

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: March 16, 2021
SUBJECT: Tax Abatement for Hassmann Realty Associates LLC

Summary of Agenda Item:

Hassmann Realty Associates LLC has submitted an application for the construction of a 23,730 square foot expansion of their facility at 780 Four Rod Road in Berlin. This expansion will allow National Sign to double the size of their facility, purchase new equipment, as well as bring additional jobs to town. This abatement would be based on the increase in assessed value resulting from the real property improvements using the following schedule: 50% in year 1, 40% in year 2, 30% in year 3, 20% in year 4 and 10% in year 5 per the Town's tax abatement policy. The Economic Development Commission recommends that the Town Council approve the tax abatement for Hassmann Realty Associates LLC.

Actions Needed:

Move to approve a tax abatement for Hassmann Realty Associates LLC for the construction of an additional 23,370 square feet at 780 Four Rod Road of 50% in year 1, 40% in year 2, 30% in year 3, 20% in year 4 and 10% in year 5 per the town's tax abatement policy.

Attachments:

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

Prepared By: Christopher Edge, Economic Development Director *CE*

Town of Berlin

Department of Economic Development

Tax Abatement Application

Name of Operating Company: National Sign Corporation

Name of Parent Company (If applicable): _____

Name of Entity that will own the real estate: Hassmann Realty Associates LLC

Mailing Address: 780 Four Rod Rd, Berlin, CT 06037

Project Address (If applicable): 780 Four Rod Rd, Berlin, CT 06037

Phone Number: 860-829-9060 Email: russ@nationalsign.com
(cc: heather@nationalsign.com)

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

Signs, Large Format Digital Printing and Graphics

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

23730 sq ft - Project has started and is expected to complete 12/31/2021.

Large Format Digital Printing Machines, Vinyl Cutter, Forklift and Computer Equipment

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

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

Town of Berlin

Department of Economic Development

Estimated Value of Real Estate Improvements: \$1.6M

Estimated Value of Additional Personal Property: \$700K 65% is manufacturing equipment

Number of Jobs to be Retained in Berlin: 36

Number of Jobs to be Created: 14

Additional Details (If needed):

02/25/2021
Date


Signature of Company Representative

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PRO FORMA - HASSMANN REALTY (780 FOUR ROD ROAD)

<u>Year</u>	<u>Estimated Assessment Increase</u>	<u>Mill Rate</u>	<u>Real Estate Taxes</u>	<u>Personal Property Taxes</u>	<u>Total Taxes</u>	<u>Tax Abatement</u>	<u>Net Taxes</u>
1	560,000	33.93	\$ 19,001	\$ 1,900	\$ 20,901	\$9,500	\$ 11,400
2	560,000	34.27	\$ 19,191	\$ 1,919	\$ 21,110	\$7,676	\$ 13,434
3	560,000	34.61	\$ 19,383	\$ 1,938	\$ 21,321	\$5,815	\$ 15,506
4	560,000	34.96	\$ 19,577	\$ 1,958	\$ 21,534	\$3,915	\$ 17,619
5	560,000	35.31	\$ 19,772	\$ 1,977	\$ 21,750	\$1,977	\$ 19,772
6	560,000	35.66	\$ 19,970	\$ 1,997	\$ 21,967		\$ 21,967
7	560,000	36.02	\$ 20,170	\$ 2,017	\$ 22,187		\$ 22,187
8	560,000	36.38	\$ 20,371	\$ 2,037	\$ 22,409		\$ 22,409
9	560,000	36.74	\$ 20,575	\$ 2,058	\$ 22,633		\$ 22,633
10	560,000	37.11	\$ 20,781	\$ 2,078	\$ 22,859		\$ 22,859
11	560,000	37.48	\$ 20,989	\$ 2,099	\$ 23,088		\$ 23,088
12	560,000	37.85	\$ 21,199	\$ 2,120	\$ 23,318		\$ 23,318
13	560,000	38.23	\$ 21,411	\$ 2,141	\$ 23,552		\$ 23,552
14	560,000	38.62	\$ 21,625	\$ 2,162	\$ 23,787		\$ 23,787
15	560,000	39.00	\$ 21,841	\$ 2,184	\$ 24,025		\$ 24,025
16	560,000	39.39	\$ 22,059	\$ 2,206	\$ 24,265		\$ 24,265
17	560,000	39.79	\$ 22,280	\$ 2,228	\$ 24,508		\$ 24,508
18	560,000	40.18	\$ 22,503	\$ 2,250	\$ 24,753		\$ 24,753
19	560,000	40.59	\$ 22,728	\$ 2,273	\$ 25,001		\$ 25,001
20	560,000	40.99	\$ 22,955	\$ 2,296	\$ 25,251		\$ 25,251
	Total		\$ 418,379	\$ 41,838	\$ 460,217	\$ 28,884	\$ 431,332

* Assessment increase from \$848,800 to \$1,408,800

March 26, 2021

Dear Berlin Property Owner,

The Town of Berlin Economic Development Commission has received an application pursuant to its Tax Partnership Program. This involves a phase in of increases in real property taxes resulting from the expansion of 23,730 square feet at 780 Four Rod Road in Berlin. The applicant, Hassmann Realty Associates LLC has requested a 5-year tax abatement on the increase in assessment. This abatement will allow National Sign to expand their services and hire more employees in Berlin.

This tax abatement will not increase your taxes, but will give Hassmann Realty Associates LLC a tax abatement over the 5 years in order to grow their firm in Berlin.

This matter is **scheduled** to be considered at the Town Council meeting on **Tuesday April 6th, 2021 at Town Hall, 240 Kensington Road at 7:00 PM.** The meeting will also be broadcast on Webex if you are unable to make it or unwilling to do so during the COVID pandemic. Details for the meeting can be found on the town's website at www.town.berlin.ct.us. I am providing you this notice because you are the owner of record of a nearby property. The Town Council has requested that all property owners within 500 feet of the subject property be notified that this application will be considered at the meeting on April 6, 2021.

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

Sincerely,

Christopher D. Edge
Economic Development Director

Agenda Item No. 5
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: March 18, 2021
SUBJECT: Catch Basin Cleaning Award – Public Works

SUMMARY:

The Public Works Department solicited proposals for catch basin cleaning on town roads. Bids were opened on March 18, 2021 at 2:00 p.m. Four companies submitted bids (attached) which ranged in price from \$23.00 to \$98.00 per catch basin to be cleaned. The lowest bidder (Shaw Vac Services, LLC) has worked with Staff for many years and continues to perform satisfactorily.

Funding for this contract will be provided from the Highway Catch Basin Cleaning account 001.20.2037.0.53812.000000, and the contract will be valid through December 31, 2022. This account provides for both the cleaning of catch basins and the disposal of the materials collected. It is estimated that approximately \$70,000.00 will be utilized in each of the 2020/2021 and 2021/2022 fiscal years for the cleaning portion of the work.

Cleaning spoils will be disposed of under a separate disposal contract.

ACTION NEEDED:

Move to approve utilizing Shaw Vac Services, LLC, for the purpose of Catch Basin Cleaning, at the unit price of \$23.00 per basin through December 31, 2022.

ATTACHMENTS:

1. Sufficiency of Funds
2. Bid Results

PREPARED BY:

James P. Horbal, Deputy Director of Public Works



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 18-Mar-21

Purchase Item or Contract: Public Works		Requested by: Jim Horbal	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Catch Basin Cleaning	\$70,000.00	\$70,000.00
			-
			-
			-
			-
TOTAL			\$70,000.00

Account No. 001.20.2037.0.53812.00000

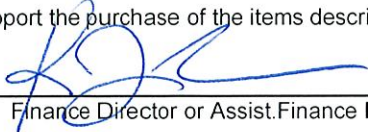
Budgeted Amount.....	\$100,000.00	Available balance.....	\$100,000.00
Encumbrances to Date.....	\$0.00	Amount Needed for This Package.....	\$70,000.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$30,000.00

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 \$ 107,000 must be processed concurrently with this certification to support this commitment.

Finance Director or Assist.Finance Director

TOWN OF BERLIN - CATCH BASIN CLEANING 2021-15

Bid Opening

March 18, 2021 - 2:00 p.m.

COMPANY		BID (PER BASIN)	
1	Staxx Construction Services, LLC of Berlin, CT	\$	26.50
2	JV III Construction Inc. of Rocky Hill, CT	\$	34.90
3	National Water Main Cleaning Co. of Canton, MA	\$	98.00
4	Shaw Vac Services, LLC of Plantsville, CT	\$	23.00
5			
6			
7			

Agenda Item No. 6
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: March 29, 2021
SUBJECT: Award of Tree Removal Services - Contract # 2021-17

SUMMARY:

The Public Works Department recently prepared, advertised, and publicly read, bid proposals for the procurement of Tree Removal Services from licensed Arborists within the State of Connecticut. The proposal requested both standard hourly rates and emergency hourly rates to provide a tree removal crew and various pieces of related equipment, which will work under the direction of both the Highway and Public Grounds Superintendents.

Bids were received on March 25, 2021 from two (2) Firms (bids attached) with Distinctive Gardens & Tree Care of South Windsor, submitting the lowest requested rates. The contract also provides for two, two-year extensions upon mutual agreement between the parties. The contract has been prepared to commence on, or about, April 8, 2021 with the hourly rates guaranteed through April 30, 2023. The actual contract value is uncertain at this time due to the fact that it may be utilized by various departments, including the Board of Education, through the established unit prices. Funding will come from established line-item accounts within the fiscal years 2020/2021 through 2022/2023 department budgets.

ACTION NEEDED:

Move to award Contract #2021-17 for tree removal services to Distinctive Gardens & Tree Care of South Windsor. Funding will come from established line-item accounts within the fiscal years 2020/2021 through 2022/2023 department budgets through established unit prices.

ATTACHMENTS:

Bid Sheet Results

PREPARED BY:

James P. Horbal, Deputy Director of Public Works



TOWN OF BERLIN
BID FOR TREE REMOVAL SERVICES

BID # 2021-17

To be received at the office of the Town Engineer - Room 120, 240 Kensington Road, Berlin, CT no later than 2:00 P.M., Thursday, March 25, 2021 in a sealed envelope marked "BID #2021-17 Tree Removal Services".

TREE REMOVAL AND PRUNING SERVICES:

Standard Municipal Package - Three (3)-Person Crew w/ Bucket Truck (75' aerial lift min), Chipper (18" processing min.), Chip Box Dump, Mini-Excavator w/Grapple and all related equipment:	\$ <u>459.00</u> /per hour
Two (2)-Person Crew w/Chipper, Chip Box Dump and all related tools and equipment:	\$ <u>269.00</u> /per hour
Two (2)-Person Crew w/Bucket Truck only.	\$ <u>269.00</u> /per hour
One (1) Additional Crew Person/Operator to assist Two (2)-Person Crew	\$ <u>99.00</u> /per hour
Emergency Callout after hours (Standard Municipal Package):	\$ <u>688.50</u> /per hour
Emergency Callout after hours (2-Person Crew, Bucket Truck, Chipper & Truck):	\$ <u>398.00</u> /per hour
Emergency Callout after hours (2-Person Crew, Chipper & Box Truck only):	\$ <u>398.00</u> /per hour
Emergency Callout after hours (Additional Crew Person/Operator):	\$ <u>148.00</u> /per hour
Mini Excavator with Grapple	\$ <u>169.00</u> /per hour
Crane (35 ton / 100' boom min.) with Operator	\$ <u>498.00</u> /per hour
Two (2)-Person Climber Crew w/Equipment	\$ <u>298.00</u> /per hour
Skid Steer with Grapple	\$ <u>149.00</u> /per hour
Spider Type Track Lift with Operator	\$ <u>299.00</u> /per hour
Stump Grinder (37 Hp min.) with Operator	\$ <u>169.00</u> /per hour

Add any Additional Equipment and Rate (attach additional sheets if needed);

<u>Rolloff Truck w/ 20-30 yard can</u>	\$ <u>169.00</u> /per hour
<u>Log Truck</u>	\$ <u>219.00</u> /per hour
<u>Tub Grinder/ Horizontal Grinder - 1000 Horse Power</u>	\$ <u>695.00</u> /per hour
<u>Skidder with Grapple</u>	\$ <u>189.00</u> /per hour
<u>Feller Buncher</u>	\$ <u>249.00</u> /per hour
<u>50 Foot Lowbed/ 100 cubic yard live floor</u>	\$ <u>169.00</u> /per hour

Pursuant to and in full compliance with the ITB, the undersigned certifies this bid is submitted without collusion and all responses are true, accurate and without exception. If awarded this bid, it is agreed that this forms a contractual obligation to provide services at fees specified in this Bid Form, subject to and in accordance with all instructions, conditions, requirements contained in the documents, including addenda, which are made part of this proposal.

3/25/2021

Date


Signature

Stephen Somosky, Vice President of Horticulture
Printed Name & Title

BCI, Inc. dba Butler Company
Company Name

848 Marshall Phelps Rd., Windsor, CT 06095
Address

860-688-8024
Telephone

ssomosky@thebutlerco.com
E-mail address

TOWN OF BERLIN
BID FOR TREE REMOVAL SERVICES

BID # 2021-17

To be received at the office of the Town Engineer - Room 120, 240 Kensington Road,
Berlin, CT no later than 2:00 P.M., Thursday, March 25, 2021 in a sealed envelope
marked "BID #2021-17 Tree Removal Services".

TREE REMOVAL AND PRUNING SERVICES:

Standard Municipal Package - Three (3)-Person Crew w/ Bucket Truck (75' aerial lift min), Chipper (18" processing min.), Chip Box Dump, Mini-Excavator w/Grapple and all related equipment:	\$ 289.00 /per hour
Two (2)-Person Crew w/Chipper, Chip Box Dump and all related tools and equipment:	\$ 125.00 /per hour
Two (2)-Person Crew w/Bucket Truck only.	\$ 110.00 /per hour
One (1) Additional Crew Person/Operator to assist Two (2)-Person Crew	\$ 35.00 /per hour
Emergency Callout after hours (Standard Municipal Package):	\$ 300.00 /per hour
Emergency Callout after hours (2-Person Crew, Bucket Truck, Chipper & Truck):	\$ 250.00 /per hour
Emergency Callout after hours (2-Person Crew, Chipper & Box Truck only):	\$ 150.00 /per hour
Emergency Callout after hours (Additional Crew Person/Operator):	\$ 50.00 /per hour
Mini Excavator with Grapple	\$ 75.00 /per hour
Crane (35 ton / 100' boom min.) with Operator	\$ 156.00 /per hour
Two (2)-Person Climber Crew w/Equipment	\$ 150.00 /per hour
Skid Steer with Grapple	\$ 75.00 /per hour
Spider Type Track Lift with Operator	\$ 125.00 /per hour
Stump Grinder (37 Hp min.) with Operator	\$ 150.00 /per hour

Add any Additional Equipment and Rate (attach additional sheets if needed);

Sennebogen 718 Material Handler with
Grapple Saw

400.00
\$/per hour

Allbach Whole Tree Chipper w/ 43"
chipping capabilities

475.00
\$/per hour

Spider lift w/ 3 man crew, chip truck, 18"
Chipper & Mini Excavator

325.00
\$/per hour

Mini Skid with Operator

150.00
\$/per hour

100+HP Stump Grinder with
Operator

175.00
\$/per hour

50 Yd Storm Body Log Truck, w/ 10,000
lb lifting capacity

175.00
\$/per hour

Pursuant to and in full compliance with the ITB, the undersigned certifies this bid is submitted without collusion and all responses are true, accurate and without exception. If awarded this bid, it is agreed that this forms a contractual obligation to provide services at fees specified in this Bid Form, subject to and in accordance with all instructions, conditions, requirements contained in the documents, including addenda, which are made part of this proposal.

3/23/21

Date


Signature

Joseph Butler, General Foreman

Printed Name & Title

Distinctive Tree Care, LLC

Company Name

48 Patria Rd South Windsor, CT

Address

860-528-8733

Telephone

joe@distinctivetreecare.com

E-mail address

Agenda Item No. 7
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: March 15, 2021

SUBJECT: Revised Statement of Need for proposed Community/Senior Center

SUMMARY:

As per the Town Charter Section 8.11.3, the Parks and Recreation Commission have submitted a Statement of Need for the proposed Community/Senior Center. That Statement of Need was approved by Town and moved forward to the Public Building Commission in January of 2019.

Through public review of the QA&M presentation available on the project website, questions arose regarding that the submitted Statement of Need was missing vital information in regards to a diving well included into the pool specifics. This information has since been obtained and added in to the Statement of Need prepared by the Parks and Recreation Commission in detail.

The Commission is asking that, following the process by Charter, the revised Statement of Need is approved by Town Council and forwarded to the Public Building Commission so they may have the specifics of the diving well being added.

ACTION NEEDED:

Move to approve the revised Statement of Need for the proposed Community/Senior Center as prepared by the Parks and Recreation Commission.

Move to forward to the Public Building Commission as required by Section 8.11.3 of the Town Charter.

ATTACHMENTS:

Revised Statement of Need

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Park Services, on behalf of the Parks and Recreation Commission

STATEMENT OF NEED

The Parks and Recreation Commission requests that the planning process for a new Community/Senior Center addresses needs of the residents of Berlin. The planning process should include a comprehensive assessment of the needs of the facility and its programs, services, activities, operations and patrons.

The current Community Center is located in the lower level of the Berlin-Peck Memorial Library. The Berlin-Peck Memorial Library's current location in the Town Hall Complex was built in 1989. In 1999, using state grant money, the Community Center was added to the lower level of the Library and opened to the public. The Town Council recognized that this was only a temporary situation and told the Library Board that in 10 years (2009), this lower level would be returned to the Library for its use. The Community Center is still housed in the lower level of this building.

In 2018, an elevator was constructed into the building to allow access from the Library to the Community Center respectively.

In its current space, the Community Center measures at a little over 24,000 square footage. It is open to all Berlin residents during normal business hours. A number of classes are held throughout the year and over 70 groups use the facility, including many Town Departments who use the building for meetings and trainings.

The current amenities include:

- Parks and Recreation Department (3,018 sq. ft.)
 - Includes offices, break room, storage rooms
- Activity Room (1,640 sq. ft.) – pool tables, air hockey, ping pong
- Exercise Room (1,750 sq. ft.) – free weights, universal gym, treadmills, stair/step machines, nautilus equipment, elliptical machines and stationary and recumbent bikes
- Meeting Rooms – rented for meetings, birthday parties, educational classes, etc.
 - Room 1 (880 sq. ft.)
 - Room 2 (820 sq. ft.)
 - Room 3 (700 sq. ft.)
 - Room 4 (770 sq. ft.)
 - Room 5 (400 sq. ft.)
 - Multi-purpose Room (2,450 sq. ft.)

The Community Center also currently houses the Friends of the Berlin-Peck Memorial Library Book Sale (1,500 sq. ft.).

The Community Center is a vital part of this town. The rooms are constantly being used by our local youth groups (both sports groups and civic groups), town departments and outside vendors. Residents may come and go as they please to use the exercise room and the activity room, free of charge. The Parks and Recreation Departments runs a variety of programs throughout the year in the meeting rooms as well as a very sought-after full day Summer Program for 60 participants.

The Parks and Recreation Commission recommends that the following criteria be included in the Request for Proposals for a professional consultant to conduct the Community/Senior Center Planning Process.

- Robust resident stakeholder input process. There should be an advisory committee that guides the planning process. The process should also include a survey of the public whether it be by public forum or by mail in order for residents to be given an opportunity to comment on the process.
- The Committee as designated should canvas other communities to finalize the specific needs in the Statement of Need.
- Site selection criteria:
 - The entire facility should be located in the central area of town.

- The parking area must be convenient to building and meet ADA standards.
- Facilities Criteria (57, 000 sq. ft.) – much of this area will be shared space coordinated with the Senior Center
 - Main Lobby Area – (600 sq. ft.)
 - Open access for the public, computer for internet, television, carpet, lounge furniture, coffee cart
 - Parks and Recreation Department (3,300 sq. ft.)
 - Includes offices, break room, storage room(s)
 - Activity Room (2,000 sq.ft.)
 - Exercise Room (3,000 sq. ft.)
 - Add more equipment and include space for classes (for example, spinning class)
 - Meeting Rooms (maintain current number, but increase size of each room)
 - Room 1 (1,000 sq. ft.)
 - Room 2 (1,000 sq. ft.)
 - Room 3 (1,000 sq. ft.)
 - Room 4 (1,000 sq. ft.)
 - Room 5 (800 sq. ft.)
 - Multi-purpose Room (3,000 sq. ft.)
 - Add modular flooring
 - Meeting rooms would also be better equipped with built in projector screens
 - 8 lane lap pool area (10,000 sq. ft. total area)
 - 8 lane pool (60 ft. by 75 ft.)
 - Including small office, storage room, filter room, retractable bleachers for spectator seating
 - Therapy pool
 - Diving Well
 - One (or two) 1-meter Diving Boards mounted in accordance with one of the following two options
 - Separate Diving Well
 - Minimum depth of 12 feet for a minimum length of 35 feet, 8 inches and minimum width of ~17 feet (1 board) or ~24 feet (2 boards) (reference: NCAA Rule 1 – Pool Dimensions and Equipment)
 - Diving Well Integrated into the Main Pool
 - Minimum depth of 12 feet for a minimum length of 16 feet forward from the plummet of the board and 8 feet to each side of the plummet of the board. (reference: CT Dept. of Health Reg. 6153 – Dated 3/17/2014)
 - Locker Rooms (2,000 sq. ft.)
 - Individual Family Changing Rooms
 - Men's and Women's locker rooms with showers, private changing area
 - Gym (14,000 sq. ft.)
 - 2 regulation basketball/volleyball courts with breakdown into side courts
 - Bleacher seating
 - Storage room
 - Suspended walking/jogging track (2 lanes)
 - Support Facilities (15,000 sq. ft.)
 - Boiler Room, Mechanical Room, Custodial Closets/Storage, Public Toilets, Corridors, Stairs/Elevator, Misc. storage

If the planning process includes an evaluation of building the new facility in partnership with the YMCA or another private entity, the final report must include an assessment of the costs and benefits of this arrangement to residents, such as whether the YMCA would take over existing town property; whether residents would be charged

membership fees and how much these might cost; and restrictions on usage. There should also be coordination with the current Parks and Recreation Department.

The new Community/Senior Center should be a smart building with all the most up to date technological advancements.

This statement of need is subject to change pending community and consultant input and review.

Agenda Item No. 8
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema
DATE: March 25, 2021
SUBJECT: Update on Percival Soccer Field

SUMMARY:

The Town of Berlin has recently been working with WMC Consulting Engineers planning and designing the renovation of Percival Soccer Field. As the committee of town staff and consultants from WMC discussed the field needs and the plans for renovation, it was decided that due to budgetary numbers, the job would be scaled back to amending the most troublesome areas of the field instead of an entire overhaul.

Attached to this document is the design from WMC that was went out to bid for Construction Services. As you can see, there were several areas of the field that would have been renovated which were the high priority areas.

The Town went out to bid on March 3, 2021 for Construction Services for Percival Field Renovations. Bids were received on March 24, 2021 from two vendors. After careful review of the submitted bid proposals, conversations with WMC and other Town staff, it was decided to not move forward with the project any further at this time.

Currently, the Town has dedicated \$215,000 (including design, bidding, construction administration and construction). After reviewing the plans and evaluating surface and subsurface conditions, we believe it's in the Town's best interest to delay the project until Spring 2022, expand the project scope to address many more needs and increase the budget to \$390,000. The additional funding is available under the existing bond authorization. With Council approval, we would complete design work over the Fall 2021, construction in Spring 2022 and include the project in the anticipated June 2022 bond package.

ACTION:

No action needed.

ATTACHMENTS:


Proposed Design of Percival Soccer Field

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Park Services
Steven Wood, Superintendent of Parks and Grounds Department

Agenda Item No. 9
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: March 19, 2021

SUBJECT: Alex Joslyn of J & S Soccer Camps, LLC to charge a registration fee of \$100 for the J & S Youth Soccer Camp

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, March 11, 2021 recommended that Alex Joslyn of J & S Soccer Camps, LLC be able to charge a registration fee of \$100 for the J & S Youth Soccer Camp which will take place June 21 to June 24, 2021 from 5:00 PM to 7:00 PM at Sage Park Auxiliary Field. The camp will have approximately 25 children.

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


ACTION NEEDED:

Move to approve Alex Joslyn of J&S Soccer Camps, LLC to charge a registration fee of \$100 for the J & S Youth Soccer Camp which will take place June 21 to June 24, 2021 from 5:00 PM to 7:00 PM at Sage Park Auxiliary Field. The camp will have approximately 25 children.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Park Services 

Agenda Item No. 10
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: March 15, 2021

SUBJECT: P & Q Enterprises to charge fees for Youth Football Skills and Drills Camp

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, March 11, 2021 recommended that John Paul Demko and Max Delorenzo of P & Q Enterprises LLC be able to charge a registration fee of \$150 to \$250 for the Youth Football skills and drills camp taking place from June 28 – July 1, 2021. The camp will run from 4:45PM to 8:45PM for approximately 65 children at Scalise Field.

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

ACTION NEEDED:

Move to approve John Paul Demko and Max Delorenzo of P & Q Enterprises LLC to charge a registration fee of \$150 to \$250 for the Youth Football skills and drills camp taking place from June 28 – July 1, 2021. The camp will run from 4:45PM to 8:45PM for approximately 65 children at Scalise Field.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Park Services

Agenda Item No. 11
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: March 30, 2021

SUBJECT: Adoption of Resolution in Support of “Home Rule” in Municipal Zoning Decision Making by Berlin Town Council

Summary of Agenda Item:

The Support of “Home Rule” in Municipal Zoning Decision Making Resolution put forth by the Berlin Town Council states that it is opposed to State mandated one size fits all Zoning Legislation and the ability of any outside housing authority to have jurisdiction over Berlin’s Affordable Housing Plan and any similar legislation that would further overrule, remove, or diminish local control and decision making related to planning and zoning or affordable housing from the Town of Berlin and urges the Governor and its elected representatives in the General Assembly to oppose any measure that would support State mandated zoning legislation.

Action

Move to adopt the attached Berlin Town Council Resolution in Support of “Home Rule” in Municipal Zoning Decision Making.

Attachments:

Resolution of Berlin Town Council in Support of “Home Rule” in Municipal Zoning Decision Making.

Prepared By:

Arosha Jayawickrema, Town Manager

A RESOLUTION BY THE BERLIN TOWN COUNCIL IN SUPPORT OF “HOME RULE” IN MUNICIPAL ZONING DECISION MAKING

WHEREAS, Connecticut’s towns and cities successfully use local zoning and planning processes to balance private property rights, the community’s interests, demands on infrastructure, housing needs, and economic growth; and

WHEREAS, local control and decision making empowers the residents and taxpayers of each town and city to carefully tailor zoning policies that reflect its unique geography, economy, and housing market; and

WHEREAS, localized decision making ensures the greatest level of accountability while allowing affected community members the greatest level of input and the platform through a public hearing to provide specific, relevant information on potential impacts that only they would have knowledge of; and

WHEREAS, local control and local input enable neighbors and the local community to provide beneficial suggestions, identify errors and maximize community buy-in on zoning proposals; and

WHEREAS, proposals have been introduced in the General Assembly to strip local planning and zoning processes from towns and cities; and

WHEREAS, proposals have been introduced in the General Assembly to allow BY RIGHT market value multi-family development that will not generate any new affordable housing units; and

WHEREAS, proposals have been introduced in the General Assembly to allow outside Housing Authorities within 15 miles radius to develop affordable housing projects within our [town/city]; and

WHEREAS, BY RIGHT multi-family development can lead to exponential market value overbuilding and can cause adverse impacts to town infrastructure; and

WHEREAS, BY RIGHT development gives outsized rights to builders over all other property owners and prevents local Planning and Zoning Commissions from identifying the potential impacts of their project and imposing conditions upon a developer to address those direct impacts; and

WHEREAS, eliminating public hearings and community input on zoning matters would have unintended consequences such as increased infrastructure costs, increased local property taxes, and reduced home and business values which will be borne by the town residents; and

WHEREAS, each town and city already have the choice to modify or abolish its zoning ordinances if the elected town or city government decides it best serves the community’s interests; and

WHEREAS, over the course of decades, Berlin has planned for, grown, and diversified its affordable housing stock; and

WHEREAS, Berlin's Zoning Regulations ("Regulations") provide various options for development of affordable housing and additional affordable units have been obtained during the application process by agreements with applicants; and

WHEREAS, Berlin's commitment to providing affordable housing alternatives to its residents, both existing and prospective, is apparent from the content of the Berlin Zoning Regulations and the number of affordable housing units available in the Town; and

WHEREAS, per the recently released 2020 Affordable Housing Appeals List, 9.24% of Berlin's 8,140 total housing units were confirmed as affordable: and

WHEREAS, due to the Town's commitment and consistent effort to expand affordable opportunities, Berlin is likely to reach 10% within the next year or so and has been a consistent leader year after year among non-exempt municipalities in increasing and maintaining its affordable housing stock; and

WHEREAS, Berlin is readying to perform a housing needs assessment and land use and zoning assessment in the coming months to prepare, adopt, and submit its Affordable Housing Plan by July 24, 2022 in compliance with C.G.S. section 8-30j.

NOW BE IT RESOLVED the Town Council of the Town of Berlin opposes State Mandated one size fits all Zoning Legislation and the ability of any outside housing authority to have jurisdiction over Berlin's Affordable Housing plan and any similar legislation that would further overrule, remove, or diminish local control and decision making related to planning and zoning or affordable housing from the Town of Berlin: and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to all State Representatives and State Senators representing this town, to all members of the State Legislature's Planning and Development, Finance and Housing Committees, and to all legislators sponsoring bills that remove local control of planning and zoning and affordable housing.

PASSED AND ADOPTED this 6th day of April 2021
Berlin Town Council

BY: Mark H. Kaczynski, Mayor

Agenda Item No. 12
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: March 30, 2021
SUBJECT: Small Cities CDBG Grant/ Fair Housing Month

Summary of Agenda Item:

As a recipient of a Small Cities Community Development Block Grant for 2012 Small Cities funding, it is a Department of Economic and Community Development Program requirement that our community actively evidence its commitment to and support for the principles and practices of Fair Housing and Equal Opportunity. April is designated as Fair Housing Month and as such is an ideal time for our community to reaffirm its commitment to Fair Housing and Equal Opportunity. The Town must readopt the Fair Housing Resolution, Fair Housing Policy Statement, Affirmative Action Policy Statement, and Compliance with Title VI of the Civil Rights Act of 1964.

Action Needed:

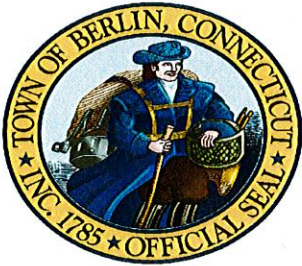
Move to readopt the Fair Housing Resolution, the Fair Housing Policy Statement, Affirmative Action Policy Statement and the Compliance with Title VI of the Civil Rights Act of 1964 Statement.

Attachments:

1. Fair Housing Resolution
2. Fair Housing Policy Statement
3. Affirmative Action Policy Statement
4. Compliance with Title VI of the Civil Rights Act of 1964

Prepared By:

Arosha Jayawickrema, Town Manager



TOWN OF BERLIN

Office Of The Town Manager

FAIR HOUSING RESOLUTION

- Whereas, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and
- Whereas, Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and
- Whereas, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and
- Whereas, The **Town of Berlin** is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOVED, That the **Town of Berlin** hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

BE IT FURTHER RESOLVED, That the chief executive officer of the **Town of Berlin** or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the **Town of Berlin** and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

Adopted by the Town of Berlin on _____.

Arosha Jayawickrema, Town Manager

Town Seal

240 KENSINGTON ROAD • BERLIN, CT 06037
TELEPHONE (860) 828-7002
FAX (860) 828-7068



TOWN OF BERLIN

Office Of The Town Manager

FAIR HOUSING POLICY STATEMENT

It is the policy of the Town of Berlin to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by the Town of Berlin must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The Town of Berlin or any subrecipient of the Town will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, gender identity or expression, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of Berlin.

The municipality's Town Manager, Aroscha Jayawickrema, is responsible for the enforcement and implementation of this policy. The Town Manager can be reached at 860-828-7002 or by e-mail at ajayawickrema@town.berlin.ct.us.

Complaints pertaining to discrimination in any program funded or administered by the Town of Berlin may be filed with the Town Manager in the Town Manager's Office. The municipality's Grievance Procedure will be utilized in these cases.

Complaints also may be filed with the Commission on Human Rights and Opportunity, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, telephone 860-541-3403 within 180 days of the alleged violation by submitting a notarized complaint and/or the Boston Regional Office of FHEO, U.S. Department of Housing and Urban Development, Thomas P. O'Neill, Jr., Federal Building, 10 Causeway Street, Room 321, Boston, MA 02222-1092, telephone (617) 994-8300 or 1-800-827-5005, TTY (617) 565-5453. A complaint may be filed with HUD within one year after an alleged violation. Additionally, an individual may file suite, at his/her expense, in Federal District Court or State Court within two years of an alleged violation. If the individual cannot afford an attorney, the Court may appoint one. A suit can be brought even after filing a complaint, if the complaining party has not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

A copy of this Policy Statement will be given annually to all Town of Berlin employees and they are expected to fully comply with it. In addition, a copy will be posted throughout Town of Berlin.

Revised 4/16/2021

Date

Arosha Jayawickrema, Town Manager

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE BY CONTACTING AROSHA JAYAWICKREMA, 240 KENSINGTON ROAD, BERLIN, CT 06037 OR BY TELEPHONE AT 860-828-7002.



TOWN OF BERLIN

Office Of The Town Manager

AFFIRMATIVE ACTION POLICY STATEMENT

As Town Manager of the Town of Berlin, I recognize the need for Affirmative Action and I pledge my commitment to undertake positive actions to overcome the present effects of past practices or barriers to equal employment opportunity and to achieve the full and fair participation of minorities, women, people with disabilities, older persons, and all other protected groups found to be underutilized in the Town of Berlin's work force or affected by policies having an adverse impact. In the spirit of Executive Order 11, signed by Governor Ella Grasso November 21, 1975, and Executive Order 9, signed by Governor William A. O'Neill on January 3, 1984, I further state that the Town of Berlin will comply with the anti-discrimination provisions of the state and federal laws and regulations listed at the end of this section.

I recognize the hiring difficulties experienced by minorities, people with disabilities and by many older persons and, where appropriate, I have set goals to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of such persons in the work force. I further pledge that the Town of Berlin will affirmatively provide services and programs in a fair and impartial manner.

Where adverse impact is identified, the Town of Berlin will: (1) review its personnel policies and procedures to ensure that barriers, which unnecessarily exclude protected classes and practices, which have an illegal discriminatory impact, are identified and eliminated; (2) explore alternative approaches to employ minorities and members of protected classes; (3) administer all terms, conditions, privileges and benefits of the employment process in an equitable manner; and (4) establish procedures for the extra effort that may be necessary to ensure that the recruitment and hiring of protected group members reflect their availability in the job market.

It is the policy of the Town of Berlin to provide equal employment opportunities without consideration of race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, mental retardation, learning or physical disabilities, including but not limited to, blindness, sexual orientation, political belief or criminal record, unless the provisions of Section 46a-60(b), 46a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification excluding persons in one of the above protected groups. This policy applies to all aspects of the employer/employee relationship including, but not limited to, recruitment, hiring, referrals, classifying, advertising, training, upgrading, promotion, benefits, compensation, discipline, layoff and terminations.

The Town of Berlin will implement, monitor and enforce this Affirmative Action Policy Statement in conjunction with the applicable federal and state laws, regulations and executive orders listed below: 13th, 14th and 15th Amendments of the United States Constitution, Civil

Rights Act of 1866, 1870, 1871, Equal Pay Act of 1963, Title VI and VII of the 1964 United States Civil Rights Act, presidential Executive Orders 11246, amended by 11375, (Nondiscrimination under federal contracts), Act 1 Section 1 and 20 of the Connecticut Constitution, Governor Grasso's Executive Order Number 11, Governor O'Neill's Executive Order Number 9, the Connecticut Fair Employment Practices Law (46a-63-64), Discrimination against Criminal Offenders (46a-80), Connecticut General Statutes, Connecticut Code of Fair Accommodations Law (46-63-64), definition of Blind (46a-51 (1), definition of Physically Disabled (46a-51 (15), definition of Mentally Retarded (46a-51 (13), cooperation with the Commission of Human Rights and Opportunities (46a-77), Sexual Harassment (46-60-(a) Connecticut Credit Discrimination Law (360436 through 439), Title I of the State and the Local Fiscal Assistance Act of 1972 and the Americans with Disabilities Act of 1992.

This policy statement will be given annually to all Town of Berlin employees and will also be posted throughout the Town of Berlin. I also expect each supplier, union, consultant and other entity (s) with which we do business to comply with all applicable State and Federal Equal Opportunity laws and regulations. The Town of Berlin will not knowingly do business with any entity debarred from participation in any federal or state program or found to be in violation of any state or federal anti-discrimination law.

I have assigned the responsibility to achieve the successful implementation of our goals and objectives to
Arosha Jayawickrema, Town Manager of the Town of Berlin, who can be reached at 860-828-7002 or ajayawickrema@town.berlin.ct.us.

Date

Arosha Jayawickrema, Town Manager

**THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE FROM
THE ADA-504 COORDINATOR BY CALLING 860-828-7115.**



TOWN OF BERLIN

Office Of The Town Manager

COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

The **Town of Berlin** does not discriminate in the provision of services, the administration of its programs, or contractual agreements. The **Town of Berlin** seeks to fully carry out its responsibilities under the Title VI Regulations.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin in programs and activities receiving Federal financial assistance. Title VI provides that No person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs covered by the Regulations.

This policy is effectuated through the methods of administration outlined in the **Town of Berlin's** Fair Housing Plan and is fully implemented to ensure compliance by the **Town of Berlin**, as the recipient, and by subrecipients. The cooperation of all **Town of Berlin** personnel is required.

Arosha Jayawickrema, Town Manager

Date

2020-2021

Boldface items approved by Bd. of Finance and Town Council.

All others approved by Town Manager.

Bud.Chg. #	Department	Other			Comments
		Contingency	Fund Bal.	General Fd.	
21-001	Recreation			\$248.00	Computer Support (from Supplies)
21-002	Recreation			\$248.00	Computer Support (from Supplies)
21-003	Fire Dept.			\$450.00	Foam (from Firehoses, Nozzles, and Tools)
21-004	Revenue Collector			\$100.00	Rev. Collection Surcharge (from Computer Support)
21-005	Town Clerk			\$950.00	Supplies (from Prof. Devel.)
21-006	Nursing			\$11,365.00	Dept. Head & related fringes (from Prof. Serv.)
21-007	Fire Marshal			\$1,000.00	Professional Personnel & related fringes (from Contrac. Serv.)
21-008	Town Clerk & Registrar			\$15,722.00	State Election Grant
21-009	Revenue Collector			\$385,000.00	Tax Refunds (from Issue of June 202) dated 4/1/21
21-010	Police Dept.		\$252,992.00		Body Cameras
21-011	Development Services			\$3,900.00	Dept. Head, In Lieu of Ins., Workers Comp. (from Part Time)
21-012	Public Works			\$970.00	Dept. Head, Work. Comp., Pension (from Salary Contin.)
21-013	Public Grounds			\$1,000.00	Prof. Devel. (from Aeration, Overseeding)
21-014	Technology			\$1,000.00	Misc. Equipment (from Computer Equipment)
21-015	Golf			\$4,999.00	Vehicle Parts (from Maint. & Repair)
21-016	Golf			\$1,358.00	Fertilizer/Chemicals (from Vehicle Fuel)
21-017	Townwide			\$3,500.00	Physicals (from Contrac. Serv.)
21-018	Building Dept.			\$5,000.00	Clerical (from Dept.Head, Part Time)
21-019	Police Dept.			\$750.00	Clerical (from Dispatchers)
21-020	Town Clerk			\$27.00	Part Time, Workers Comp. (from Supplies)
21-021	Fire Dept.			\$1,290.00	Foam (from Fire Fighting Equip.)
	Townwide		\$2,000,000.00		Pension Actuarial Funding (from Unassigned Fund Bal.)
21-022	Assessor			\$4,950.00	Contrac. Serv. (from Clerical)
21-023	Assessor			\$50.00	Contrac. Serv. (from Clerical)
21-024	Golf				Return funds to Cap.Reserve - used for Timberlin 50th anniv.
21-025	Highway			\$5,000.00	Excavator (from Wood Chipper)
21-026	Town Clerk			\$10.00	Organizational Fees (from Prof. Devel.)
21-027	Police Dept.			\$2,000.00	Maint. & Repair (from Equip. Rental)
21-028	Golf			\$420.00	Computer Support (from Org. Fees)
21-029	Town Clerk			\$92.50	Computer Support (from Supplies)

2020-2021

Boldface items approved by Bd. of Finance and Town Council.

All others approved by Town Manager.

Bud.Chg. #	Department	Other			Comments
		Contingency	Fund Bal.	General Fd.	Other Fund
21-030	Revenue Collector			\$6.11	Workers Comp. (from Soc. Security)
21-031	Development Services			\$65.85	Workers Comp. (from Part time help)
21-032	Public Buildings			\$125.00	Longevity (from Pension)
21-033	Recreation			\$5.00	Longevity (from Pension)
21-034	Library			\$25.00	Workers Comp. (from Pension)
21-035	School Expenses			\$0.50	Mid Managers Personnel (from Dept. Head)
21-036	Nursing			\$4,129.75	Dept. Head (from In Lieu of Vacation)
21-037	Town Clerk			\$138.75	Computer Support (from Office Supplies)
21-038	Town Clerk			\$500.00	Contrac. Serv. (from Prof. Devel.)
21-039	Town Clerk			\$1,400.00	Microfilming/Records Repair (from Records Management)
		\$0.00	\$2,252,992.00	\$452,795.46	\$9,000.00

Cumulative Appropriations

\$2,268,714.00

Bal. of Contingency Account

\$100,000.00

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
10/6/2020 Waive Police traffic control fees - Berlin Lions Club	\$375.00
10/20/2020 Waive Building permit fees - VFW	\$285.00
11/24/2020 Waive field usage fees - Nutmeg State Games (July 2021)	\$5,980.00
3/16/2021 Waive Police Fees - BHS Cycling Club bike race at Hatchery Brook	\$1,200.00

\$8,575.00

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:

Join meeting

Join from the meeting link

<https://townofberlin.my.webex.com/townofberlin.my/j.php?MTID=m3782e5785c0dac41ea38d3eba97921ba>

Tap to join from a mobile device (attendees only)
+1-408-418-9388, 1321003900#2686245# United States Toll

Meeting number (access code): 132 100 3900
Meeting password: Council (2686245 from phones and video systems)

**TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, March 16, 2021
Remote Meeting
7:00 P.M.**

A. CALL TO ORDER

Mayor Kaczynski called the meeting to order at 7:06 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Those in attendance were:

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

Also in attendance:

Town Manager Arosha Jayawickrema
Corporation Counsel Jeffrey Donofrio

D. AUDIENCE OF CITIZENS

Chris Edge, Economic Development Director – Mr. Edge stated that the ground-breaking ceremony for the first building at the Steel Center at the Train Station will be held on Monday March 22, 2021 at 11:00 a.m. This will be a Berlin-only celebration and Council members are invited to attend.

E. MEETING AGENDA – Immediately Following the Audience of Citizens

F. CONSENT AGENDA:

1. **Topic re: Accept monetary donations totaling \$1,103.56 for the Berlin Peck Memorial Library and deposit \$50.00 into the library agency account to be used to purchase books in memory of Morgan Seelye and deposit \$960.22 in the friends of the library miscellaneous account to be used for programs, supplies and two museum pass renewals and deposit \$93.34 into the friends of the library credit card account to pay for children's program supplies and move to accept the donation of DVDs and books with an estimated value of \$256.88 to be added to the appropriate department collections. – Berlin-Peck Memorial Library**
2. **Topic re: Accept the donations of \$75.00 and appropriate the funds to the Supplies Expenditure Account. – Police Department**

Councilor Luddy moved to accept the Consent Agenda as presented.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

G. NEW BUSINESS:

1. **Topic re: Presentation on the 2021-2022 Mattabassett Sewer District Budget – Mattabassett District**

Topic will be presented at the next Town Council meeting.

2. **Topic re: Approve the request by the Berlin High School Riding Redcoats Cycling Club and the Connecticut Cycling Advancement to approve a Bike Race to take place at the Hatchery Brook Conservation Area on June 6, 2021, with the conditions that the applicants work with the Conservation Commission to assure that the trails are in a condition to accommodate a bike race and that the trails will be fully restored after the race; COVID-19 protocols will be followed; noticing given to surrounding properties, as described; traffic management be coordinated with the Police Department and the associated fee waiver for the police services provided for the event, this is in the best interest of the town. – Planning and Zoning**

Acting Town Planner Maureen Giusti stated that this request is to authorize the Connecticut Cycling Advancement program in conjunction with the Berlin High School Cycling Club to hold a mountain bike trail race from the Hatchery Brook Conservation Area. This event was also held in 2017 and 2018 and had been approved for 2019 and 2020 but those events were cancelled.

Racing will run from 8:00 a.m. to 3:00 p.m. with set up beginning at about 6:00 a.m. and clean up going until approximately 6:00 p.m. The race coordinators expect 75 or fewer riders at the site at one time, with from 200 to 250 participants in total. COVID-19 protocols will be in place. Ms. Giusti added that the Conservation Commission minutes provided to Council members stated the incorrect number of total participants and that correction was made at their meeting last week.

Race coordinators will be working with the Conservation Commission to ensure that the trails are suitable for the race and that they are restored after the race. Port-a-potties will be placed in the Hatchery Brook parking area on Orchard Road and picked up the following day, neighbors will be notified of the race, coordination will be made with the police department and Town Risk Manager, and parking for participants will be on Linden Drive and Summit Wood Drive.

Ms. Giusti added that there have been no recorded issues with this race in the past, and the Conservation Commission endorsed the 2021 event at their meeting on February 8, 2021. The applicant is also requesting a fee waiver for the cost of police services on race day.

Councilor Luddy moved to approved the request by the Berlin High School Riding Redcoats Cycling Club and the Connecticut Cycling Advancement to approve a Bike Race to take place at the Hatchery Brook Conservation Area on June 6, 2021, with the conditions that the applicants work with the Conservation Commission to assure that the trails are in a condition to accommodate a bike race and that the trails will be fully restored after the race; COVID-19 protocols will be followed; noticing given to surrounding properties, as described; traffic management be coordinated with the Police Department and the associated fee waiver for the police services provided for the event, this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

3. Topic re: Authorize the Town Manager to waive the bidding requirements, and award Lenard Engineering the contract to design a new ductile iron pipe to replace an older concrete pipe for an amount not to exceed \$107,000.00, as this is in the best interest of the Town. – Water Control

Water Control Manager Ray Jarema explained that it was discovered that a major water transmission line that runs along the Berlin Turnpike from Deming Road to Woodlawn Road was constructed utilizing a 20" concrete pipe which is unusual, and piping of this age is subject to unforeseen catastrophic failure. With two major projects forthcoming in the area, it is imperative that this line be replaced with a 16" ductile iron line

The Berlin Water Control Commission (BWCC) is recommending the services of Lenard Engineering for the design work as they have been involved in other projects within town and have done work for the Worthington Fire District and any failure with this pipe would directly affect that district. Deputy Director of Public Works Jim Horbal added that Lenard has already done the modeling of the water system for the Town of Berlin and the Worthington Fire District. If the Town were to hire another consultant, the Town would need to pay them additional fees to have the modeling of the pressure systems done which would then lead to additional costs.

Mr. Jarema added that the BWCC will also be looking into a Drinking Water State Revolving Fund loan through the Department of Public Health to assist in funding this project. The total cost of the project would be about \$1.8 million.

Councilor Luddy moved to authorize the Town Manager to waive the bidding requirements, and award Lenard Engineering the contract to design a new ductile iron pipe to replace an older concrete pipe for an amount not to exceed \$107,000.00, as this is in the best interest of the Town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

4. Topic re: Transfer \$240,866.65, as detailed on the accompanying spreadsheet, to cover higher than budgeted expenditures in identified accounts. – Finance

Finance Director Kevin Delaney stated that these transfers typically occur at this time of year. One of the transfers is for the funds needed for the design services discussed in tonight's agenda item #3.

The other items relate to personnel changes made during the year. With the retirement of the Treasurer, it was decided to consolidate Treasury into the Finance department and hire a lower-level clerical employee. The first transfer moves money from the Treasury department to the Finance department for that reason.

Also, with the hiring of an IT Director the IT functions are being consolidated into the IT department. This transfer moves funding from the Police Department into IT. The Police will still have dedicated IT support, this is just moving the budget funds.

The final item deals with health insurance changes employees made during the year.

Councilor Luddy moved to transfer \$240,866.65, as detailed on the accompanying spreadsheet, to cover higher than budgeted expenditures in identified accounts.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

5. Topic re: Authorize the Town Manager to retain the services of Joseph Fasi, LLC to prepare bond authorization documents for lighting upgrades, and authorize the Town Manager to schedule and advertise for a Public Hearing to be held April 6, 2021 at 7:00 p.m. on an ordinance entitled "An Ordinance appropriating \$1,500,000 for lighting upgrades (2021), and authorizing the issue of \$1,500,000 bonds to the Town to meet said appropriation and pending the issuance thereof, the making of temporary borrowings for such purpose". – Finance

Town Manager Jayawickrema stated that at the last Town Council meeting he discussed an Eversource incentive program that the Town would be interested in participating in for lighting upgrades. An ordinance is required to appropriate the \$1,500,000 temporary borrowings.

Finance Director Delaney added that because of the nature of what the project would entail it would be on-bill financing at 0%, there would be no cash outlay for the Town up front, and the money would be repaid over a four-year period. Based on the first contractor's presentation the savings from the project would fund the cost of the project. Additional incentives from Eversource are available by June 30, 2021 so the initial focus in that timeframe will be Berlin High School and possibly McGee. The intent of the project at the high school is to replace lighting with more energy efficient LED lighting and to upgrade the light sensors. After that will be to do Town Hall and the Library/Community Center as the next two highest utilizers of electricity.

With this project the funding comes from Eversource to the contractor. The Town will have on-bill payments for the net amount, thereby getting the rebate savings upfront, and then repaying the difference. The reason the ordinance amount is so high is that the Town has to bond for the full cost of the project, but the Town doesn't intend to issue any bonds or any true debt but by its' nature it will represent debt. In talking with Bond Counsel, the Town needs to have the ordinance in place where Town Council authorizes the debt.

The Town Manager added that combination of upfront Eversource incentives and the reduction in energy usage will pay for the project in the four-year time frame. The Town will be talking with additional contractors and once one is chosen, he will return to the Council with the analysis for their review.

Mr. Delaney stated that tonight's agenda item is to authorize drafting the ordinance, and even if the ordinance is approved the Council still has the opportunity to turn down the project and there will be no debt for the Town.

Councilor Luddy inquired about incorporating field lighting in Town. The Town Manager stated that the lighting usage is not that high so incentives will not pay for it. Mr. Delaney added that Eversource has very specific formulaic process and field lights are just not used that much compared to building usage.

Councilor Luddy moved to authorize the Town Manager to retain the services of Joseph Fasi, LLC to prepare bond authorization documents for lighting upgrades, and authorize the Town Manager to schedule and advertise for a Public Hearing to be held April 6, 2021 at 7:00 p.m. on an ordinance entitled "An Ordinance appropriating \$1,500,000 for lighting upgrades (2021), and authorizing the issue of \$1,500,000 bonds to the Town to meet said appropriation and pending the issuance thereof, the making of temporary borrowings for such purpose".

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

6. **Topic re: Authorize the Town Manager to apply for an AARP Community Challenge Grant in the amount of \$75,000 to create a recreation and fitness trail at Pistol Creek that will be accessible to people of a range of ages and abilities and to provide a \$7,500 match from the Playground Equipment account if the grant is awarded. – Parks and Recreation/Public Grounds/Economic Development**

Economic Development Director Chris Edge stated that if this grant is received it will be used to create a recreation and fitness trail based off the recently repaved trails at Pistol Creek. Mr. Edge added that different items for fitness will be added along the trail, such as places to stop and do sit-ups, etc. The grant requires a 10% Town match.

Councilor Luddy moved to authorize the Town Manager to apply for an AARP Community Challenge Grant in the amount of \$75,000 to create a recreation and fitness trail at Pistol Creek that will be accessible to people of a range of ages and abilities and to provide a \$7,500 match from the Playground Equipment account if the grant is awarded.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

7. Topic re: Authorize the Town Manager to apply for Connecticut Department of Economic and Community Development Brownfields assessment grants in order to advance the investigation of the environmental condition of the Connecticut Sand & Stone and Christian Lane properties. – Economic Development

Economic Development Director Edge stated that Connecticut Sand & Stone are the owners of property located on New Britain Road. They have an agreement to sell the property to Real Property Acquisitions LLC, a subsidiary of Clean Earth Inc. The plan for the property is to eventually develop a heavy-industrial site. Although Connecticut Sand & Stone is delinquent in their property taxes, they have been making monthly payments. If this grant is received \$50,000 will be directed to this property and the owners will be providing up to \$75,000 for additional testing. The resulting outcome of this project is intended to further economic and community development through the development of a Brownfield property to generate additional business and job creation for the Town.

The second property located on Christian Lane contains approximately 6 acres that have never been developed and have environmental issues. A \$50,000 assessment grant would be used to obtain environmental assessment in order to facilitate its reuse.

During the pre-application process through the Connecticut Department of Economic and Community Development that office stated they would like to see an application for both properties.

Councilor Luddy moved to authorize the Town Manager to apply for Connecticut Department of Economic and Community Development Brownfields assessment grants in order to advance the investigation of the environmental condition of the Connecticut Sand & Stone and Christian Lane properties.

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 an R or U.

2. **Cemetery Committee – Alternate – Vacancy** -Term would be until January 31, 2027. Can be filled with a D, R or U.
3. **Housing Authority** – Michele Yarincik (R) term expires on March 31, 2021. Reappointment or replacement term would be until March 31, 2026. Can be filled with a D, R or U.

Councilor Luddy placed in nomination the name of Michele Yarincik (R) of 957 Chamberlain Highway for appointment to the Housing Authority.

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 Michele Yarincik (R) to serve on the Housing Authority. Term ending March 31, 2026.

4. **Inland Wetlands & Water Courses Commission – Alternate – Vacancy** – New term would be until January 31, 2023. Can be filled with a D, R or U.
5. **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.
6. **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.
7. **Public Building Commission – Vacancy** - New term would be until January 31, 2025. Can be filled with a D, R or U.
8. **VNA – Vacancy** - Replacement term would be until January 31, 2023. Can be filled with a D, R or U.

Councilor Luddy placed in nomination the name of Peter Zarabozo (D) of 158 Ellwood Road for appointment to the VNA.

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

Vote being 7-0 in favor of Peter Zarabozo (D) to serve on the VNA. Term ending January 31, 2023.

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

11. VNA – Vacancy - Replacement term would be until January 31, 2024. Can be filled with a D, R or U.
12. VNA – Vacancy - Replacement term would be until January 31, 2024. Can be filled with a D, R or U.
13. VNA – Vacancy - Replacement term would be until January 31, 2024. Can be filled with a D, R or U.
14. VNA – Vacancy - Replacement term would be until January 31, 2024. Can be filled with a D, R or U.
15. Water Control Commission – Alternate – Vacancy -New term would be until January 31, 2026. Can only be filled with a D or U.
16. Youth Services Advisory Board – Service Consumer- Vacancy – New term would be until January 31, 2024.

I. TOWN MANAGER'S REPORT:

- Town Budget – The Town Manager's budget has been submitted and includes an increase of \$4.4 million which translates into a 9.8% budget increase. The Board of Education had a \$2.1 million increase which is about 4.6%. The Town's budget includes \$2.2 million for the pension and \$1.5 million for capital requests. If you remove those items, the Town's increase is 1.5% and the total for both is ~ 3%.

Tax revenue to support the proposed budget will need to increase almost \$4.9 million which would affect the mil rate. The pension will be covered through fund balance and there are other increases in expenses that will have no impact on the mil rate such as a new position in the Building department and an increase in expenses at Timberlin Golf Course both of which will be funded by an increase in fees to offset. In the General Government budget, the Town is asking the Board of Finance to increase the contingency to \$300,00 and take it out of fund balance, again with no impact on the mil rate.

The total employee-related costs in the FY 2022 budget are \$447,000 more, or a 1.2% increase over the current year, with the reason being adjustments were made including a 3.5 full time employee reduction with 2.5 of that being from the VNA and the other not filling the Town Planner position.

Department heads were requested not to ask for anything new and they haven't, but the one thing the Town Manager is asking is that the added full-time position in the Building Department not be cut from the budget as there are major projects happening in Town and having the ability to turn things around quickly provides a high level of customer service.

Tomorrow is the second Board of Finance Budget Workshop at 7:00 p.m.

- Mayor Kaczynski addressed the YMCA/Board of Education childcare topic that was discussed at the March 2, 2021 Town Council meeting. The Town Council, Board of Education and Superintendent of Schools realized that the high school location was not going to work out as a daycare site and there was discussion that Willard School may be a good alternative.
- The Mayor inquired about the State of Connecticut Department of Energy and Environmental Protection (DEEP) Athletic Facilities Improvements Grant status. The Town Manager stated that the Town will be unable to do all of the original elements of the project as there is not sufficient funding so a revised request will be submitted that will include installing artificial turf at Biscoglio Field (inside of the Berlin High School track), upgrading the lights at Sage Park to LED, and the installation of the scoreboard at Scalise Field. The road project that was part of the original request, along with the construction of a restroom/concession building at Sage 1, have been eliminated from the project request due to costs.

Once the DEEP approves the revised request and the grant funds are allocated it may not be until Spring 2022 that work begins on these projects.

- Mayor Kaczynski requested that Corporation Counsel Donofrio speak on the situation with the VNA. Atty. Donofrio stated that in March of 2019 the Board of Finance (BOF) inquired about whether or not the Town could defund the VNA. He informed the Board that under Connecticut law, every municipality has some basic public health responsibilities. How the municipality complies is up to each municipality. Some towns have their own public nursing, some towns contract with third-party providers, and some towns have their own VNA. Berlin chose by Charter to establish the Berlin VNA and to make them responsible for the provision of public health, visiting nurse and school health services. The Charter also requires the VNA have an administrator and a Board.

Atty. Donofrio emphasized to the BOF in March 2019 that ultimately, it's all about the patients and the patients have significant rights under Federal law. There are actions that patients can bring if there is disruption in service. Therefore, from a legal perspective there is significant liability if someone falls through the cracks while the Town is transitioning to another provider. Atty. Donofrio recommended an operations audit to the BOF but it never happened.

In 2020 Atty. Donofrio was contacted again because the VNA was generating a significant operating loss. Upon meeting with the Town Manager, Finance Director, Mayor Kaczynski and BOF member Gerry Paradis they discussed generating an RFP to identify alternatives the Town could pursue whether under the Berlin VNA model or under a different model. The RFP was issued and there were no responses.

Defunding the VNA or eliminating the services that the Town has a statutory obligation to provide is not the best option from a legal perspective. Atty. Donofrio believes that the best course going forward is to engage a professional as a consultant but using different approaches with the RFP such as posting it on the DAS portal, targeting qualified organizations and sending them the RFP, and looking at whether it was out long enough to get qualified responses.

- Electricity Pricing – The Town has had a contract with Constellation Energy through December 31, 2021 to purchase energy for 9.24 cents/kwh. In partnering with the Connecticut Conference of Municipalities the Town has decided to go with another supplier, Titan Energy, at a cost of 7.2 cents/kwh. Based on current usage the savings will be ~\$147,000 beginning in January 2022.
- Berlin High School Duct Work Project – A new RFP is being created to tighten up the specifications of the project and that will be going out this week. By mid-April the Town should have a contractor and a price for the duct work issue and then they will reach out to the Board of Education to discuss closing out the high school project.
- COVID-19 – Some Town employees have been allowed to work from home or have flex schedules during the pandemic but beginning on Monday March 29th the Town will return to normal work schedules. Town Hall will still be open by appointment only.

Depending on how the COVID numbers go the Town Manager will begin allowing meetings in person beginning in April or so, however the public will only be able to attend remotely and board members have the option to attend remotely if they feel more comfortable doing so.

By May or so the Town Manager will look into the possibility of reopening Town Hall to the public, once again depending on COVID numbers.

J. SPECIAL COMMITTEE REPORTS:

None

K. COUNCILORS' COMMUNICATION:

Councilor Angelico-Stetson stated that she had been invited by the Woman's Center at CCSU to be a panelist at the Elect Her campaign training event last week and it was a fantastic event. She was delighted to see so many young progressive women looking to dedicate their lives to public service in the political arena.

In response to Mayor Kaczynski's statement regarding the possibility of using Willard School as the new location for the YMCA daycare, Councilor Urrunaga questioned if the Town Council will be able to look at plans before anything moves forward. Mayor Kaczynski stated that the current storage area at Willard provided enough space for a daycare with access to a playground and parent pickup and drop off. The location is still in the discussion phase and the YMCA needs to examine the space and see if it will work for them.

L. ACCEPTANCE OF MINUTES:

March 2, 2021

Councilor Luddy moved to accept the Town Council Meeting Minutes of March 2, 2021.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

M. EXECUTIVE SESSION:

1. **Executive Session: Executive Session pursuant to C.G.S. Section 1-200(6)(B) to discuss negotiations concerning pending litigation: Sunnova Tep, Helios Issuer, Tesla Energy and Vivint Solar tax appeal litigation.**

Councilor Luddy moved to go into Executive Session: Executive Session pursuant to C.G.S. Section 1-200(6)(B) to discuss negotiations concerning pending litigation: Sunnova Tep, Helios Issuer, Tesla Energy and Vivint Solar tax appeal litigation at 8:18 p.m. Invited in: Town Manager Jayawickrema and Corporation Counsel Donofrio.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Executive Session ended at 8:44 p.m.

N. CONTINUE NEW BUSINESS:

8. **Topic re: Consideration and possible action with respect to proposed residential solar personal property tax appeal settlements in the Sunnova, Helios, Tesla Energy and Vivint Solar tax appeal litigation. – Corporation Counsel**

Councilor Luddy moved to authorize the Town Manager and Town Attorney to settle the solar energy tax appeals as discussed in Executive Session.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

O. ADJOURNMENT

Councilor Luddy moved to adjourn at 8:45 p.m.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall
Town Clerk