Next Business Day Onsite, 2 Year Extended		
91		ProSupport Plus: 7x24 Technical Support, 3 Years		
92		Thank you for choosing Dell ProSupport Plus. For tech support, visit <a href="http://www.dell.com/contactdell">www.dell.com/contactdell</a> or call 1-866-516-3115		
93	14	Dell Pro Sleeve 15	\$25.00	\$350.00
94	2	Dell Thunderbolt Dock- WD19TB	\$210.00	\$420.00
95	9	Dell Dock- WD19 90w Power Delivery - 130w AC	\$155.00	\$1,395.00

**\*\*Notes:**  
Contract 18PSX0264AG

**\*Total: \$20,963.00**

**\*Plus Applicable Taxes**

Subject to manufacturer return policies, hardware, accessories, peripherals, and parts may be returned within 30 days from the date on the invoice for a credit or a refund of the purchase price paid, less any applicable restocking fees. Please note, software is not eligible for returns, credits, or refunds.



# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 9-Dec-20

Purchase Item or Contract: Purchase of 14 Dell laptops		Requested by: Brian Freeman	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Purchase of 14 Dell laptops (not to exceed \$22,000)	\$22,000.00	\$22,000.00
			-
			-
			-
			-
TOTAL			\$22,000.00

Account No. 542.05.0503.0.54000.01008 Virtualization Hardware and Software

Budgeted Amount.....	\$54,946.71	Available balance.....	\$22,480.07
Encumbrances to Date.....	\$18,994.71	Amount Needed for This Package.....	\$22,000.00
Expenditures to Date.....	\$13,471.93	Available Balance After Purchase.....	\$480.07

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

Agenda Item No. 7 or 6  
**Request for Town Council Action**

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

**FROM: Aroscha Jayawickrema, Town Manager**

**DATE: December 7, 2020**

**SUBJECT: Request to waive the Town of Berlin bid requirements for the purchase of one Fire Apparatus from Pierce Manufacturing.**

**Summary of Agenda Item:**

James Simons, Fire Administrator is requesting to waive the Town of Berlin bid requirements for the purchase of one Fire Apparatus from Pierce Manufacturing out of Appleton, Wisconsin. This replacement is part of the long-term strategic plan for the Fire Apparatus replacements.

The plan is to downsize the number of apparatus in town, providing efficiencies in deployment and upgrades in technology. The plan was written in 2001 and was reviewed and updated and presented to the Council in 2016. It was again reviewed in March of 2020 by the Board of Fire Chiefs for applicability and was re-adopted as it was presented in 2016.

This piece of Fire Apparatus will be replacing two pieces in the South Kensington Fire Department. It will provide the non-hydrant areas and the remaining portion of the town with a unit that will be able to perform multiple functions, (i.e. nurse tanker carrying 2,000 gallons of water, fire suppression, vehicle extrication and support for non-emergency service calls). The Company Committee, Fire Administrator and the Pierce Factory representative have worked over the last 11 months designing a truck to meet the town's needs for today and the next 20 years.

Pierce Manufacturing was selected by the town's Board of Fire Chiefs originally in 2010 to build Engine 10. Following that build and the issues we had with other manufacturers and service centers we recommended having Pierce Manufacturing for the purchase of Tower Ladder 3, Engine 2 and Truck 9. The Board of Fire Chiefs is again recommending Pierce Manufacturing as the only choice in this replacement of Engine Tanker 12, for the following reasons, a favorable past experience, workmanship, standardization of equipment and the closeness of their Factory service center, which all played a part in that decision.

Jim Simons, Fire Administrator, Town of Berlin Board of Fire Chiefs and the S.K.F.D. apparatus committee recommend that Pierce Manufacturing of Appleton, WI be awarded this purchase. The total purchase price is \$815,000.

Pierce Manufacturing has informed us that on of January 1, 2021 there will be a price increase of 3% or \$24,000 on this apparatus. The Fire Administrator would like to issue a purchase order prior to that increase. Partial funding (first half) is located in account #134.15.1531.0.54000.00018, the second half is requested in 2021-2022 budget. In February

2020 the Town Council approved the Bond authorization allowing this purchase to move forward.

**Action Needed:**

Move to waive the Town of Berlin bidding requirements and award the purchase of one Fire Apparatus (Engine Tanker 12) from Pierce Manufacturing, for an amount not to exceed \$815,000 as this is in the best interest of the town.

**Attachments:**

None

**Prepared By:**

  
James Simons, Fire Administrator

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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** December 1, 2020

**SUBJECT:** 2021 Early Order Chemical Program (EOP)

**Summary of Agenda Item:**

The following brand name companies BASF, Syngenta, Bayer and SePRO classify a portion of their products as agency products.

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

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

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

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

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

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

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

- A guarantee from the manufacturer that the brand name product will work properly, or the product will be replaced free of charge.
- A listing on the chemical label of all the inert material. The identification of the inert can be extremely important when mixing multiple chemicals.
- The brand name companies contribute significant funds to university studies, which in turn aid in the development of new chemistries that in many cases are extremely low in toxicity to humans and wildlife.

All the brand name materials that are recommended for purchase during the early order period will be needed for the 2021 golf season, regardless if they are purchased through the early order program, or at a later time. By taking advantage of the EOP, significant price reductions are realized. Post patent materials will still be used during the season, but in most cases, used in less sensitive areas such as fairways or tees.

In order to participate in the EOP, Timberlin must take delivery of the products by March 1, 2021 but will not be invoiced until July 1, 2021.

The Golf Supervisor, Jerry Salvio, is requesting authorization to purchase chemicals from the following manufacturers:

Manufacturer	Amount	Rebate	EOP Rebate/Additional in-Season Savings
BASF	\$35,724	\$8,931	25% rebate on EOP orders.
SYNGENTA	\$39,730	\$3,973	10% rebate on EOP orders and 7% off all in seasons pricing
SePRO	\$6,985	\$140	2 % Rebate
Bayer	\$3,930	\$158	4 % Rebate

**Action Needed:**

Move to waive the bidding procedure and purchase chemicals from Harrell's and Winfield in the amount not to exceed \$86,369 as this is in the best interest of the Town of Berlin. The chemical purchases are through the Early Order Programs of BASF, Syngenta, SePRO and Bayer Chemical Companies.

**Attachments:**

None

**Prepared By:** Jerry Salvio, Golf Supervisor



Agenda Item No. 9 or I  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Aroscha Jayawickrema, Town Manager  
**DATE:** December 8, 2020  
**SUBJECT:** Bid Wavier-Turf Products Corporation

**Summary of Agenda Item**

The golf course has reached the \$10,000 spending threshold with Turf Products Corporation. They are the sole source provider for Toro parts and equipment. Approximately 90% of maintenance fleet is comprised of Toro equipment. Due to the age of the equipment and the inability to lease new equipment, we find ourselves having to spend more money maintaining and repairing our fleet. We anticipate spending \$16,000 for additional parts prior to July 2021.

**Action Needed:**

Move to waive the town's bidding procedure for Turf Products to supply parts and equipment as they are the sole provider for Toro equipment in an amount not to exceed \$16,000 as this is in the best interest of the town

**Attachments:**

Sole source provide documentation

**Prepared By:** Gerald Salvio, Golf Supervisor





The Toro Company

8111 Lyndale Avenue South, Bloomington, Minnesota 55420-1196  
Phone 952/888-8801      www.toro.com      Fax 952/887-8258

November 9, 2020

Jerry Salvio  
Golf Course Superintendent  
Timberline Golf Course  
Town of Berlin  
330 Southington Road  
(860) 828-7174  
e-mail: [jsalvio@town.berlin.ct.us](mailto:jsalvio@town.berlin.ct.us)

Re: Toro authorized sole source distributor

Dear Jerry,

This letter is to inform you that Turf Products LLC located at 157 Moody Road Enfield, CT is the authorized distributor for Toro commercial turf equipment, Toro golf course irrigation products, Toro accessories and parts, and is the authorized service provider for Toro commercial products for your geographic area in Berlin and in the state of Connecticut.

If you have any questions regarding this, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Turner". The signature is fluid and cursive, with a large, sweeping "M" and a long, horizontal stroke at the end.

Mike Turner  
District Sales Manager, Northeast  
Commercial Products Division  
The Toro Company  
Tel: 508-245-1268  
e-mail: [mike.turner1@toro.com](mailto:mike.turner1@toro.com)

cc: Turf Products LLC.

Agenda Item No. 10 or J  
**Request for Town Council Action**

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** December 8, 2020  
**SUBJECT:** Brush Grinding & Disposal - Contract No. 2021-07 Bid Award

**SUMMARY:**

The Public Works Department conducted a bid opening on the above referenced project on December 3, 2020. A total of nine (9) Contractors responded, and eight (8) submitted bids (see attached tabulation). The scope of this contract is to grind and dispose of over 7,000 cubic yards of branches and logs collected by the Highway and Parks & Grounds Departments after Tropical Storm Isaias on August 4, 2020.

Following a review of the bids, Staff are recommending that Bid #2021-07 be awarded to Staxx Construction of Berlin, CT in the amount of \$27,000.00 plus 10% contingency, for a total amount of \$29,700.00. Funding will be made available through the Public Works Contractual Services Account (001.20.2036.0.53814.00000).

**ACTION NEEDED:**

Move to authorize the Town Manager to enter into Contract Agreement #2021-07 with Staxx Construction of Berlin, CT to perform brush grinding and disposal services related to Storm Isaias in the amount of \$29,700.00.

**ATTACHMENTS:**

1. Bid Summary
2. Sufficiency of Funds

**PREPARED BY:**

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

*MSA*

# Brush Grinding & Disposal #2021-07

December 3, 2020 2:00PM

	Company	Patterson Way Site		Patterson Way Load & Dispose all Debris		Patterson Way Estimated Volume of Debris		Christian Lane Site Grind all Debris		Christian Lane Load & Dispose all Debris		Christian Lane Estimated Volume of Debris		Total Proposed Cost	
		Grind all Debris													
1	Slaxx Construction of Berlin, CT	\$	12,000.00	\$	10,000.00		7000	\$	3,000.00	\$	2,000.00		1200	\$	27,000.00
2	Moosehead, LLC of West Suffield, CT	\$	21,000.00	\$	11,000.00		6000	\$	2,500.00	\$	1,000.00		500	\$	35,500.00
3	Supreme Forest Products, Inc. of Southington, CT	\$	34,500.00	\$	40,200.00		6900	\$	3,750.00	\$	9,450.00		750	\$	87,900.00
4	Running Brook Farms, LLC of Killingworth, CT	\$	25,885.00	\$	13,535.00		6500	\$	4,540.00	\$	2,540.00		1000	\$	46,500.00
5	The Good Earth Tree Care, Inc. of Botsford, CT	\$	46,250.00	\$	22,500.00		14230	\$	2,275.00	\$	1,300.00		700	\$	72,325.00
6	WeCare Denali, LLC of Farmington, CT	\$	18,000.00	\$	31,200.00		6534	\$	6,000.00	\$	7,500.00		1560	\$	62,700.00
7	360 Recycling LLC of Westfield, MA	\$	17,400.00	\$	17,400.00		10544	\$	4,350.00	\$	4,350.00		2500	\$	43,500.00
8	Butler Company of Windsor, CT	\$	28,900.00	\$	8,900.00		8000	\$	4,875.00	\$	1,800.00		1250	\$	44,475.00
9	CWPM of Plainville, CT	N/A		N/A		N/A		N/A		N/A			N/A		Declined to bid. Asked to remain on bidders list for future projects



# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 7-Dec-20

Purchase Item or Contract: Brush Grinding and Disposal		Requested by: Mike Ahern	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Brush grinding and disposal	\$29,700.00	\$29,700.00
			-
			-
			-
			-
TOTAL			\$29,700.00

Account No. 001.20.2036.0.53814.00000 Contractual Services

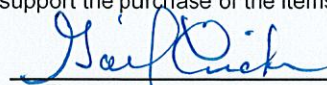
Budgeted Amount.....	\$50,000.00	Available balance.....	\$39,935.00
Encumbrances to Date.....	\$7,815.00	Amount Needed for This Package.....	\$29,700.00
Expenditures to Date.....	\$2,250.00	Available Balance After Purchase.....	\$10,235.00

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

11 01 K

**Agenda Item No. 11**  
**Request for Town Council Action**

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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** December 8, 2020

**SUBJECT:** 8-24 Review - Kensington Road Bridge Replacement

**SUMMARY:**

Staff initiated a process in late 2017 to seek funding for rehabilitation of the bridge and replacement of the sidewalk on Kensington Road just south of Brook Street (Bridge No. 03657) because the bridge is functionally obsolete. The first step in the process was to apply to the Capitol Region Council of Governments (CRCOG) for consideration of the project. In order to be eligible to submit a formal Local Transportation Capital Improvement Program (LOTICIP) grant application to the Connecticut Department of Transportation (DOT), the project needed to be ranked and approved by CRCOG. The initial application to the CRCOG involved re-lining the five (5) circular culverts along with other rehabilitation measures and associated improvements. At that time, total replacement was not proposed.

During subsequent review by CRCOG and DOT, the project scope was revised into a total bridge replacement. As shown on the attached Commitment to Fund issued by DOT, the construction budget totals an estimated \$1.96 million, which will be funded through the LOTICIP. The Town must participate by funding the design, permitting, preparation of construction documents/bid package, and bid process.

In conformance with State regulations and bond counsel requirements, a review of this total bridge replacement is required by the Planning and Zoning Commission under Section 8-24 of the Connecticut General Statutes (C.G.S.). In addition, as allowed per the underlined portion of C.G.S. Section 8-24 (attached), the Town Council may take action involving an appropriation *prior* to completion of the 8-24 review. Staff also request that the Town Council authorize the Town Manager to sign and return the Commitment to Fund to DOT at this time.

**ACTION NEEDED:**

Move to refer the matter of replacing the Kensington Road Bridge (No. 03657) to the Planning and Zoning Commission for a Section 8-24 Review, as per the Connecticut General Statutes, and to authorize the Town Manager to sign and return the Connecticut Department of Transportation's Commitment to Fund dated November 23, 2020.

**ATTACHMENTS:**

Department of Transportation Commitment to Fund Letter dated November 23, 2020  
C.G.S. Section 8-24 (annotated)

**PREPARED BY:**

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

*MSA*

Sec. 8-24. Municipal improvements. No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a report. Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the commission pursuant to this section. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefor shall be recorded and transmitted to the legislative body of the municipality. A proposal disapproved by the commission shall be adopted by the municipality or, in the case of disapproval of a proposal by the commission subsequent to final action by a municipality approving an appropriation for the proposal and the method of financing of such appropriation, such final action shall be effective, only after the subsequent approval of the proposal by (A) a two-thirds vote of the town council where one exists, or a majority vote of those present and voting in an annual or special town meeting, or (B) a two-thirds vote of the representative town meeting or city council or the warden and burgesses, as the case may be. The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads.

(1949 Rev., S. 857; 1959, P.A. 679, S. 5; 1963, P.A. 617; 1971, P.A. 862, S. 7; P.A. 85-365, S. 1, 2; P.A. 09-92, S. 1.)

History: 1959 act substituted legislative body for enumerated persons and entities and added abandonment of streets etc. to categories of proposals; 1963 act rephrased first sentence; 1971 act changed from 30 days to 35 days the period within which commission must report on proposal or failure to do so will be considered approval; P.A. 85-365 made a variety of technical changes and inserted provisions concerning approval of appropriations prior to commission action and specifying that section does not apply to maintenance or repair of existing property, public ways or buildings; P.A. 09-92 added provision re exemption for resurfacing of roads, effective July 1, 2009.

Cited. 148 C. 517; 149 C. 719; 153 C. 194. Rezoning of an area approved by zoning commission but opposed by planning commission, reversed by courts where "transportation, water and sewerage" was lacking as planning commission could refuse approval also of new facilities for area. 154 C. 202, 210. Only two acts of planning board are binding without further action by other municipal agencies; designation of and assessments for municipal improvements and action on subdivision plan. 159 C. 1. Cited. Id., 423; 160 C. 295. Whether town has abandoned a particular street, thus necessitating referral to the town planning and zoning commission, is a question of fact, to be determined from the circumstances. 174 C. 282. Legislature intended that coastal site plan review be part of planning or zoning application or referral under section as listed in Sec. 22a-105(b) and not a separate review; report issued by planning and zoning commission pursuant to such referral is purely advisory and is not appealable. 266 C. 338.

Cited. 2 CA 213; 21 CA 77; 26 CA 540.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)  
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Sec. 8-25. Subdivision of land. (a) No subdivision of land shall be made until a plan for such subdivision has been approved by the commission. Any person, firm or corporation making any subdivision of land without the approval of the commission shall be fined not more than five hundred dollars for each lot sold or offered for sale or so subdivided. Any plan for subdivision shall, upon approval, or when taken as approved by reason of the failure of the commission to act, be filed or recorded by the applicant in the office of the town clerk not later than ninety days after the expiration of the appeal period under section 8-8, or in the case of an appeal, not later than ninety days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION

2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546



November 23, 2020

Mr. Arosha Jayawickrema  
Town Manager  
Town of Berlin  
Berlin Town Hall  
240 Kensington Road  
Berlin, Connecticut 06037

Dear Mr. Jayawickrema:

Subject: Local Transportation Capital Improvement Program (LOTICIP)  
**Commitment to Fund**  
Bridge Replacement  
State Project No. L007-0001  
Bridge No. 03657 - Kensington Road over Mattabesset River  
Town of Berlin

The Department of Transportation (Department) has received the LOTICIP application prepared by the Town of Berlin (Municipality) and submitted through the Capitol Region Council of Governments (COG) relative to the subject project. The Department has reviewed the application materials along with the revised cost estimate provided by the Municipality and subsequently endorsed by the COG.

The LOTICIP application for this project has been approved. The Department hereby commits to fund eligible project costs as follows:

Rights of Way	\$ 15,000
Eligible Utilities	\$ 0
Contract Items:	\$ 1,620,000
Contingencies:	\$ 162,000
<u>Incidentals to Construction:</u>	<u>\$ 162,000</u>
Total Funding Commitment:	\$ 1,959,000

This Commitment to Fund is subject to funding availability and general conditions including, but not limited to, the following:

1. The project is to be administered by the Municipality in accordance with the *Local Transportation Capital Improvement Program Guidelines*, dated March 2019, as may be revised. The guidelines are available on the Department's LOTICIP web page at [www.ct.gov/dot/lotcip](http://www.ct.gov/dot/lotcip).

2. The project costs identified in this Commitment to Fund letter are based on estimates provided by the Municipality and endorsed by the COG. These costs are to be considered capped until adjustment, based on low bid or otherwise revised, in accordance with the LOTCIP guidelines.
3. Any scope revisions and/or twenty percent (20%) changes in cost identified during the design phase must be approved by the COG and the Department, as specified in the LOTCIP guidelines.
4. Upon completion of project design activities, the Municipality must forward to the Department, through the COG, a Final Design Submission along with supporting documentation and certifications, as defined in the LOTCIP guidelines.
5. The Municipality must execute and deliver a Project Authorization Letter (PAL) issued pursuant to the Master Municipal Agreement for Construction Projects and comply with its terms. The PAL will be forwarded to the Municipality for execution, subsequent to the receipt of the Final Design Submission package by the Department.

This commitment is further subject to the following project-specific conditions:

1. This project may require environmental permits. In accordance with the LOTCIP guidelines, the Municipality will be responsible for the acquisition of all environmental permits that may be required. Please be advised that any project that involves work within waters or wetlands may require State and/or Federal environmental permits. **It is critical that the Municipality or their consultant contact the Connecticut Department of Energy and Environmental Protection (DEEP) - Inland Water Resources Division early in the design process** to discuss permitting requirements, and to identify specific environmental concerns and design considerations. Failure to establish early coordination with DEEP may result in significant time delays in the permitting process due to the need for design changes and/or denial of permit applications. Please note the Department hosts a monthly Interagency Coordination (Municipal) meeting where municipalities (and their consultants) can discuss municipal projects with the various regulatory agencies relative to permitting requirements, identification of specific environmental concerns and design considerations. Due to the nature of this project and the potential for significant permit involvement, **it is required that the Municipality attend a future Interagency Coordination meeting to discuss the project. Attendance at the meeting should be arranged through the following contact:**

Mr. David W. Harms  
Supervising Transportation Engineer  
(860)-594-3291  
[DOT-EPC@ct.gov](mailto:DOT-EPC@ct.gov)

2. This project will require work to be performed in the vicinity of the railroad lines utilized by Amtrak. As such, special provisions and/or administrative requirements may be necessary. **It is critical that the design of the improvements proposed under this project be coordinated with Amtrak during the design phase to ensure conformance**

**with any applicable requirements relative to the rail facilities. Establishing coordination with Amtrak early in the design phase is recommended via the following contacts:**

Madeleine Respler  
Amtrak  
Third Party Dev Lead  
OPS Engineering  
(215) 349-4367  
[madelcine.respler@amtrak.com](mailto:madelcine.respler@amtrak.com)  
2955 Market Street  
Philadelphia, PA 19104

3. This project is anticipated to require right of way acquisitions. The LOTCIP application notes that the Municipality plans to have the Department perform right of way activities for the project. In accordance with the LOTCIP guidelines:
  - a. The Municipality must formally request in writing that the Department perform the right of way acquisition activities.
  - b. For projects where right of way acquisitions will be performed by the Department, the cost of all acquisitions attributable to the project including administrative costs will be funded with one hundred percent (100%) LOTCIP funds. This includes any cost increases in the right of way phase that may occur as the acquisition process progresses. Should the cost of the project right of way phase exceed the amount identified in this Commitment to Fund, funds will be shifted from the COG's LOTCIP allocation to cover the increase.
  - c. The Municipality will be responsible for providing various items for the Department's use in the right of way process including, but not limited to, a schedule of owners, a title mylar, and property maps.

All matters relative to right of way for this project are to be coordinated through the following Department contact:

Mr. Steven L. Degen  
Principal Property Agent  
(860) 594-2579  
[Steven.Degen@ct.gov](mailto:Steven.Degen@ct.gov)

4. This project may require utility relocations. Coordination with utility companies who have facilities in the project area, as well as with any utilities that currently do not have facilities present but may have plans to expand service to the area, should begin early in the design process. Costs for relocation of privately-owned utility facilities on municipally-owned roadways, including adjustment of utility gates, are the responsibility of the affected utility and are ineligible for LOTCIP participation.

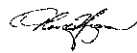
5. Load Rating Requirements for Structures: Because the Department maintains a structure inventory and performs routine bridge inspections on both State and Municipally owned structures, load ratings are required to be prepared and submitted to the Department for review and approval. These ratings shall be prepared in accordance with the most current version of the Department's Bridge Design Manual and Bridge Load Rating Manual, as applicable. Load rating requirements may vary depending on the type of structure and/or scope of structure improvements proposed. For designed structures, load ratings must be submitted as part of the Final Submission package. For prefabricated structures (i.e. culverts) load ratings must be submitted as part of the shop drawing approval process.

Please be informed that, in accordance with the LOTCIP guidelines, the Department will initiate an Environmental Screening Review for this project to assist the Municipality in identifying items relative to natural resources, historic/archaeological resources, etc. that may need to be investigated or addressed during the design phase. The Environmental Screening Review is expected to be completed within approximately sixty (60) days. The results will be forwarded to the Municipality and the COG, when received.

If the Municipality accepts this Commitment to Fund, please sign below and return a copy of this letter to this office within thirty (30) days. Transmission via e-mail is acceptable.

If you have any questions, please contact the Project Manager, Mr. William Grant, P.E., at (860) 594-3229 or by e-mail at [William.E.Grant@ct.gov](mailto:William.E.Grant@ct.gov).

Very truly yours,

  
Theodore H.  
Nazames, P.E.  
2020.11.24  
08:12:33-05'00'  
For:

Division Chief of Highway Design  
Bureau of Engineering and Construction

Accepted By: \_\_\_\_\_ Date \_\_\_\_\_  
Mr. Arosha Jayawickrema  
Town Manager

cc: Mr. Michael Ahern, P.E., Town Engineer, Town of Berlin  
Mr. Lyle D. Wray, Executive Director, Capitol Region Council of Governments  
Ms. Sotoria Montanari, Program Manager, Capitol Region Council of Governments

Agenda Item No. 12 or L  
**Request for Town Council Action**

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** December 8, 2020  
**SUBJECT:** Bid Waiver for Pasquariello Electric Corporation (PEC)

**SUMMARY:**

The Public Works Department terminated its contract for street light maintenance with Siemens Mobility, Inc in June 2020 due to problems with response time and overall management. After Staff research, the department retained Pasquariello Electric Corporation (PEC) out of Madison, CT to perform the street light maintenance beginning mid-year. (PEC is an Eversource emergency electrical contractor, and was highly regarded by several references checked by Staff). The department intends on issuing a Request for Proposals for on-call street light maintenance, but currently has a backlog of work orders that will exceed PEC's current purchase order.

The Public Works Department is pleased with the support and responsiveness of PEC, and is requesting to increase the current purchase order by \$55,000 to focus on clearing a significant portion of the backlog in the short-term. This will allow the department to continue to respond to service requests for the Town's 2,600 street lights until the on-call contract is issued. Funding will be provided from Account No. 001.20.2036.0.53935.00000 (Street Lighting).

**ACTION NEEDED:**

Move to authorize the Town Manager to waive the bidding requirements and increase the purchase order to Pasquariello Electric Corporation by \$55,000 for Town streetlight maintenance, as this is in the best interest of the Town.

**ATTACHMENTS:**

Sufficiency of Funds

**PREPARED BY:**

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

*MSA*



# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 7-Dec-20

Purchase Item or Contract: Street Light Maintenance		Requested by: Mike Ahern	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Street Light maintenance	\$55,000.00	\$55,000.00
			-
			-
			-
			-
Account No. 001.20.2036.0.53935.00000 Street Lighting			<b>TOTAL</b> \$55,000.00

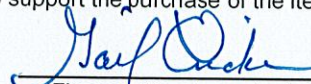
Budgeted Amount.....	\$200,000.00	Available balance.....	\$80,620.00
Encumbrances to Date.....	\$83,297.75	Amount Needed for This Package.....	\$55,000.00
Expenditures to Date.....	\$36,082.25	Available Balance After Purchase.....	\$25,620.00

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

Agenda Item No. 13 or M  
Request for Town Council Action

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

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** November 23, 2020

**SUBJECT:** Town Council Calendar 2021-2022

**Summary of Agenda Item:**

The following notice was sent to the Chair of the Calendar Committee by the Town Clerk's Office. "In accordance with the Berlin Charter Section 8-3 and the Freedom of Information Statute, each Board and Commission in town, whether elective or appointive, shall file by January 31<sup>st</sup> of each year with the Town Clerk, a schedule of regular meetings for the ensuing year. Also, the statutes state that no such meeting of any such public agency shall be held sooner than thirty days after such schedule has been filed. When you adopt the meeting calendar for 2021 your board or commission should also approve any meeting(s) that would be held in January 2022."

Councilor Luddy as Chair of the Calendar Committee has proposed the enclosed calendar for 2021 and January of 2022. This calendar was distributed at the previous Council Meeting.

**Action Needed:**

Move to approve the adoption of the Town Council Meetings Calendar for 2021 and January of 2022.

**Attachments:**

Calendar/Board of Finance Calendar

**Prepared By:** Kate Wall, Town Clerk

Tuesday, January 5<sup>th</sup>

January 19<sup>th</sup>

February 2<sup>nd</sup>

February 16<sup>th</sup>

March 2<sup>nd</sup>

March 16<sup>th</sup>

Tuesday, March 30<sup>th</sup> – Budget Forum and Budget Hearing

April 6<sup>th</sup> – Town Council to vote on BOF Budget

Wednesday, April 7<sup>th</sup> – Joint Meeting if necessary

Thursday, April 8<sup>th</sup> – Joint Meeting if necessary

April 20<sup>th</sup>

April 27<sup>th</sup> – Budget Referendum

May 4<sup>th</sup>

Wednesday, May 5<sup>th</sup> – Joint Meeting if necessary

Thursday, May 6<sup>th</sup> – Joint Meeting if necessary

May 18<sup>th</sup>

May 25<sup>th</sup> – Budget Referendum

June 1<sup>st</sup>

June 15<sup>th</sup>

July 6<sup>th</sup>

July 20<sup>th</sup>

No meetings in August

September 7<sup>th</sup>

September 21<sup>st</sup>

October 5<sup>th</sup>

October 19<sup>th</sup>

November 2<sup>nd</sup> – Election Day

November 16<sup>th</sup> – Swearing-In Ceremony and Town Council Meeting

November 30<sup>th</sup>?

December 14<sup>th</sup>?

January 4<sup>th</sup>

January 18<sup>th</sup>

**Fee Waivers and Donations Approved by Council**  
**Fiscal Year 2020/21**

<u>Date</u>		<u>Value</u>
9/15/2020	Waive Building permit fees - Berlin Lions Agricultural Fair Inc.	\$735.00
10/15/2020	Waive Building permit fees - VFW	\$285.00
11/24/2020	Waive field usage fees - Nutmeg State Games (July 2021)	\$5,980.00

# Budget Changes 2020 - 2021

BA#	CHANGE#	DEPT	FROM	TO	AMOUNT
2	21-1	Recreation	001.25.2542.0.53201.00000	001.25.2542.0.53813.00000	\$248.00
8	21-2	Recreation	001.25.2542.0.53201.00000	001.25.2542.0.53813.00000	\$248.00
36	21-3	Fire Department	001.15.1531.0.53236.00000	001.15.1531.0.53242.00000	\$450.00
37	21-4	Revenue Collector	001.05.0504.0.53922.00000	001.05.0504.0.53813.00000	\$100.00
39	21-5	Town Clerk	001.05.0511.0.53916.00000	001.05.0511.0.53201.00000	\$950.00
48	21-6	Nursing	001.30.3053.0.53920.00000	001.30.3053.0.51100.00000	\$11,365.00
49	21-7	Fire Marshal	001.15.1534.0.53814.00000	001.15.1534.0.52010.00000	\$1,000.00
58	21-8	Town Clerk & Registrar	001.05.0505.2.44801.00000	001.05.0511.0.52100.00000	\$15,722.00
59	21-9	Revenue Collector	001.40.4063.0.59500.02052	001.05.0511.0.53201.00000	\$385,000.00
65	21-10	Police Department	001.00.0000.8.49200.00000	001.15.1532.0.54000.01130	\$252,992.00
73	21-11	Development Services	001.10.1014.0.51510.00000	001.10.1014.0.51100.00000	\$3,900.00
74	21-12	Public Works	001.05.0507.0.51815.00000	001.20.2036.0.51100.00000	\$970.00
75	21-13	Public Grounds	001.25.2545.0.53250.00000	001.25.2545.0.53916.00000	\$1,000.00
79	21-14	Technology	001.05.0503.0.53208.00000	001.05.0503.0.53248.00000	\$1,000.00
91	21-15	Golf	001.25.2543.0.53245.00000	001.25.2543.0.53233.00000	\$4,999.00
92	21-16	Golf	001.25.2543.0.53106.00000	001.25.2543.0.53243.00000	\$1,358.00
100	21-17	Townwide	001.05.0507.0.53814.00000	001.05.0507.0.52225.00000	\$3,500.00
101	21-18	Building Inspection	001.10.1029.0.51100.00000	001.10.1029.0.51130.00000	\$5,000.00
102	21-19	Police Department	001.15.1532.0.51185.00000	001.15.1532.0.51130.00000	\$750.00

104	21-20	Town Clerk	001.05.0511.0.53201.00000	001.05.0511.0.51510.00000	\$27.00
105	21-21	Fire Department	001.15.1531.0.53210.00000	001.15.1531.0.53242.00000	\$1,290.00

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 number (access code): 132 563 8080

Meeting password: Council (2686245 from phones and video systems)

Tuesday, November 24, 2020

7:00 pm | (UTC-05:00) Eastern Time (US & Canada) | 2 hrs

### **Join meeting**

Tap to join from a mobile device (attendees only)

+1-408-418-9388,,1325638080#2686245# United States Toll

Some mobile devices may ask attendees to enter a numeric meeting password.

Join by phone

+1-408-418-9388 United States Toll

Global call-in numbers

Join by video system, application or Skype for business

Dial 1325638080@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Please note that the video will be uploaded to YouTube

**TOWN OF BERLIN  
TOWN COUNCIL MEETING  
Tuesday, November 24, 2020  
Remote  
7:00 P.M.**

**A. CALL TO ORDER**

Mayor Kaczynski called the meeting to order at 7:01 p.m.

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

Those in attendance were: Councilor JoAnn Angelico-Stetson – *via Webex*  
Mayor Mark Kaczynski  
Councilor Brenden Luddy  
Councilor Charles Paonessa  
Councilor Peter Rosso  
Councilor Mike Urrunaga – *via Webex*  
Councilor Donna Veach

Also in attendance: Town Manager Aroscha Jayawickrema  
Corporation Counsel Jeffrey Donofrio

**D. AUDIENCE OF CITIZENS**

*Peter Zarabozo, 158 Ellwood Road* – Mr. Zarabozo thanked the Town for allowing residents access to verbal public comment during meetings as opposed to other towns which only allow written comment. He encourages the Town to continue with telephonic or internet communication from citizens in the future.

**E. MEETING AGENDA – Immediately Following the Audience of Citizens**

**F. CONSENT AGENDA:**

1. **Topic re: Move to accept the donation of \$25.00 and appropriate the funds to the DARE Operating Materials Expenditure Account. – Police Department**
2. **Topic re: Move to accept monetary donations totaling \$43.97 for the Berlin Peck Memorial Library and deposit \$43.97 into the library agency account for the purchase of books and materials in memory of Joseph Pandolfo and move to accept the donation of books with an estimated value of \$16.00 to be added to the appropriate department collections. – Berlin-Peck Memorial Library**
3. **Topic re: Approve the Connecticut Sports Management Group to sell food items, beverages and merchandise at the Nutmeg State Games July 15, 2021 to July 25, 2021 at the Sage Park concession. – Parks and Recreation**
4. **Topic re: Approve waiving estimated field usage fees not to exceed the amount of \$5,980 for the 2021 Nutmeg State Games to be held at Scalise Field, Sage Park Auxiliary Field and Baretta Field from July 15 through July 25, 2021. – Parks and Recreation**

Councilor Luddy moved to approve the Consent Agenda as presented.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

**G. NEW BUSINESS:**

**1. Topic re: Update on Senior Housing – Housing Authority**

Town Manager Jayawickrema introduced Housing Authority Chairman Joe Bajorski to provide an update on the Senior Housing project and the application process.

Mr. Bajorski stated that the Housing Authority has determined that at least ten (10) Section 8 project vouchers can be obtained from the City of Meriden Housing Authority. That would allow them to target the 30% in the low or medium-income range and obtain roughly \$4 million in funds from the National Housing Trust Fund which would close the gap in funding for the project. Those funds could increase if they could obtain additional Section 8 project vouchers from the City of Meriden.

The Housing Authority is currently looking at a 4% tax credit as the 9% tax credit will not work on this project. The Department of Housing (DOH) is opposed to age-restricted housing at the 9% level. The 4% tax credit will be approximately \$4.6 million. Combined with a Connecticut Housing Finance Authority (CHFA) mortgage of \$3.1 million, a DOH subsidy of \$5 million, a Community Development Block Grant (CDBG) of \$1.5 million, plus the National Housing Trust Fund of approximately \$3.7 million gets them to \$18 million. A discussion was held yesterday with the DOH and they cautioned that it may not be until March 2021 until their monies are awarded.

Regarding the 4% tax credit, the Housing Authority is about 45 to 50 days out from making that application and they are in discussion with CHFA to get that set up. A Developer's Engagement Profile has been filed with the DOH.

Mayor Kaczynski questioned if there was a change in the time frame from what was previously discussed. Mr. Bajorski explained that the previous November time frame was for the 9% tax credit which no longer applies as the DOH has encouraged the Housing Authority to go with the 4% credit.

Mr. Bajorski continued by explaining that with the 4% credit there was a gap in funding for the project which led to discussion with the City of Meriden regarding project vouchers. The Section 8 project vouchers allow the DOH to pay the difference between what the tenant can afford and what the market rate is for rent. The project voucher stays with the apartment complex, while a Section 8 tenant voucher moves with the tenant. The Berlin Housing Authority was able to obtain a commitment of ten project vouchers from the City of Meriden Housing Authority. Those vouchers then allow access to funds from the National Housing Trust Fund which makes up the gap from not going with the 9% tax credit.

Councilor Paonessa asked if those vouchers obligate the Town to Section 8 housing. Mr. Bajorski stated that the way the property is proposed is as affordable housing with 50% of median income, 60% of median income and 80% of median income. The only factors that affect selection of residents is their income, credit/background checks, and age. Per Fair Housing Law, housing would be open to anyone not just Berlin residents which is also the way it is now.

The Town Manager requested the time frame for all the funding components. Mr. Bajorski stated that the CDBG and DOH have March 2021 filing deadlines. The CHFA, 4% tax credit, and the National Housing Trust Fund only require applications for access to funds. The Housing Authority is in the process of filing the 4% tax credit paperwork and they hope to have the Section 8 project voucher commitment in place by early January.

Mr. Bajorski noted that some of the figures could change, for example with yesterday's meeting with the DOH they are looking to increase the amount of funds available through the CDBG from \$1.5 million to \$4 million. If additional funds can be obtained from the CDBG then the Housing Authority would decrease the amount obtained from the DOH subsidy.

Mayor Kaczynski thanked Mr. Bajorski for the update and for the work he and the Housing Authority have put into this project. Mr. Bajorski added that he feels with they are on the right path.

- 2. Topic re: Waive the bidding requirements for D'Amato Construction to re-build the entrance of the "Stan Chem" pump station in the amount of \$37,018.00, as this is in the best interest of the Town. – Water Control**

Town Manager Jayawickrema stated that this item is being removed from the agenda as it has been taken care of by the on-call contractor.

AGENDA ITEM WITHDRAWN - NO ACTION NEEDED

- 3. Topic re: Award RFP 2021-04 and authorize the Town Manager to enter into a contract with Wengell, McDonnell & Costello for an amount not to exceed \$29,500 for the reconstruction of Percival Soccer Field. – Parks and Recreation/Public Grounds**

Director of Community, Recreation and Park Services Jen Ochoa explained that this is the second project they plan to do with the Athletic Field Improvement Bond that was approved by Council last year. The Town went out to bid for the Architectural/Engineering Design and Construction Administration Services with seven bids received. Four firms were interviewed, and it was a unanimous decision to go with the lowest bidder Wengell, McDonnell & Costello. Ms. Ochoa is hoping the work will begin in May or June, with a field opening date of mid to late August.

Councilor Rosso stated that he noticed that the base of one of the light poles at Scalise Field was still broken. Superintendent of Parks and Grounds Steve Wood explained that they had been waiting for the structural report on all four poles to come back. All reports showed the poles were safe and Earth Contractors is getting ready to cut off the bolts and shift the light 22 degrees and they are very hopeful that by January 1, 2021 the broken pole will be functional. The bases of all four light poles will be grouted.

Councilor Luddy move to award RFP 2021-04 and authorize the Town Manager to enter into a contract with Wengell, McDonnell & Costello for an amount not to exceed \$29,500 for the reconstruction of Percival Soccer Field.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 4. Topic re: Waive the Town's Bidding Procedure and approve issuing a Purchase Order in the amount not to exceed \$17,500.00 in FY 2020-2021 for United Sites Northeast Inc for weekly cleaning and maintenance of 13 Porto-Potties as this is in the best interest of the town. – Public Grounds**

Superintendent of Parks and Grounds Steve Wood stated that the Town has been using United Sites Northeast Inc for several years. Per CDC guidelines due to COVID-19 porta potties must now be cleaned more frequently, therefore the cost for the cleaning is increasing from \$44 a month per unit to \$122 a month per unit. When CDC guidelines return to weekly cleanings the Town will go back out to bid and hopefully receive a better price.

Councilor Luddy moved to waive the Town's Bidding Procedure and approve issuing a Purchase Order in the amount not to exceed \$17,500.00 in FY 2020-2021 for United Sites Northeast Inc for weekly cleaning and maintenance of 13 Porto-Potties as this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 5. Topic re: Utilize Tasca Ford DAS Contract #19PSX0161 and approve issuing a Purchase Order in the amount not to exceed \$50,000.00 to Tasca Ford of Berlin, CT from the Rack Body Truck account for the purchase of a Rack Body truck with plow. –Public Works/Public Grounds**

Superintendent of Parks and Grounds Wood stated that the Rack Body truck will be extremely useful for carrying Bobcat attachments, mowers, groomers and other ground department equipment. It will become even more beneficial for the transporting of sod, fertilizer, salt, concrete, etc to job sites while not having to borrow other departmental vehicles or making additional trips.

Councilor Luddy moved to utilize Tasca Ford DAS Contract #19PSX0161 and approve issuing a Purchase Order in the amount not to exceed \$50,000.00 to Tasca Ford of Berlin, CT from the Rack Body Truck account for the purchase of a Rack Body truck with plow.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 6. Topic re: Approve the purchase of Lion Fire Department Protective Clothing from C & S Specialty in an amount not to exceed \$40,000 utilizing the NPPgov (National Purchasing Partners) Contract# PS16008. – Fire Administrator**

Fire Administrator Jim Simons explained that this is for the yearly purchase of pants, coats, gloves and hoods worn into a fire. Every year they try to replace a certain amount of protective clothing to stay within the NFPA requirements that protective clothing not be over ten years old.

Councilor Luddy moved to approve the purchase of Lion Fire Department Protective Clothing from C & S Specialty in an amount not to exceed \$40,000 utilizing the NPPgov (National Purchasing Partners) Contract# PS16008.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

**7. Topic re: Waive the town's purchasing requirements and approve the purchase of parts and labor to outfit one Highway department cab and chassis from Hartford Truck Equipment for an amount not to exceed \$22,000, since this is in the best interest of the town. – Municipal Garage**

Fleet Manager Jim Simons stated that this is a replacement for a small Highway department dump truck lost in a motor vehicle accident. The new truck was ordered in December 2019 but due to Ford truck plants closing to manufacture ventilators for the COVID-19 pandemic in the Spring of 2019 the truck was not received by the Town until the end of October 2020. The Town's shop fabricator was going to install the body, snowplow, and other equipment but that fabricator is now out with an injury. Mr. Simons contacted Tasca to determine who they utilize for such projects and was directed to Hartford Truck Equipment where estimates were obtained. Their State contract is for the snow equipment, the body equipment goes through Tasca Ford.

Councilor Luddy moved to waive the town's purchasing requirements and approve the purchase of parts and labor to outfit one Highway department cab and chassis from Hartford Truck Equipment for an amount not to exceed \$22,000, since this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

**8. Topic re: Waive the bidding process and approve issuing a Purchase Order in an amount not to exceed \$24,000.00 to Tyler Equipment of Berlin, CT from the Equipment account for the purchase of an equipment trailer for the Highway Department, as this is in the best interest of the Town. – Public Works/Highway/Fleet**

Public Works Director Mike Ahern stated that the highway department's current equipment trailer is 18 years old and has a maximum payload of 9 tons. Staff recommended purchasing a 15-ton rated trailer to transfer larger equipment. This trailer will have electric operated ramps, a 22-foot deck, and a beaver-tailed ramp. When not being used by Highway or Parks and Grounds it can also be used for transporting catch basin sumps and tops.

Councilor Paonessa questioned why the new trailer would not have air brakes. Fleet Manager Simons stated that then extra costs would have to be incurred to outfit the trucks to properly pull the trailer. He added that the trailer will be for around town use as opposed to highway use so the electric brakes will be fine for that.

Councilor Luddy moved to waive the bidding process and approve issuing a Purchase Order in an amount not to exceed \$24,000.00 to Tyler Equipment of Berlin, CT from the Equipment account for the purchase of an equipment trailer for the Highway Department, as this is in the best interest of the Town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

**9. Topic re: Utilize the Connecticut DAS Contract #17PSX0009 to purchase the necessary concrete catch basin materials from United Concrete Products of Yalesville, CT through December 31, 2020. – Public Works**

Public Works Director Ahern explained that the Connecticut Department of Administrative Services (DAS) contract was extended and expires on December 31, 2020. This request is for the purchase of catch basin tops and sumps to be ready for Spring road projects. The DAS contract is with United Concrete Products of Yalesville, CT.

Councilor Luddy moved to utilize the Connecticut DAS Contract #17PSX0009 to purchase the necessary concrete catch basin materials from United Concrete Products of Yalesville, CT through December 31, 2020.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

**H. APPOINTMENTS:**

1. **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
2. **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**.
3. **Inland Wetlands & Water Courses Commission – Alternate - Vacancy** – New term would be until January 31, 2023. Can be filled with a D, R or U.

Councilor Luddy placed in nomination the name of Steve Biella Jr (U) of 84 Bernard Road for appointment to the Inland Wetlands & Water Courses Commission - Alternate.

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 Steve Biella Jr (U) to serve on the Inland Wetlands & Water Courses Commission as an Alternate. Term ending January 31, 2023.

4. **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.
5. **Mattabassett District** – John Dunham (R) term expired August 31, 2020. Reappointment or replacement term would be until August 31, 2023. Can be filled with a D, R or U.

Councilor Luddy placed in nomination the name of John Dunham (R) of 165 Oak Ridge Drive for appointment to the Mattabassett District.

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 John Dunham (R) to serve on the Mattabassett District. Term ending August 31, 2023.

6. **Mattabassett District** – James Fallon (D) term expired August 31, 2020. Reappointment or replacement term would be until August 31, 2023. Can be filled with a D, R or U.

Councilor Luddy placed in nomination the name of James Fallon (D) of 75 Windsor Road for appointment to the Mattabassett District.

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 James Fallon (D) to serve on the Mattabassett District. Term ending August 31, 2023.

7. **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.
8. **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.
9. **Public Building Commission – Vacancy** - New term would be until January 31, 2025. Can be filled with a D, R or U.
10. **VNA – Vacancy** - Replacement term would be until January 31, 2022. Can be filled with a D, R or U.
11. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.
12. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.
13. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.

**14. VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.

**15. Water Control Commission – Alternate – Vacancy** -New term would be until January 31, 2023. Can only be filled with a D or U.

**16. Youth Services Advisory Board – Vacancy - Service Consumer** – New term would be until January 31, 2023.

**I. TOWN MANAGER'S REPORT:**

- Due to COVID-19 all Board and Commission meetings, including Town Council, will be moved to virtual meetings after Thanksgiving. This is being done as a precautionary measure as there is the anticipation that after the holiday COVID cases will increase. The Town Manager has explored the Microsoft Teams option as another tool to use.
- The Town Manager received a request from a senior resident to reopen the Senior Center. After consulting with the Central Connecticut Health District, they stated that they are opposed to opening centers until at least after the holidays. The Town Manager discussed with Senior Center Director Tina Doyle about the idea of virtual gatherings for seniors.
- Tax payments will be due soon. Postcard reminders will be sent out around December 8<sup>th</sup> or 10<sup>th</sup> to those who still owe taxes. During July there were no lines for tax payments as many residents paid either by mail or online. Those who did show up in person did not have the option to use a drop box as the Town has not had this option. Therefore, a drop box will be installed outside of the right-hand door of Town Hall.
- As mentioned at a previous meeting, technology improvements are being worked on. At this time the entire Finance Department can work 100% from home with secured VPNs installed. The Town is currently in the process of looking at the Building, Planning and Public Works departments to also have the ability to access their work systems from home.
- The Thanksgiving holidays food distribution helped 237 families this year. Another holiday food and toy drive is planned for December.
- The Boulevard is almost done with just a few punch list items remaining. The Main Street project is done with only the islands needing to be completed as well as the installation of a brick paver walkway at the intersection of Main Street and Kensington Road.
- The Wildermere Road bridge repair is complete, the Berlin Street bridge has a few more items to be done and will be finished by mid-December, and the striping of Kensington Road will be completed in the next two weeks or so.

**J.** The Ethics Policy and Financial Disclosure have been sent out. It was suggested by Corporation Counsel to do a 30-minute video conference call with Boards and Commissions to highlight what is expected with these forms and to remind elected officials of the process.

**K. SPECIAL COMMITTEE REPORTS:**

- Mayor Kaczynski stated that the Ordinance Committee met and discussed a Leash Law for the Town. An ordinance was drafted which would require those walking their dogs to have them on a leash. There is one other part that needs to be discussed which is the possibility of dogs to be off leash in an area of Pistol Creek. If that is the ultimate decision, then signs would be posted warning others of off leash dogs in the area and fencing may also be installed.

Town Manager Jayawickrema added that a question had come up at the Ordinance Committee meeting regarding the size of the area at Pistol Creek and it was determined that it is 138,000 square feet versus 208,000 square feet at Bicentennial Park.

Mayor Kaczynski stated that the Committee is looking to provide an area for town residents that is safe for all and elevate issues that have come up at Bicentennial Park. Residents are urged to look at the Pistol Creek option and voice any concerns. The Ordinance Committee will continue their discussion of this matter in the new year.

- Councilor Luddy, chairman of the Calendar Committee, explained that there was a delay in getting the 2021 calendar information out to Council members. That information will be emailed out by the Town Clerk. Their only concern was the November 2, 2021 Municipal election and swearing in ceremony two weeks later and whether there should be a meeting at the end of November or just have a December meeting.
- Mayor Kaczynski stated that a Certificate of Appreciation from the Connecticut River Coastal Conservation District for Berlin's activities and support of that district in the 2020-2021 fiscal year.

**L. COUNCILORS' COMMUNICATION:**

Councilor Rosso announced that Joe Annunziata had passed away. Mr. Annunziata had been a Berlin police officer for 32 years, President of the Berlin Board of Education, and Chairman of the Police Commission. He was born and raised in Berlin and volunteered his time within the community including as a football coach at Berlin High School. Councilor Rosso also thanked the Mayor and Town Manager's Assistant Christi Sullivan for sharing the news of Joe's passing on the Town's website.

**M. ACCEPTANCE OF MINUTES:**

**November 10, 2020**

Councilor Luddy moved to approve the Minutes of the November 10, 2020 Town Council meeting.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

**N. ADJOURNMENT**

Councilor Rosso moved to adjourn at 8:00 p.m.

Seconded by Councilor Luddy.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall  
Town Clerk