

Agenda Item No. 10
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Aroscha Jayawickrema, Town Manager
DATE: November 22, 2021
SUBJECT: Discussion of Contract #2022-03 - Vehicle Wash Bay

SUMMARY:

After receiving the Town Council referral of constructing a fully-enclosed truck wash facility at the Physical Services Complex on Town Farm Lane, the Public Building Commission (PBC) reviewed initial design and budgeting research completed by the Facilities Department, evaluated the site, and conducted research and site visits on comparable public-sector truck wash systems. (As background, improvements are being proposed to address icing and worker safety issues at the existing truck wash, which is not fully enclosed and is open to the elements.) The PBC then issued a Design-Build Request for Proposals (RFP) for a fully-enclosed automated truck wash facility and received only one bid on April 1, 2021 for \$885,000. The RFP was revised and reissued with a bid opening on August 19, 2021, and three bidders responded. As summarized on the attached bid tabulation, the revised bid included two “deduct” Alternates: Alternate 1 reduced the proposed building length from 60 feet to 50 feet, and Alternate 2 removed the automated truck wash system from the scope of work (but still required the building’s configuration and utilities to support a future automated wash system).

The base bids for Contract No. 2022-03 ranged from \$897,000 to \$1,144,768; Staff annotated the original bid tabulation to show adjusted fees by applying one or both of the alternates. The PBC issued follow-up requests to all three (3) bidders to clarify submitted scope and fees, and received the two attached responses (Nosal Builders did not respond). Based on review of the original bids, design drawings, qualifications, and the additional information provided, the PBC recommends awarding the contract to J.A. Rosa Construction, LLC out of Wolcott, CT. Due to the funding issues discussed below, the PBC recommends awarding the contract by applying Alternate 2, which would consist of constructing the proposed 60-foot-long building without a new automated truck wash system at this time. (Highway Department Staff can revamp the existing manual system in the short term, and install the automatic truck wash system when funding is available.) This would reduce J.A. Rosa’s bid to \$778,622 (from \$951,867).

Approximately \$494,000 is currently available in the construction account, and J.A. Rosa's bid (leaving out the automated truck wash system) is approximately \$780,000, leaving a shortfall of approximately \$290,000. It should be noted that negotiation with J.A. Rosa will be required before contract execution, as their bid prices were held until the end of October, 2021. The PBC requested Staff to evaluate sources of additional funding for discussion with the Town Council. Staff identified the following options for funding portions of the estimated shortfall:

- Obtain funds from available Unassigned Fund Balance (Board of Finance approval and Town Meeting would be required)
- Include this project as a Capital Project in the FY23 Budget, and fund the shortfall amount.
- Wait for a future surplus (i.e., towards the end of FY23 at the earliest)
- Utilize future LOCIP (Local Capital Improvement Program) funds
- Utilize funds from the Public Works Contractual Services account to partially offset the shortfall
- Utilize pending FEMA reimbursement for the Highway and Public Grounds cleanup activities after Tropical Storm Isis last year (this could total \$200,000 +/-)

Once the funding source(s) is identified and approved by the Town Council, Town Manager, and Finance Director, the PBC can submit a specific request to award the contract which will likely include a contingency on top of the \$290,000 shortfall.

ACTION NEEDED:

Discussion Only - Town Council feedback on the project and potential funding sources.

ATTACHMENTS:

- 1) Vehicle Wash Bay Bid Tabulation (annotated)
- 2) J.A. Rosa Construction Follow-up Response (dated October 5, 2021)
- 2) Diversity Construction Follow-up Response (dated October 14, 2021)

PREPARED BY:

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

A handwritten signature in blue ink, appearing to be 'MSA', is written over the name Michael S. Ahern.

Town Of Berlin

Town Of Berlin Engineering Department Bid Tabulation Sheet			
Item	Company	Bid Amount	Bid Amount
Existing Conditions/Design/Permitting	Diversity Construction	\$ 60,621.00	\$69,420.00
HEC-RAS Analysis/Stream Survey (If required)	J.A. Rosa Construction, LLC		\$10,200.00
DEEP Vehicle Maintenance Wastewater permit (If required)	J.A. Rosa Construction, LLC		\$3,000.00
Demolition-Slab & Bituminous Concrete	J.A. Rosa Construction, LLC		\$5,760.00
Demolition-Existing Wash Bay (& Garage portions, if req'd)	J.A. Rosa Construction, LLC		\$14,280.00
Site Work and Utilities	J.A. Rosa Construction, LLC		\$65,940.00
Foundations, Slab, Ramps, Paving	J.A. Rosa Construction, LLC		\$63,468.00
Superstructure / Masonry	J.A. Rosa Construction, LLC		\$162,355.00
Automatic Vehicle Wash System	J.A. Rosa Construction, LLC		\$173,245.00
Plumbing, Heating, & Ventilation	J.A. Rosa Construction, LLC		\$82,429.00
Electrical, Alarms, IT, Access Control	J.A. Rosa Construction, LLC		\$182,400.00
Openings (Including Overhead Door Systems)	J.A. Rosa Construction, LLC		\$36,756.00
Finishes, All Other Items, Close-out	J.A. Rosa Construction, LLC		\$83,314.00
TOTAL Base Bid:	J.A. Rosa Construction, LLC		\$951,867.00
Alternate 1:	J.A. Rosa Construction, LLC		(\$20,250.00)
Alternate 2:	J.A. Rosa Construction, LLC		(\$173,245.00)
Acknowledge Addendums 1, 2, & 3	J.A. Rosa Construction, LLC		Yes
		\$ 896,999.00	\$ 951,867.00
Totals deducting both Alternates		\$ 741,000.00	\$ 758,372.00
Totals deducting Alternate 2		\$ 757,000.00	\$ 778,622.00
Existing Conditions/Design/Permitting	Nosal Builders, Inc.	\$ 156,159.00	Submitted price for ONLY wash bay system
HEC-RAS Analysis/Stream Survey (If required)	Nosal Builders, Inc.	\$ 13,500.00	Did not include requested items
DEEP Vehicle Maintenance Wastewater permit (If required)	Nosal Builders, Inc.	\$ 3,100.00	E-mailed, but the Town does NOT accept e-mailed responses
Demolition-Slab & Bituminous Concrete	Town of Berlin		Therefore, bid is not responsive
Demolition-Existing Wash Bay (& Garage portions, if req'd)	Town of Berlin		
Site Work and Utilities	Town of Berlin		
Foundations, Slab, Ramps, Paving	Nosal Builders, Inc.	\$ 771,760.00	
Superstructure / Masonry	Nosal Builders, Inc.	\$ 232,575.00	
Automatic Vehicle Wash System	Nosal Builders, Inc.	\$ 165,191.00	
Plumbing, Heating, & Ventilation	Nosal Builders, Inc.	\$ 190,423.00	
Electrical, Alarms, IT, Access Control	Nosal Builders, Inc.	\$ 190,305.00	
Openings (Including Overhead Door Systems)	Nosal Builders, Inc.	\$ 73,902.00	
Finishes, All Other Items, Close-out	Nosal Builders, Inc.	\$ 40,537.00	
TOTAL Base Bid:	Nosal Builders, Inc.	\$ 1,144,768.00	
Alternate 1:	Nosal Builders, Inc.	\$ (26,900.00)	
Alternate 2:	Nosal Builders, Inc.	\$ (165,191.00)	
Acknowledge Addendums 1, 2, & 3	Nosal Builders, Inc.	Yes	
		\$ 1,144,768.00	
Totals deducting both Alternates		\$ 953,077.00	
Totals deducting Alternate 2		\$ 979,577.00	



Excavation Estimate

Project: BERLIN VEHICLE WASH BAY

October 5, 2021

	Labor	Material or Subcontractor
Sediment Control	400	
Saw Cutting		1,000
Site Demolition	3,000	800
Trucking out	1,500	
Tipping Fees		500
Excavation for Foundation	3,200	
Backfill and compact	3,400	
Trench excavation and backfill - Interior	1,000	
Footing and gutter drain labor	1,500	
Utilities - Water	2,500	
Utilities - Storm	2,000	
Utilities - Sewer	2,000	
Utilities - Electric	2,500	
Utilities - Gas	1,000	
Catch Basins and Yard Drains	1,200	
Concrete Slab preparation	1,000	
Mechanical slab preparation	1,200	
Bituminous concrete removal	See Site Demolition	
Bituminous concrete prep	1,200	
Bituminous Concrete		12,500
Line painting		N/A
Crushed Stone		1,000
Processed stone		2,500
Sand		700
Structural Fill		2,800
Site Materials - Precast		3,000
Site Materials - Pipe and Other		3,000
Signs		N/A
Bollards	800	1,200
COLUMN SUBTOTALS	29,400	29,000
TOTAL		58,400

J. A. Rosa Construction, LLC shall hold its bid estimate until 10/30/2021

Vehicle Wash Manufacturer Hydro-Chem shall hold its bid estimate until 12/31/2021

Our work assumed JAR would be completing all work. Project would be turn-key

JAR is willing to negotiate some or all of the costs associated within the Excavation Estimate

Work performed by owner shall be completed in a timely manner

Electrical conduit, wire and labor shall be provided by JAR/ Electrical Contractor

Other site materials costs are listed above

Exclusions:

Existing code violations, Rock greater than one cubic yard, hazardous materials remediation and/or encapsulation, contaminated soils testing and/or remediation, unmarked structures and utilities under the building/site footprint, Building Signs, Independent testing and inspections.



October 14, 2021

Ms. Maryssa Tsolis

Purchasing Agent

Town of Berlin

240 Kensington Road – Room 110

Berlin, CT 06037



RE: RFP #2022-03; Bid Proposal Follow up

Dear Ms. Tsolis,

We received your email with list of questions dated October 8, 2021 and offer the following response:

1. We have confirmed with our subcontractors, and we have asked them to hold their bids until 12.31.21. Not all of our subcontractors could hold their prices. We have attached a revised bid proposal form that can be honored until 12.31.21. However please keep in mind that the lead time for the wash equipment is approximately 4 months from approval of shop drawings.
2. Our original proposal was based on HydroChem but we received a late quote from InterClean that was more competitive and therefore we included InterClean as the manufacturer in our latest proposal. We can provide either manufacturer with a single pre-wash within our revised bid price.
3. We did not include fees for the HEC-RAS Analysis/Stream Survey in our bid. We did not include the DEEP Vehicle Maintenance Wastewater permit since it was our understanding that we could tie into the existing oil/water separator. It is our recommendation that we add a \$20,000 allowance to our proposal for this work since it may not be required. If selected, we will consult with the town engineer to finalize the scope and solicit competitive pricing for this service and adjust our contract based on the actual cost. Any addition measures that may be required because of this analysis/survey is not included in our proposal.
4. We did not include any costs for demolition based on our understanding that the sitework would be handled by the Town. We have adjusted our proposal to include all sitework required to complete the work. Our revised proposal assumes work will be provided by the Town as follows:
 - i. All demolished asphalt and any excess or unsuitable material will be left on site to be disposed of by the Town. We will place the material on site as directed by the Town.

669 Center Street, Wallingford, CT 06492-3831

Ph. 203.303.1317

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DIVERSITY Construction Group

- ii. Removal of fence and concrete blocks in the way of the new truck wash
 - iii. All asphalt paving and patching required around new truck wash and for utility trenches
 - iv. All process, stone or bedding sand required will be provided by the Town for installation by our site contractor.
5. Answered in number 4 above
6. Our known subcontractors currently are as follows:

Sitework:	RRJR Construction
Concrete:	Wetteman Brothers Concrete
Masonry:	DePersia Corporation
Roofing:	Quality Roofing Services
Overhead Doors:	Douglas Garage Door Center
Ceilings:	Ceiling Systems Inc.
Painting:	Superior Painting LLC
Wash Equipment:	HydroChem or Interclean with single prewash system
Plumbing:	J&B Mechanical Contractors
HVAC:	VCM LLC
Electrical:	PJK Electrical
Security:	Security 101

7. Diversity construction has the following public sector design-build experience:

Beardsley Zoo – Andean Bear Exhibit

Client: City of Bridgeport
Client Contact: Michele Otero; michele.otero@bridgeportct.gov
Project Cost: \$2,175,000
Design team: Architectural: Joseph A Buchek AIA
MEP, Structural, Civil: DTC Inc
Zoo Architect: Zoo Design Inc

New Britain Fire Training Facility

Client: City of New Britain
Client Contact: Jon Delgadillo; jon.delgadillo@newbritainct.gov
Project Cost: \$540,000
Design team: Site Civil: Pereira Engineering
Structural: Santo Domingo Engineering

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Meriden Markham Airport – Six Hangars

Client: City of Meriden

Client Contact: Adam Tulin; atulin@meridenct.gov

Project Cost: \$3,248,000

Design team: Architectural: Joseph A Buchek AIA

MEP, Structural, Civil: DTC Inc

8. Comments to specific items in Section F
- a. Item #1 – No longer valid. See item 4 above
 - b. Item #5 – No longer valid. We have included this work in our revised proposal
 - c. Item #6 – No longer valid. We have included this work in our revised proposal
 - d. Item #7 – Third Party Testing – We do not agree with this comment. As design build team we will prepare a Statement of Special Inspections to be approved by the Town and the local building official. A third-party testing & inspection firm must be retained by the Town to conduct inspections. It is a conflict of interest for the third-party testing firm to be contracted by the Design Builder. As the Design Builder, we will coordinate all the required special inspections and tests that are required by the Statement of Special Inspections that are approved by the Town and the Building Official.
 - e. Item #10 – Underground electric will be buried in the ground at the design depth. We have included no concrete encasement.
 - f. Item #11 – We do not believe that a geotechnical engineer is required prior to construction for such a small structure. Prior to placing footings the testing lab will test the subsurface to ensure we have adequate bearing capacity to place the footings. In the event the earth at frost line is deemed to be unsuitable then additional excavation would be required at additional cost for excavation and placement of suitable fill. This issue is currently unforeseen. Including cost for advance geotechnical borings is not cost effective for such a small structure.
 - g. Item #15 – We have revised our proposal to include flood plain/floodway survey. See item #3 above. Our design currently does not include piping rain leader to the storm drain. It also does not anticipate having to relocate any existing storm lines that may be encountered.
 - h. Item #22 – Our proposal shows the new truck wash being built adjacent to the existing truck wash. Our proposal was that the existing truck wash can still be used as a pre-wash. The area of the impound lot would need to be modified. It is also unclear if there would be underground storm lines or other utilities that may need to be relocated. As unforeseen conditions, the relocation of any found utilities would be relocated at an additional cost by our team.

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- i. Item #23 – It was our assumption that a property survey had been done for the site. This may be deleted. We will include survey for our work.
- j. Item #24 – This clarification may be deleted. See item #3 above.

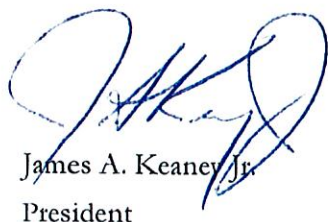
Other comments:

- Building Management System: Per the basis of design, item 1.C we are directed to integrate the new systems with the existing Alerton System. Our proposal includes \$39,000 for this work. This seems very excessive for a truck wash facility. We would propose the uses of thermostats and humidistats for the exhaust fans. If this is acceptable our proposal may be reduced by \$39,000

We greatly appreciate the opportunity to provide this clarification to our proposal. Please accept that this is a design build proposal. If our design concepts are not in accordance with the wishes of the Town, there are opportunities to make changes during the early design phases. We look forward to the opportunity to work with you on this project.

Sincerely,

Diversity Construction Group, LLC



James A. Keaney Jr.
President

669 Center Street, Wallingford, CT 06492-3831

Ph. 203.303.1317

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RFP # 2022-03

New Vehicle Wash Bay Facility – Design Build Contractor

DIVERSITY CONSTRUCTION GROUP LLC

1. Please indicate the end date to which your fee proposal can be extended.
2. Your proposal references a price quote from InterClean for the wash bay system (Section V, Item 25), but includes layout drawings from HydroChem, another wash bay system manufacturer. Please confirm which wash bay system is included in your scope, and how long this manufacturer will hold their quoted price as this information was missing.
3. No fees are included for two line items that are requested in Addendum No. 3, the *HEC-RAS Analysis/Stream Survey* and the *DEEP Vehicle Maintenance Wastewater permit*. If these are included in another line item(s), please indicate which ones. If not, an explanation is needed of your intended scope regarding these line items.
4. There are no prices or notes for *Demolition – Slab & Bituminous Concrete*, *Demolition – Existing Wash Bay (& Garage Portions, if req'd)*, and *Site Work and Utilities* on the proposal form. It is stated (Section V, Item 1) that no site work is included as it is being provided by the Town, so it appears that your approach on these three items is to have the Town complete 100% of this work. We have included a more detailed list of what the Town can do, and what is excluded, in #5 below. Please indicate any scope clarifications and/or fee adjustments after your review of same.
5. The list below is supplied to clarify to what extent Town staff and equipment can participate in completing this project – see accompanying note and request in # 4, above.
 - a. Demolition
 - i. Included – removal of concrete slab, asphalt pavement, stormwater piping & structures, sanitary piping & structures, and associated gravel and fill materials. Town forces can also remove any demolition materials produced by dismantling (by the Design Build team) the existing steel wash canopy and portions of the existing Highway Garage (if necessary).
 - ii. Excluded – Dismantling the existing steel truck wash canopy and portions of the existing Highway Garage (if necessary). Also excluded – designing or setting up bypass pumping systems, removing the existing gas meter and associated gas piping and valves, etc., as well as any underground electrical lines.
 - iii. Additional Notes – the Design Build team will provide design services, clear direction and on-site supervision to Town forces on any of the above activities.
 - b. Site Work & Utilities
 - i. Included – excavation of utility trenches, test pits, installation of electrical/telcom conduit / stormwater piping / sanitary piping, backfilling with Town-provided fill and processed aggregate or sand, installation of warning tape, compaction, and temporary pavement (also provided by the Town). Also included – installing and/or adjusting associated structures for the sanitary and stormwater systems (e.g., catch basins, manholes, frames & covers, etc.) and bollards, and excavation for concrete footings and foundation walls. The Town can also install soil erosion and sediment control measures (designed, purchased and provided by the Design Build team), but would not be

September 30, 2021

responsible for monitoring/maintaining these measures during the construction period.

- ii. Excluded – purchasing new conduit, electrical/telcom wiring, gas/sanitary/stormwater piping, associated structures (e.g., catch basins, manholes, frames & covers, valves, etc.), bollards, warning tape, pull rope, or erosion control items/materials. Also excluded – pulling electrical/telcom wiring through conduit, making electrical/telcom or gas connections, testing of any type (compaction, geotechnical, materials, etc), survey layout (horizontal or vertical), or noting as-built information on drawings or the preparation of as-builts.
 - iii. Additional Notes – the Design Build team will provide design services and clear direction and on-site supervision to Town forces on any of the above activities it elects for the Town to complete, and is responsible for engaging and managing outside firms such as civil/geotechnical/structural engineers, 3rd party testing companies, surveyors, electrical and mechanical subcontractors, concrete subcontractors, etc.
6. No subcontractor or subconsultant information was provided after the slip sheet entitled *Resumes / Subcontractor Company Profiles*. Four firms are identified as part of your design team, and a resume for the architect is provided, in Section E. The organizational chart in Section E also does not identify any subcontractors.
7. The section entitled *Section F. Design Build Team Experience, Item 1. Project Experience* was left blank.
8. We have the following comments on specific items in *Section F. v. Exceptions / Assumptions / Clarifications*:
- a. Item 1 regarding no site work in your scope – see #4 and #5, above.
 - b. Item 5 regarding all erosion and sediment control by Owner – see #5. b., above.
 - c. Item 6 – this work (prep for footings and slab) could be conducted by the Town but would be under the direct supervision of the Design Build Team.
 - d. Item 7 – 3rd party testing and inspection is the responsibility of the Design Build team (see #5.b.iii., above).
 - e. Item 10 states the underground electric will be “direct burial.” Please clarify what this means.
 - f. Item 11 states that no geotechnical engineering is included in your scope. Does this mean that your design team would not do any check to confirm suitable bearing capacities for the footings?
 - g. Item 15 states that no stormwater design or construction is included in your scope/fee. Please explain, and also see #5. b., above.
 - h. Item 22 (Town to adjust existing site conditions) – see #4 and #5 above, and clarify as needed.
 - i. Item 23 (survey services not included) – see #4 and #5 above – the RFP does not state that survey work is the Town’s responsibility.
 - j. Item 24 (building won’t interfere with wetlands) - the RFP and Addendum #3 make it clear that there will be Inland Wetlands and Floodway permits needed, and that these would be responsibility of the Design Build Team.

Bid Proposal Form (Revised 8/9/21)
TOWN OF BERLIN, CONNECTICUT

NEW VEHICLE WASH BAY FACILITY
35 TOWN FARM LANE - BID #2022-03

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

<u>Please Provide a Breakdown of Pricing:</u>	Original	Revised 10/13/21
Existing Conditions/Design/Permitting	\$ 60,621.00	\$ 66,154.00
HEC-RAS Analysis/Stream Survey (if required)	\$	20,000.00
DEEP Vehicle Maintenance Wastewater Permit (if required)	\$	n/a
* Demolition-Slab & Bituminous Concrete	\$	included *
Demolition-Existing Wash Bay (& Garage portions, if req'd)	\$	n/a
* Site Work and Utilities	\$	38,178.00 *
Foundations, Slab, Ramps, Paving	\$ 88,280.00	89,728.00
Superstructure / Masonry	\$ 166,213.00	157,140.00
Automatic Vehicle Wash System	\$ 215,714.00	203,939.00
Plumbing, Heating, & Ventilation	\$ 138,038.00	186,818.00
Electrical, Alarms, IT, Access Control	\$ 128,373.00	126,408.00
Openings (including Overhead Door Systems)	\$ 56,641.00	57,871.00
Finishes, All Other Items, Close-out	\$ 43,119.00	40,764.00
TOTAL Base Bid:		<hr/> \$987,000.00

Eight hundred ninety seven thousand dollars \$ 897,000.00
(Base Bid Amount, in words)

ALTERNATE

1. Reduce the building length by 10 feet, from 60 feet to 50 feet. Deduct:

Sixteen thousand \$ (16,000.00)
(Deduct Amount, in words)

ALTERNATE

2. Eliminate the automatic wash bay system, but provide the necessary drainage, space, and utilities within the proposed building for future installation. This includes upgrading the electrical and gas service for the new building to meet the future wash bay system demands. Deduct:

One hundred forty thousand \$ (140,000.00)
(Deduct Amount, in words)

**BID PROPOSAL FORM
PAGE 2**

ALLOWANCES

Included in the Bid Proposal are the following Allowances:

- | | | |
|----|--------------------------|------------|
| 1. | UTILITY COMPANY CHARGES: | \$3,500.00 |
|----|--------------------------|------------|

If awarded this Contract, we will execute a Contract with the Town of Berlin, Owner of the property. Form of contract anticipated is AIA Document A141, "Standard Form of Agreement Between Owner and Design-Builder", 2014 edition.

CONTRACT TIME

If awarded the Contract, the undersigned agrees that the work will commence upon formalization of a Contract with the Owner, and shall be Substantially Complete within

Two hundred and forty days _____ (240) calendar days
(Number of Days, in words)

Completion of Work: It is agreed that time is of the essence for this project. The Design-Build Team hereby agrees, upon award of a contract with the Owner, to commence, prosecute and substantially complete the work in accordance with the project completion time as stipulated within this Bid Proposal Form.

ADDENDA

The undersigned hereby certifies that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on this project. The Bid includes Addenda listed below and they are hereby acknowledged:

Addendum # <u> 1 </u>	Dated <u> 07/02/2021 </u>
Addendum # <u> 2 </u>	Dated <u> 07/26/2021 </u>
Addendum # <u> 3 </u>	Dated <u> 08/09/2021 </u>
Addendum # <u> </u>	Dated <u> </u>
Addendum # <u> </u>	Dated <u> </u>

PROJECT CONDITIONS

Design-Build Team herein agrees that it has been afforded the opportunity to inspect the project site and perform tests. The Design-Build Team is satisfied with the Project site and conditions based upon such inspection. Design-Build Team represents that it has visited the Project Site, become familiar with local conditions

**BID PROPOSAL FORM
PAGE 3**

under which this Work is to be performed and correlated personal observations with the requirements of Request for Proposal.

It is further understood that no additional compensation will be allowed by the Town of Berlin by reason of any difficulties which the Design-Build Team could have discovered or reasonably anticipated, prior to submittal of its bid proposal.

BID BOND

Enclosed herewith, is the Bid Security in the form of:

Bid Bond (☒)

Certified Check (☐)

in the amount of: Forty four thousand eight hundred fifty (\$ 44,850.00)
(**Bid Bond Amount, in words**)

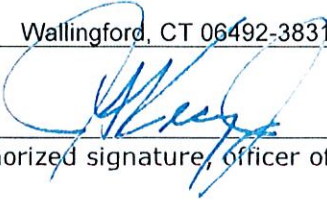
DELIVERABLES

In addition to this Bid Proposal Form and Bid Bond, all requested deliverables as outlined within the "Request for Proposals" have been fully prepared and made part of this submission package.

COMPANY NAME: Diversity Construction Group, LLC

ADDRESS: 669 Center Street

Wallingford, CT 06492-3831

BY:  DATE: 08/19/2021 (revised 10/13/2021)
(authorized signature, officer of bidder's company)

James A. Keaney, Jr.

(above name, typewritten)

TITLE: President

TELEPHONE #: 203.303.1317

EMAIL ADDRESS: estimating@diversitycg.com

Proposer's References
TOWN OF BERLIN, CONNECTICUT

NEW VEHICLE WASH BAY FACILITY
35 TOWN FARM LANE - BID #2022-03

Provide at least four (4) references:

1. BUSINESS NAME

Colliers Project Leaders

ADDRESS

1335 New Road

CITY, STATE

Madison, CT

TELEPHONE:

860.395.0055

INDIVIDUAL CONTACT NAME AND POSITION

Mark Schweitzer, Project Manager

2. BUSINESS NAME

Beardsley Zoo

ADDRESS

1875 Noble Avenue

CITY, STATE

Bridgeport, CT

TELEPHONE:

203.394.6564

INDIVIDUAL CONTACT NAME AND POSITION

Gregg Dancho - Director

3. BUSINESS NAME

New Britain Museum of American Arts

ADDRESS

56 Lexington Street

CITY, STATE

New Britain, CT

TELEPHONE:

860.515.3366

INDIVIDUAL CONTACT NAME AND POSITION

Jeffrey J. Mainville - Director of Operations

TOWN OF BERLIN, CONNECTICUT

NEW VEHICLE WASH BAY FACILITY
35 TOWN FARM LANE - BID #2022-03

4. BUSINESS NAME

Wallingford Public Schools, Buildings & Grounds

ADDRESS

12 Kondracki Lane

CITY, STATE

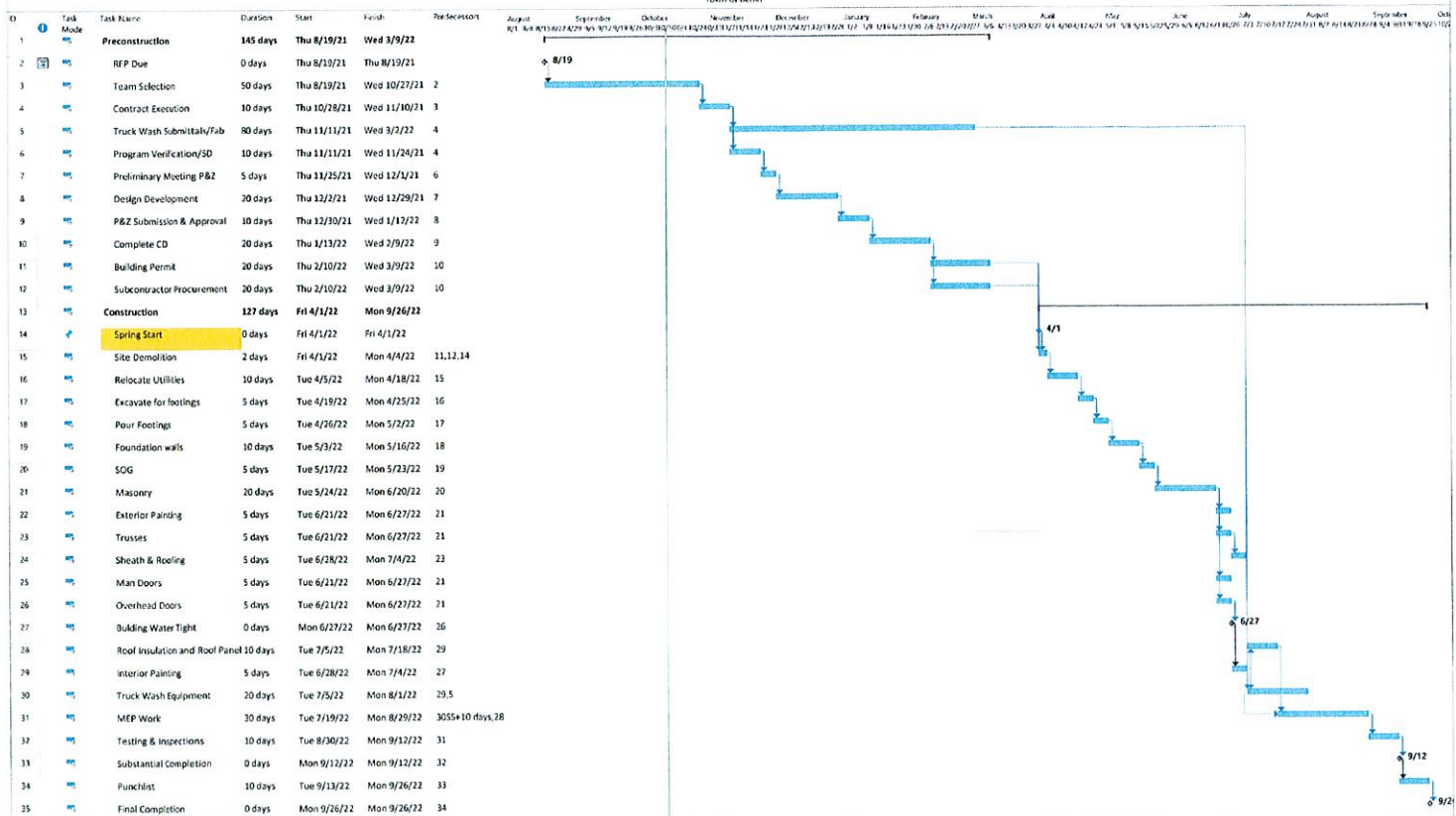
Wallingford, CT

TELEPHONE:


203.294.3780

INDIVIDUAL CONTACT NAME AND POSITION

Richard K. Voelker - Project Manager



TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: October 27, 2021

SUBJECT: Application for LoCIP Grant for Reroofing and related work at the Grounds, Highway & Water Department Buildings within the Physical Services Complex at Town Farm Lane

Summary of Agenda Item:

The roofs at the Grounds, Highway and Water Department Buildings at Town Farm Lane are over 30 years old and no longer cost effective to repair. New 30-year asphalt shingle roofs will be installed with new plywood sheathing, any structural repairs or replacements to roof rafters and trusses, ice & water covering, new gutters and gable repairs to the buildings. The project is eligible for a State of Connecticut LoCIP Grant. Expenditures will come from account 500.20.2038.0.54000.00943, Grounds, Highway, Water Department Reroofing.

Action Needed:

Move to authorize the Town Manager to apply for a \$ 319,000 LoCIP grant for the reroofing and related work at the Grounds, Highway and Water Department buildings at Town Farm Lane, and appropriate the funds into the LoCIP – Grounds, Highway and Water Department Reroofing Project Account pending OPM approval.

Prepared By:

Douglas Solek, Director of Facilities



Agenda Item No. 12
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: November 19, 2021
SUBJECT: Section 8-24 referral for Construction of a Trail to Connect the Town Hall Complex and Percival Field

Summary of Agenda Item:

Eagle Scout Caleb Uliasz recently constructed a bridge across a small brook at the rear of the Marjorie Moore Village for his Eagle Scout project to help connect the Town Hall complex and Percival Field. The bridge was constructed in an easement area that the Town acquired from the Berlin Housing Authority for the purpose of connecting the Town Hall complex to Percival Field. The next step to complete the connection is construct a trail to link with the bridge on both sides. The trail will be an asset to help residents walk to or from both Town Hall and the Percival Field complex, playground, fields, and pool. The Town Council needs to refer the construction of this trail to the Planning and Zoning Commission for a report pursuant to section 8-24 of the Connecticut General Statutes.

Action Needed:

Move to refer the construction of a trail to connect the Town Hall complex and Percival Park to the Planning and Zoning Commission for a report pursuant to section 8-24 of the Connecticut General Statutes.

Attachments:

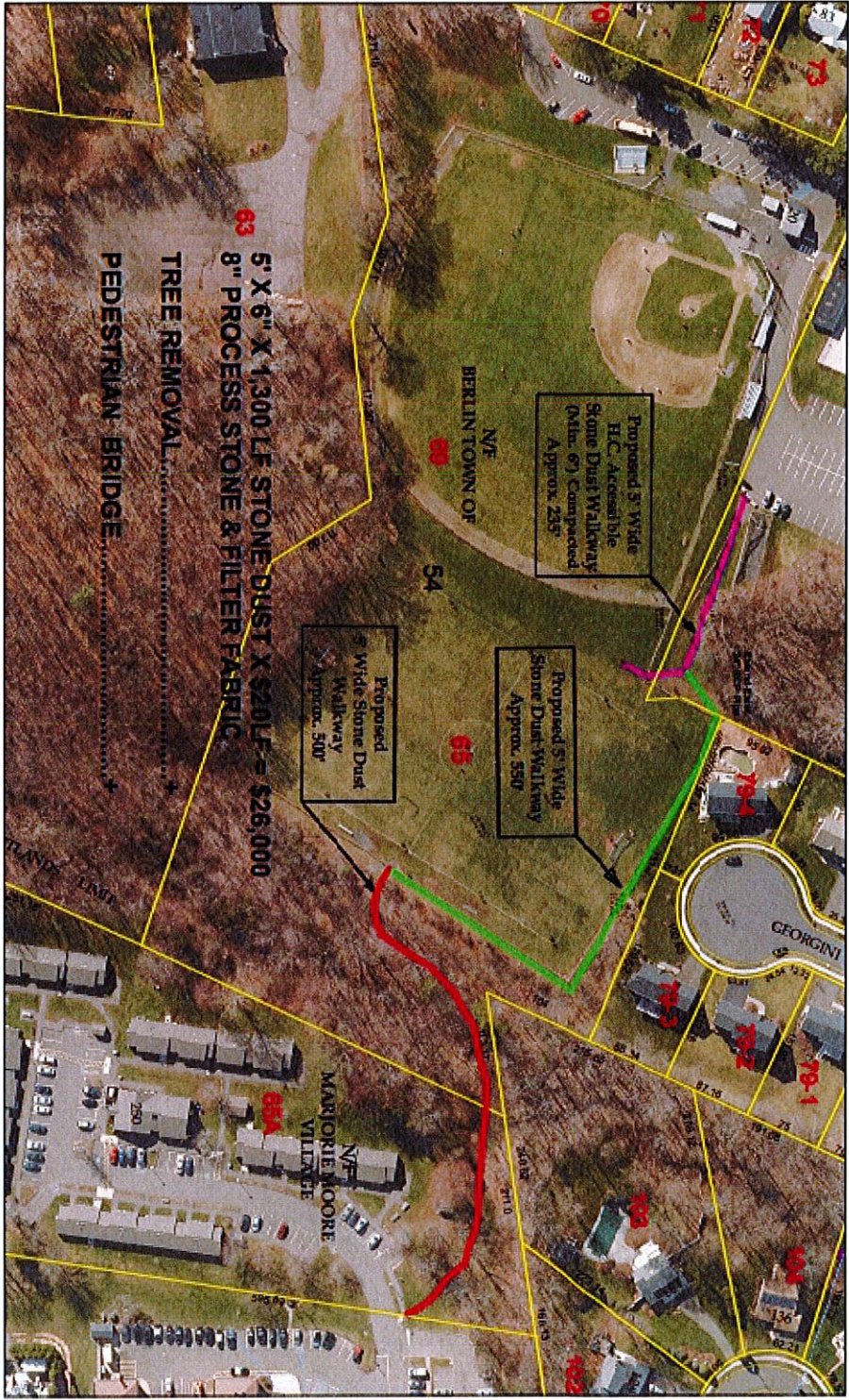
1. Map of proposed trail location.

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

CE



PROPOSED STONE DUST PATH



Legend

- PROPOSED STONE DUST WALKWAY 1
- PROPOSED STONE DUST WALK 2
- PROPOSED STONE DUST WALKWAY 3
- PARCEL_ARCS



NORTH ARROW LOCATION
PROPOSED PATHS
DATE: 02/20/20

Agenda Item No. 13
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: November 19, 2021

SUBJECT: 8-24 Review – Engineered Control at 889 Farmington Avenue

Summary of Agenda Item:

The Town owns 889 Farmington Avenue, a property that was acquired through foreclosure in 2008. After the acquisition of the property, the Town conducted environmental investigations and a remedial action plan was prepared to address soil and groundwater contamination at the site. With the assistance of the Town's Licensed Environmental Professional (LEP), Loureiro Engineering, the Town applied to the Connecticut Department of Energy and Environmental Protection and was approved for an Engineered Control Variance (ECV) for the placement of an Engineered Control (aka liner) to serve as the remedy for soil contamination by isolating the soils on site below the engineered control and fill to prevent direct exposure to the contaminated soils. The Town has an agreement to sell 889 Farmington Avenue to Newport Realty Group LLC and that agreement provides that Newport will construct its necessary site improvements below the engineered control before it is installed. It is planned that the Town will coordinate its work to install the engineered control with Newport's work to install its improvements below the engineered control. Newport has developed plans for its site improvements that will occur below the engineered control, therefore, Loureiro Engineering can now finalize the specifications for the engineered control installation and coordination with Newport's improvements so that bids for the project can be solicited. Prior to undertaking this project, a section 8-24 referral was made to the Planning and Zoning Commission and the Commission unanimously approved a favorable report.

Action Needed:

Move to accept the favorable recommendation of the Planning and Zoning Commission regarding the 8-24 review as per the Connecticut General Statutes for a project to construct an engineered control installation on 889 Farmington Avenue and to coordinate with Newport Realty Group's improvements all as generally shown in the engineered control plan prepared by Loureiro Engineering, and to direct staff to proceed to prepare bid documents for the project.

Attachments:

1. Section 8-24 report from the Planning and Zoning Commission.
2. Site Redevelopment and Remediation Concept Plan prepared by Loureiro Engineering, dated 1/24/20.

Prepared By:

Jim Mahoney, Economic Development Coordinator

Chris Edge, Economic Development Director

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



Town of Berlin

Planning and Zoning Department

240 Kensington Road
Berlin, Connecticut 06037
www.town.berlin.ct.us

Planning and Zoning Commission
Zoning Board of Appeals
Conservation Commission
Historic District Commission


November 19, 2021

TOWN OF BERLIN

NOTICE OF DECISION

SUBJECT: 8-24 Review and Recommendation in Accordance with Section 8-24 of the Connecticut General Statutes, Review and Recommendation of the Matter of Constructing an Engineered Control on 889 Farmington Avenue.

At its Regular Meeting of November 18, 2021, after review in accordance with Section 8-24 of the Connecticut General Statutes, the Berlin Planning and Zoning Commission voted unanimously to forward a favorable recommendation to the Town Council for the matter of constructing an Engineered Control on 889 Farmington Avenue, as shown on engineering drawings entitled "Addendum to Approved Part 1 and 2 Applications for Engineered Control Variance, dated January 24, 2020, prepared by Loureiro Engineering.




Maureen Giusti, AICP
Acting Town Planner

Maureen K. Giusti, AICP, Acting Town Planner/ZEO. 860-828-7060. mgiusti@town.berlin.ct.us
Carol Szymanski, Zoning Enforcement Officer, 860-828-7008. cszymanski@berlinct.gov
Frances Semnoski, Land Use Administrator. 860-828-7066. fsemnoski@berlinct.gov

[illegible]

Agenda Item No. 14
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: November 19, 2021
SUBJECT: 8-24 Review - Berlin Sidewalk Improvements



Summary of Agenda Item:

The Town was awarded a State of Connecticut Small Town Economic Assistance Program grant and a Community Connectivity Grant to fund construction of sidewalks to fill in missing sections of the sidewalk network and allow residents to walk to more areas in a safe manner. The concept is to connect more parts of Town by way of continuous sidewalk routes. After Town Council approval, the engineering firm of WMC Consulting Engineers was hired to provide the survey and design. WMC prepared designs for the project and updated designs previously prepared by Milone and MacBroom. The project involves sidewalk improvements on Farmington Avenue, Four Rod Road, Norton Road, Newton Street, Langdon Court as shown on the concept plan attached hereto. A public meeting was held on to share the plans with the community and to gather comments. In general, public comments were positive and staff is following up on a couple property owners regarding specific questions or concerns. An Inland Wetlands Commission permit and a State Flood Management General Certification have been granted for the project. The Town Council referred the matter of constructing sidewalks within the Town's Right-of-Way as shown on Sidewalk Projects Town of Berlin map, to the Planning and Zoning Commission for a section 8-24 review as per the Connecticut General Statutes. The Planning and Zoning voted unanimously to forward a favorable recommendation to the Town Council.

Action Needed:

Move to accept the favorable recommendation of the Planning and Zoning Commission regarding the 8-24 review as per the Connecticut General Statutes of a project to construct sidewalks within the Town's Right-of-Way as shown on Sidewalk Projects Town of Berlin map and to direct staff to proceed to prepare bid documents for the project.

Attachments:

1. Section 8-24 recommendation from the Planning and Zoning Commission.
2. Sidewalk Projects Town of Berlin map.

Prepared By:

Jim Mahoney, Economic Development Coordinator

Mike Ahern, P.E., Director of Public Works/Town Engineer
Chris Edge, Economic Development Director



Town of Berlin

Planning and Zoning Department

240 Kensington Road
Berlin, Connecticut 06037
www.town.berlin.ct.us

Planning and Zoning Commission
Zoning Board of Appeals
Conservation Commission
Historic District Commission

November 19, 2021

TOWN OF BERLIN

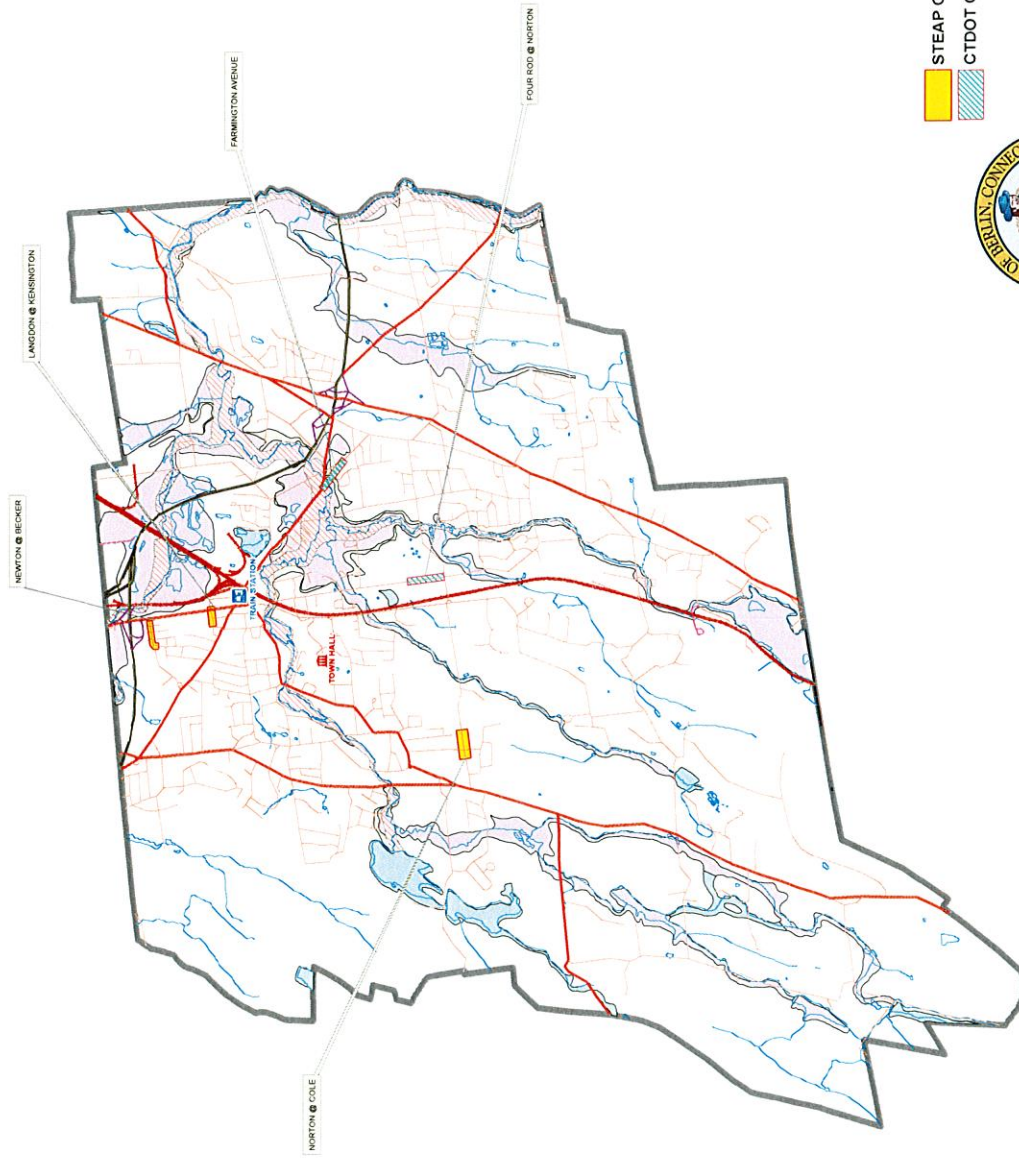
NOTICE OF DECISION

SUBJECT: 8-24 Review and Recommendation of the Matter of Construction of Sidewalks within the Town's Right-of Way as Shown on the Sidewalk Projects Town of Berlin Map

At its Regular Meeting of November 18, 2021, the Berlin Planning and Zoning Commission, after review in accordance with Section 8-24 of the Connecticut General Statutes, voted unanimously to forward a favorable review to the Town Council concerning the matter of the construction sidewalks within the Town's Right-of Way as shown on Sidewalk Projects Town of Berlin map.


Maureen Giusti, AICP
Acting Town Planner

Maureen K. Giusti, AICP, Acting Town Planner/ZEO. 860-828-7060. mgiusti@town.berlin.ct.us
Carol Szymanski, Zoning Enforcement Officer, 860-828-7008. cszymanski@berlinct.gov
Frances Semnoski, Land Use Administrator. 860-828-7066. fsemnoski@berlinct.gov



LEGEND

- Highway
- Highway Ramp
- Local Road
- Major Highway
- Thoroughfare
- Railroad
- FEMA Floodway
- FEMA 100-Year Flood
- FEMA 500-YR Flood
- FEMA A Zone

STEAP GRANT 2020

CTDOT CONNECTIVITY GRANT



**SIDEWALK PROJECTS
TOWN OF BERLIN**



TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: November 19, 2021

SUBJECT: Authorization to Submit a Letter of Intent to Apply for a Connecticut Community Challenge Grant

Summary of Agenda Item:

The Connecticut Department of Economic and Community Development has issued a Notice of Funding Availability (NOFA) for the Connecticut Community Challenge Program. This is a \$100 million State grant program and grants will be awarded in two rounds. For the first funding round a letter of intent to apply must be submitted by December 3 and an application by January 14. The grant program requires a local match of 50% provided by local or private sources. Grant range is \$1 -\$10 million. The NOFA says that successful projects will likely include multiple of the below elements:

- Transit-oriented development that densifies commercial and/or residential land uses near transit hubs,
- Downtown / major hub development that improves or reuses existing property (Brownfields remediation may be a component of such application)
- Essential infrastructure that facilitates future development
- Housing to support affordability, accessibility, and local workforce,
- Mobility improvements that increase connectivity to transit and promotes economic activity, including pedestrian, ADA, and bicycle improvements
- Public space improvements that provide amenities to the community, including open spaces, public art projects, wayfinding, and lighting and safety improvements

Given the parameters of the grant program, staff has been exploring project opportunities in the transit-oriented development area near the Berlin and that would involve significant private investment. Using these criteria staff has developed a concept for a grant application that would involve the following project elements.

- Development by Newport Realty Group of 10 additional housing units at Newport Center at 848 Farmington Avenue across from the Train Station.
- In cooperation with Newport Realty Group, the Kensington Fire Department and the Berlin Land Trust, improvement of access and trails at the rear of 848 Farmington Avenue including building a bridge over the swale at the rear of the 848 Farmington Avenue parking area.

- Improvement of the 0.29-acre Town owned parcel at the northeast corner of Steele Boulevard as a Town park that will include a small amphitheater like performance area with architectural details related to the architecture of the former train station. This location is ideal for events and activities because a significant amount of public parking is available nearby.
- Creation of a pedestrian connection from Farmington Avenue and Steele Boulevard to Old Brickyard Lane with the cooperation of intervening landowners.

Staff is still working with all partners in this proposed project to identify additional potential private investment and to refine the project proposal and cost estimates. The parameters of the project may change. Staff will report back to the Town Council at its January 4 meeting, prior to the application deadline, to provide information on the final scope of the grant application and to request approval of local matching funds. It is anticipated that most of the proposed local match will be private investment. Anticipated Town matching funds will be requested from the remaining balance in the Farmington Avenue Development (non-grant) account (\$90,000+).

Actions Needed:

Move to authorize staff to submit a letter of intent apply for a Community Challenge Grant for projects in the vicinity of the Berlin Train Station subject to the condition that staff report back to the Town Council regarding the project scope and match at its January 4, 2022, meeting.

Attachments:

1. Notice of Funding Availability.
2. Site plan concept for added residential units at Newport Center.
3. Concept plan for Steele Boulevard Park (Park Concept Plan is being revised).
4. Schematic layout of connection to old Brickyard Lane and rear of Kensington Fire Department property (this layout plan is also being revised).

Prepared By:

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

CE



**Office of Brownfields and Capital Projects
Small Business and Community Development Program Unit**

**CT Communities Challenge Grant Program
Notice of Funding Availability – Round 1**

Date: Released - October 18, 2021

Summary

The Department of Economic and Community Development ("DECD") is undertaking a competitive grant application process to fund multiple projects under the CT Communities Challenge Grant Program in an effort to improve livability, vibrancy, convenience and appeal of communities throughout the state. The Program is intended to potentially create approximately 3,000 new jobs. It is DECD's goal to allocate up to 50% of the funds to eligible and competitive projects in distressed municipalities.

Successful projects will likely include multiple of the below elements:

- **Transit-oriented development** that densifies commercial and/or residential land uses near transit hubs,
- **Downtown / major hub development** that improves or reuses existing property (Brownfields remediation may be a component of such application)
- **Essential infrastructure** that facilitates future development
- **Housing** to support affordability, accessibility and local workforce,
- **Mobility improvements** that increase connectivity to transit and promotes economic activity, including pedestrian, ADA, and bicycle improvements
- **Public space improvements** that provide amenities to the community, including open spaces, public art projects, wayfinding, and lighting and safety improvements

Other projects that can demonstrate livability, vibrancy, convenience and appeal of communities throughout the state are also eligible, provided it is shown that there are no other dedicated funds for these projects under other currently offered state or federal programs.

DECD invites municipalities, economic development agencies and regional council of governments to apply for the grant program. DECD encourages public-private partnerships. Eligible entities are welcome to partner with one or more private developers, business organizations, other institutions or each other, to submit an Application.

Schedule (Round 1)

Monday, Oct 18, 2021	Application/NOFA Available
Friday, Dec 3, 2021	Intent to Apply Form
Friday, Jan 14, 2022	Application Deadline
March- April 2022 (Tentative)	Announcement of Awards



The schedule for Round 2 will be announced at a future date.

Application Process and Forms:

The Intent to Apply and the Application Forms are available on the DECD Website on the Funding Opportunities Page dedicated for the CT Communities Challenge Grant Program. https://portal.ct.gov/DECD/Content/Business-Development/05_Funding_Opportunities/CT-Communities-Challenge-Grant

Step 1: Submit the Intent to Apply Form to CTCommunitiesChallenge@ct.gov by 3:00 PM on Friday, December 3, 2021.

Step 2: Submit your completed application form (electronic format) to CTCommunitiesChallenge@ct.gov by 3:00 PM on Friday, January 14, 2022.

Larger attachments can be shared via a cloud-share link (such as Dropbox), provided it does not require DECD staff to create a new account to access the files. Alternatively, please contact CTCommunitiesChallenge@ct.gov and a secure sharefile-folder (cloud-based provision) will be sent to you, where you will be able to upload the files.

Application Page limit (excluding attachments): DECD encourages all applicants to be as succinct as possible with their responses to the questions in the application forms. DECD will only accept responses to the questions included in the space provided within the forms. Responses presented outside of the forms may not be reviewed. Incomplete applications will be rejected.

Grant Size: \$1M to \$10M per project.

Available Funding (Round 1): DECD will release between \$20 and \$50 million in this competitive round. The remaining available funds that are not awarded will be made available along with other authorized funds for Round 2.

Source of Funding and Enabling Statutes: Public Act No. 21-2 (2021), Sec. 488, authorizes the DECD Commissioner, in coordination with the Secretary of the Office of Policy and Management, to implement this Program under the state's Economic Action Plan.

Eligible Applicants: Municipalities, economic development agencies and regional councils of governments are eligible to be the primary applicants for this Program. DECD encourages public-private partnerships. Eligible entities are welcome to partner with one or more of the following types of organizations: private developers, business organizations, other institutions or each other to submit an Application.



All applicants (or Project Applicant Teams) must provide proof of access to the site, site control or a path to site control if required to implement the project.

Applicants may submit multiple projects; however, DECD recommends that applicants submit shovel-ready applications.

Eligible Uses: DECD would prefer that the majority of grant funds be used for construction- and renovation-related hard costs. A limited and reasonable portion of the funds may be used for design and engineering-related soft costs, land acquisition, project management, administrative and DECD's legal expenses to prepare the Contract. DECD's legal expenses for the DECD contract work (Assistance Agreement) is usually in the range of \$5K to \$10K depending on how complicated the project is. DECD funds cannot be used for legal expenses of the client team for the Assistance Agreement work.

Match Criteria: This is a matching grant program and therefore, preference will be given to applications that demonstrate public-private partnership and significant leverage of state funds with private and local funding. The minimum match requirement for distressed municipalities is 25% and for other municipalities is 50%. All non-state funds will be counted as local match. In general, contributed soft costs including contribution of land will be accepted for match; however, in-kind staff time will not be counted.

Please note that any federal funds in the project will trigger a review by the State Historic Preservation Office (SHPO) pursuant to Section 106 of the National Historic Preservation Act (NHPA).

Definitions

1. **Distressed Municipalities List:** The Distressed Municipalities' lists identify the state's most fiscally and economically distressed municipalities. The lists are based on statistical indicators measuring the fiscal capacity of each municipality including tax base, personal income of residents and the residents' need for public services. The 2021 Distressed Municipalities list includes 25 municipalities (Ansonia, Bridgeport, , Chaplin, Derby, East Hartford, East Haven, Griswold, Hartford, Meriden, Montville, New Britain, , New London, Norwich, , Putnam, Sprague, Stratford, Torrington, Voluntown, Waterbury, West Haven, Winchester, Windham, Groton, Plainfield, Sterling).

2. **Opportunity Zones:** A Qualified Opportunity Zone (OZ) is an economically distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. Localities qualify as OZs if they have been nominated for that designation by a state, the District of Columbia, or a U.S. territory and that nomination has been certified by the Secretary of the U.S. Treasury via his delegation of authority to the Internal Revenue Service (IRS). Please click the links for more information on [Connecticut's OZ Program](#), the [CT OZ Map](#) and the [U.S. HUD OZ Map](#).

3. **Economic Development Agencies:** “Economic development agency” means (A) a municipal economic development agency or entity created or operating under chapter 130 or 132; (B) a nonprofit economic development corporation formed to promote the common good, general welfare and economic development of a municipality or a region that is funded, either directly or through in-kind services, in part by one or more municipalities; (C) a nonstock corporation or limited liability company established or controlled by a municipality, municipal economic development agency or an entity created or operating under chapter 130 or 132; or (D) an agency, as defined in section 32-327

4. **Regional Councils of Governments (COGs):** For the latest list of the COGs and the list of member municipalities, please visit: <https://portal.ct.gov/OPM/IGPP-MAIN/Responsible-Growth/Regional-Planning-Organizations-RPO>

5. **Transit-oriented Development** - C.G.S. Section 13b-79o, *Transit-oriented Development* refers to the development of residential, commercial, and employment centers within one-half mile of walking distance of public transportation facilities, including rail and bus rapid transit and services, that meet transit supportive standards for land uses, built environment densities, and walkable environments, in order to facilitate and encourage the use of those services.

6. **Brownfields** – C.G.S. Section 32-760 (2), “Brownfield” means any abandoned or underutilized site where redevelopment, reuse or expansion has not occurred due to the presence or potential presence of pollution in the buildings, soil or groundwater that requires investigation or remediation before or in conjunction with the redevelopment, reuse or expansion of the property.

7. **Environmental Justice** - The U.S. EPA defines [Environmental Justice](#) as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys: 1. The same degree of protection from environmental and health hazards, and 2. Equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

Award/Scoring Criteria

- A. Features and Characteristics of Proposed Project that support the livability and vibrancy in the local community and region
- Downtown and major hub development
 - Transit-oriented Development
 - Optimal mix of uses to generate vibrancy of neighborhoods
 - Connectivity options for pedestrians and non-pedestrians

- Optimal increase in residential density, supported by available infrastructure, that will enhance the vibrancy of community
 - Improvement of infill, vacant, dilapidated and underutilized sites in the community
 - Public space improvements including open spaces, active gathering spaces, public art etc.
 - Adaptive Reuse of property
 - Brownfield Redevelopment
 - Historic and/or cultural preservation
 - Redevelopment of Areas with Available Infrastructure
 - Other features and characteristic that will enhance livability, vibrancy, convenience and appeal of communities
- B. Community Benefit/Engagement, Inclusive Growth and Resilience**
- Diversity Equity and Inclusion (DEI) of development team
 - Proactive efforts for proposed development to serve and benefit existing communities, their people and their cultures
 - Mitigation of previous negative effects on historically disenfranchised communities, including people with disabilities and elder residents
 - Consideration of Environmental Justice (EJ) initiatives and goals
 - Provision of some asset that is otherwise absent in the community
 - affordable/workforce housing,
 - food access,
 - open/recreational space,
 - gathering space etc.
 - public/regional facilities
 - ADA Improvements
 - Enhancing resiliency/green energy/sustainability
 - Location in an Opportunity Zone, Enterprise Zone or Distressed Municipality category
- C. Economic Impact**
- Return on Investment
 - Local match/share of total cost
 - DECD share of total cost
 - Total debt leverage
 - Private debt leverage
 - Job creation (permanent full-time equivalent; direct)
 - Increase in tax contribution/increase in grand list/increase in property value
- D. Shovel-readiness**
- Level of planning/drawings (conceptual, 30%, 60%, 90% etc.)
 - Assembly of funding/capital stack and presence of private and other partners crucial to project implementation



- Level of local approvals obtained (zoning and other permits); plan or path charted out to obtain necessary local and state permits
- Level of infrastructure available (missing infrastructure and cost/plan/source)

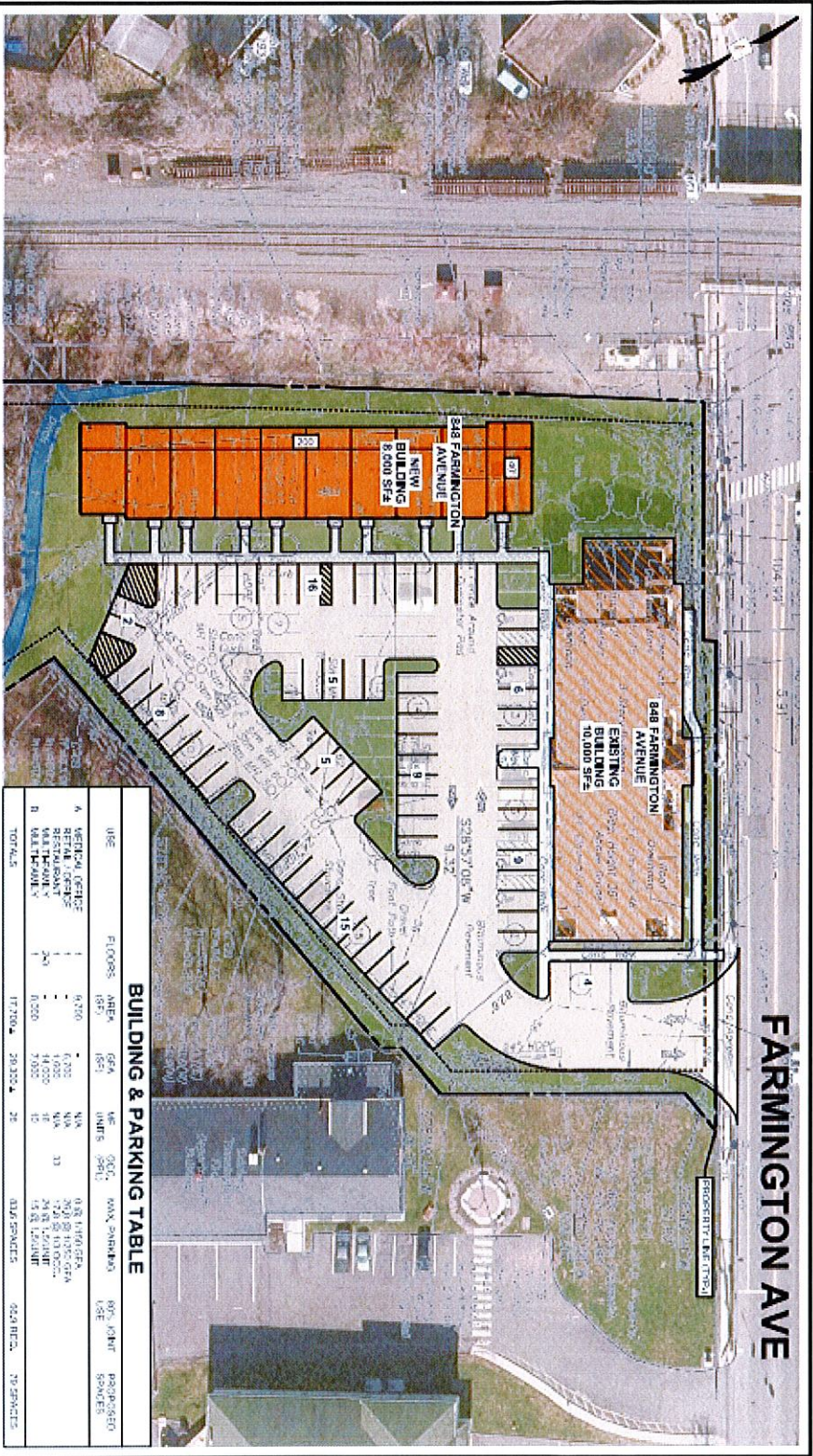
E. Applicant team

- Applicant Team experience completing similar projects and on time
- Private partner experience completing similar projects and on time
 - Project examples and available references
- New partnerships that offer creative and dynamic solutions to the challenge project described in the application

Contact/Questions: Questions regarding the Application should be addressed to CTCommunitiesChallenge@ct.gov. Any clarification or supplemental information will be added to the dedicated [Program Webpage](#).

Mailing List: Sign up for the [Mailing List](#) to receive any notifications on this Program.

***Disclaimer:** DECD reserves the right to amend or cancel this NOFA, to modify or waive any requirement, condition or other term set forth in this NOFA or the program application, to request additional information at any time from one or more applicants, to select any number of applications submitted in response to this NOFA, or to reject any or all such applications, in each case at DECD's sole discretion. DECD may exercise the foregoing rights at any time without notice and without liability to any applicant or any other party. Applications to this NOFA shall be prepared at the sole expense of the applicant and shall not obligate DECD to procure any of the services described therein or herein from any applicant. DECD shall not be obligated to any applicant until a final written agreement has been executed by all necessary parties thereto and all applicable approvals have been obtained. As such, any funds expended by the applicant prior to these approvals will be done so entirely at the risk of the applicant.*



FARMINGTON AVE

BUILDING & PARKING TABLE

USE	FLOORS (FT)	AREA (SQ. FT.)	USE UNITS (APR)	GCC, MAX PARKING	POS. OTHER	PROPOSED ROWS
A. OFFICE/RECEIVING	1	6,750	N/A	0.8 1,100/SPK		
B. RESTAURANT	1	1,000	N/A	0.8 1,100/SPK		
C. RETAIL/STORAGE	2	14,000	33	1.2 1,100/SPK		
D. TOTAL		21,750	33	1.2 1,100/SPK		
		17,750	25	0.8 1,100/SPK		

SCALE: 1" = 20'

PROJECT NO. 15100251

DATE 01/11/2021

DESIGNER YRC

CONTACT INFORMATION

YRC

YRC CONSULTANTS, LLC

10000 W. 10TH AVE.

STE. 100

MINNEAPOLIS, MN 55426

TEL: 612.338.1100

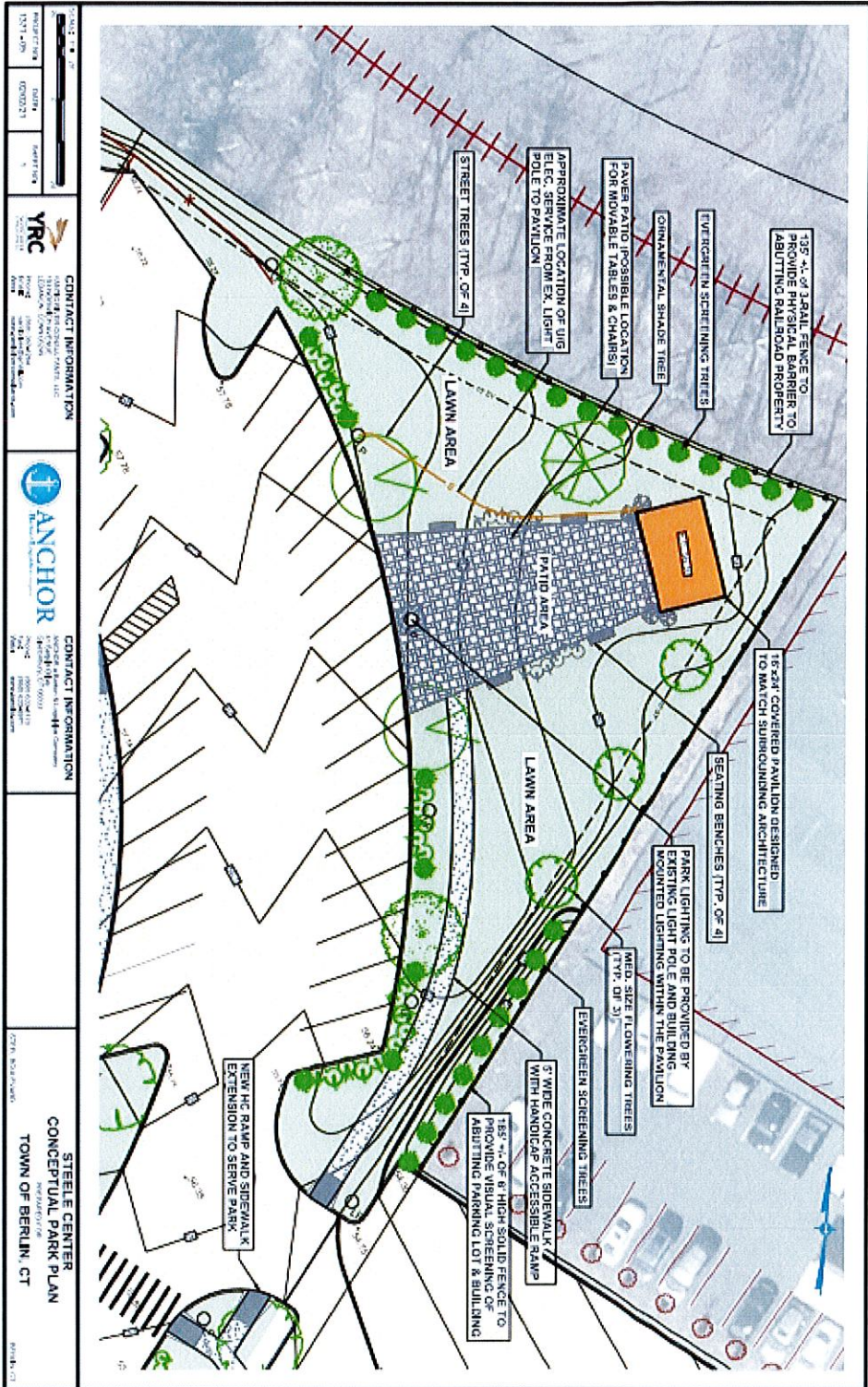
WWW.YRC-CONSULTANTS.COM

848 FARMINGTON AVENUE SITE IMPROVEMENTS

PREPARED FOR TOWN OF BURLINGTON

CONCEPT LAYOUT

DATE: 01/11/2021





NORTH
1"=500'

**SCHEMATIC LAYOUT
PROPOSED TOWN
CENTER WALKWAY
SYSTEM
LAYOUT #1**

BERLIN, CONNECTICUT
NOVEMBER 1, 2021

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**ADDENDUM TO APPROVED PART 1 AND 2
APPLICATIONS FOR ENGINEERED CONTROL VARIANCE
SITE REDEVELOPMENT AND REMEDIATION CONCEPT PLAN
899 FARMINGTON AVENUE, BERLIN, CONNECTICUT
TOWN OF BERLIN**

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: November 23, 2021

SUBJECT: Creation of an Advisory Committee for the Affordable Housing Plan

Summary of Agenda Item:

As previously discussed, pursuant to the Connecticut General Statutes § 8-30j, each municipality must prepare/amend, adopt, and submit an affordable housing plan by June 1, 2022, and at least once every five (5) years thereafter. The Town has hired FHI Studio to assist in the preparation of its Affordable Housing Plan in coordination with the preparation of an update to the Town's Plan of Conservation and Development.

The Connecticut Department of Housing and the Regional Plan Association have published a document entitled, "Affordable Housing Plan and Process Guidebook" [a copy was previously distributed], to provide the municipalities with a methodology for development of an affordable housing plan, including recommendations on the process to be utilized and the content of an affordable housing plan. One recommendation in the Guidebook is that towns create an affordable housing committee consisting of a diverse group of people representing different demographics and perspectives to spearhead the planning effort.

It is recommended that the Town Council establish and appoint a seven (7) member advisory committee to be known as the "Affordable Housing Plan Advisory Committee" for the purpose of working with Town staff and the consultant to advise on and engage the public in the process of preparing a draft Affordable Housing Plan for the Town of Berlin in compliance with Connecticut General Statutes § 8-30j, which draft Plan will be presented to the Town Council on or before May 1, 2022, for its review and approval, with any amendments it deems necessary. The following individuals are recommended to be appointed as members of the Committee: Amy Balko, Christopher Coppola, Robert R. Dombrowski, Ann Gamelin, George Millerd, Tracy Shipman, and Tracy Sisti.

It is further recommended that: (1) the Committee meet as required to fulfill its purpose; (2) at its first meeting, the Committee elect a Chair, Vice Chair, and Secretary of the Committee; (3) Town employees attend the meetings of the Committee as available to offer their input and support of the work of the Committee based upon their specialized knowledge but not be voting members of the Committee; and (4) the Committee issue monthly status reports to the Town Council to update the Council on the work of the Committee.

Actions Needed:

Move to establish and appoint a seven (7) member advisory committee, consisting of the following individuals, Amy Balko, Christopher Coppola, Robert R. Dombrowski, Ann Gamelin,

George Millerd, Tracy Shipman, and Tracy Sisti, to be known as the “Affordable Housing Plan Advisory Committee” for the purpose of working with Town staff and the consultant to advise on and engage the public in the process of preparing a draft Affordable Housing Plan for the Town of Berlin in compliance with Connecticut General Statutes § 8-30j, which draft Plan will be presented to the Town Council on or before May 1, 2022, for its review and approval, with any amendments it deems necessary. The Committee shall meet as required to fulfill its purpose and shall issue monthly status reports to the Town Council to update the Council on the work of the Committee. At its first meeting, the Committee shall elect a Chair, Vice Chair, and Secretary of the Committee. Town employees will attend the meetings of the Committee as available to offer their input and support of the work of the Committee based upon their specialized knowledge but will not be voting members of the Committee.

Prepared By:

Maureen Giusti, Acting Town Planner

Jim Mahoney, Economic Development Coordinator

A handwritten signature in blue ink, appearing to be the initials 'A' or 'J' with a stylized flourish.

Agenda Item No. 17
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: November 17, 2021

SUBJECT: Police Chief Salary Funding

Summary of Agenda Item:

The new Police Chief was informed by the Vice Chair of the Police Commission that his first day as the Police Chief would be on November 1, 2021. Due to the delay in processing certain required paperwork, the Chief could not be sworn in until noon November 4, 2021, and Deputy Chief Ciuci continued to perform his duties as Acting Chief until noon November 4, 2021.

Since the current budget does not have an appropriation to pay two chiefs at the same time, approval is required to pay two employees from the Department Head budget line from November 1, 2021, through November 4, 2021, noon.

Action Needed:

Move to transfer \$2,000 from Professional Personnel to Department Head, both in the Police Department General Fund budget, to pay the new Police Chief for the period November 1, 2021, through November 4, 2021, noon.

Attachments:

Budget Transfer Form


Prepared By:

Arosha Jayawickrema, Town Manager 



TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

Department:	Police	Fiscal Year:	FY2022	Date:	11/17/21
To Acct #:	Description:	Amount:	Requested by:		
001.15.1532.0.51100.00000	Department Head	\$2,000.00	A. Jayawickrema		
Are there funds from another account which can be requested: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Don't Know <input type="checkbox"/>					
From Acct #:	Description:	Amount:	Approved by:		
001.15.1532.0.51120.00000	Professional Personnel	\$2,000.00			


Contingency Balance (If applicable):

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

The new Police Chief was informed by the Vice Chair of the Police Commission that his first day as the Police Chief would be on November 1, 2021. Due to the delay in processing certain required paperwork, the Chief could not be sworn in until noon November 4, 2021, and Deputy Chief Ciuci continued to perform his duties as Acting Chief until noon November 4, 2021.

Since the current budget does not have an appropriation to pay two chiefs at the same time, approval is required to pay two employees from the Department Head budget line from November 1, 2021, through November 4, 2021, noon.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:
			11/17/21
Comments:			
			

Section 3a: Town Council action:

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

Section 3b: Board of Finance action:

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

Section 4: To be completed by Finance Department:

Budget Change # :	JE#	Approved by Town Meeting	Date approved:
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Please return application to:

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

TOWN OF BERLIN
21 AUG 16 AM 9:28

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:

1. Conservation Commission 2. _____

Name: Karen Pagliaro Telephone No.: 860-878-5708

Home Address: 221 Still Meadow Lane Kensington Number of years in Berlin: 34
(Note: To apply, you must be a resident of Berlin)

Email Address: kpagliaro8@gmail.com

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

UConn Bachelor of Science in Nursing
Educational Background (optional)

HHC
Present Employment (company/position)

181 Patricia Genova Dr., Newington CT 06111
Business Address

Current and Past Civic/Community Involvement: _____

Conservation Commission, 2020-present, presently alternate member/ member 2011-2017

Library Board 4/2020 until present

Tell us why you feel qualified for this appointment: have served on this board for a total of 8+ years, Community

Garden Coordinator for 6 yrs, passionate about this topic

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

conflict of interest identified

Signature: Karen Pagliaro, electronically signed Date: 8/13/21

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.

Karen A. Pagliaro, RN, BSN

221 Still Meadow Lane

Kensington, CT 06037

860.878.5708

Email: kpagliaro8@gmail.com

SUMMARY OF QUALIFICATIONS

Experienced in health care that includes Medicare and Medicaid guidelines, Community Resources and Connecticut State regulations; an effective problem solver, manager of staff and resources; deals effectively with multiple tasks and conflicting priorities.

PROFESSIONAL EXPERIENCE

9/2007 to present **Hartford HealthCare**

5/2020 to present **Hartford HealthCare Community Network, Newington CT**

Director, Community Relations

Oversees building existing and new community strategic relationships on behalf of the Community Network division.

- Manages Fund and grant raising on behalf of the Community Network
- H3W Leadership Behaviors Credentialed Facilitator
- HRO Credentialed Facilitator
- Nursing Peer Support Colleague
- Assists the Community Network with participation in Medical Missions, Hartford HealthCARES and the Colleague Assistance Fund
- Plans and coordinates divisional events, influenza clinics and the Nightingale Awards
- Oversees the administration of Covid-19 vaccinations at the HHC CT Convention Center vaccine clinic, over 83,000 vaccinations given between 12/28/20 and present
- Plans and coordinates homebound vaccinations working with various health districts

9/2007 to 5/2020

Hartford HealthCare at Home, Wethersfield, CT

(03/2015 to 5/2020)

Director of Community and Government Relations

Directs all grant related opportunities, oversees grant programs including Meals on Wheels, Nurturing Families Network; directs community influenza clinics, community clinics, and acts as a liaison for state government.

- Heart of the Agency Award, October 2008.
- H3W Credentialed Leadership Behaviors Facilitator
- Liaison to Assisted Living Facilities
- Emergency Management Coordinator
- Interim Director Hospice, Center for Hospice Care

Regional Director of Clinical Operations, Southington

(01/12-03/2015)

Branch Director, Cheshire

(1/11-12/11)

Clinical Supervisor, Glastonbury

(09/07-01/11)

/1984 to 9/2007

Visiting Nurse Association of Central Connecticut, Inc.

- Held various roles including certified staff nurse, Hospice Nurse, Hospice On-Call and Director of Community Affairs

EDUCATION

University of Connecticut, Storrs, CT

Bachelor of Science Degree in Nursing

APPOINTMENTS **Notary Public**

4/15/2019 to 4/30/2024

AWARDS/ASSOCIATIONS/CLUBS

2021

Citation from the CT General Assembly recognizing work at a first responder/Covid Vaccine Clinics

2019

Nightingale Award for Excellence in Nursing

2019

Ella Grasso Women in Leadership Award

2017

American Lung Association, Award for Innovation Approaches to Offer Vaccinations

2005 to present

Dr. Lorraine G. Spranzo Scholarship Selection Committee
(Community Foundation of Greater New Britain)

2005 to present

Corporator, Hospital of Central CT (HOCC)

2018 to present

Pet Therapy Volunteer Team: HOCC/Arbor Rose Assisted Living/Miller Memorial

2018 to present

Tails of Joy, Volunteer

Board of Directors (June 2021-present)

4/2020 to present

Board of Directors, Berlin Peck Memorial Library, Town of Berlin

3/2020 to present

Commissioner, Conservation Commission, Town of Berlin

2011 to 2017

Commissioner, Conservation Commission, Town of Berlin

2013 to 2020

CAHCH – Government Relations Committee

2017 to 2019

Town Council, Town of Berlin, CT

1990 to 2011

Junior Woman's Club of Berlin, Inc.

Past President 1995/1996, 2009/2011, Outstanding Member 1995



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.

21 SEP 1 PM 11:54
TOWN OF BERLIN

Please list your Board/Commission preference below:

1. Conservation Commission 2. _____

Name: Mary Kathryn LaRose

Telephone No.: 860 828 1012

Home Address: 26 Woodruff Lane
(Note: To apply, you must be a resident of Berlin)

Number of years in Berlin: 45 years

Email Address: mklarose@aol.com

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

Party Affiliation: Republican

Univ. of Ct. BS Elem Educ, 1973 CCSU MS Reading, continued
Educational Background (optional) study in Education 1974-90's (?)

Retired teacher - 35 yrs in New Britain. 13 years part-time
Present Employment (company/position) employment with Kelly Educational Staffing
2008-June, 2021.

Business Address _____

Current and Past Civic/Community Involvement: Berlin Jr. Women's Club, past volunteer,
FOBAC volunteer, past; Current Member of Berlin Repub Town
Committee, current alternate on Conservation Commission

Tell us why you feel qualified for this appointment: I have served as an alternate on
the Conservation Comm for about 2 years and feel that I will
be able to be more valuable as a full voting member.
Can you think of any reason that a conflict of interest could arise if you were appointed? _____

No

Signature: Mary Kathryn LaRose

Date: 8/31/21

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.

Lucas A Van Zandt

Town of Berlin | Generated 10/28/2021 @ 10:17 am by OnBoard2 - Powered by ClerkBase

Status

Name Lucas A Van Zandt
Application Date 10/27/2021
Expiration Date 10/27/2120
Board Member Lucas A Van Zandt
Status Validated

Board

Constables

Vacancies

4

Status

Pending

Basic Information

Name
Lucas A Van Zandt

Contact Information

Address
52 Skyview Dr
Berlin, CT 06037
Resident
Yes
Phone
860-983-0177
Email
lucas2424@comcast.net

Occupation

Employer
LPL Financial
Job Title
Financial Advisor

Other Questions

Question #1

Number of years in Berlin
15

Question #4

Tell us why you feel qualified for this appointment
I would like to help the Town and believe my 25 yrs experience in Finance would be an asset.

Question #5

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

Question #6

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

Political Party

What is your political party affiliation?

- Republican



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:

1. Public Building Commission

2. _____

Name: Jason Scarano

Telephone No.: 203-605-3884

Home Address: 191 Stillmeadow Lane

Number of years in Berlin: 16

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

Email Address: JayScarano@Sbcgbl.net

Are you a Registered Voter? Yes

Party Affiliation: Independent

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

Master E1 Electrician

Educational Background (optional)

DICIN ELECTRIC INC. Waterford CT / Project Manager, Superintendent

Present Employment (company/position)

156 Crossroad Waterford CT

Business Address

Current and Past Civic/Community Involvement: None

TOWN OF BERLIN

21 OCT 4 PM 3:56

RECEIVED FOR RECORD
BERLIN TOWN CLERK

10 OCT - 5 AM 9:14

BERLIN CT

Tell us why you feel qualified for this appointment: I have 26 years experience in the build trades and deal on a regular basis with owners, architects, engineers, and contractors.

Can you think of any reason that a conflict of interest could arise if you were appointed? Only if my company would bid on a town public bid project, which to my knowledge we have never done in the Past.

Signature: _____

Date: 10-4-21

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.
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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.

2021-2022

Boldface items approved by Bd. of Finance and Town Council.
All others approved by Town Manager.

Bud.Chg.	#	Department	Contingency	Fund Bal.	Other General Fd.	Other Fund	Comments
	22-01	Finance			\$4,400.00		Computer Support (from Part time help)
	22-02	Townwide		\$2,210,640.00			Pension/Actuarial Funding
	22-03	Animal Control			\$170.00		Telephone (from Maint. & Repair)
	22-04	Economic Devel.			\$4,832.83		Salary increase for Director (from Salary Continuation)
	22-05	Nursing			\$5,000.00		Part Time Help (from Dept. Head)
	22-06	Building Inspection			\$250.00		Uniforms/safety equip. (from Mid Managers)
	22-07	Townwide		\$3,100,000.00			Pension/Actuarial Funding
	22-08	Town Clerk			\$92.50		Computer Support (from Supplies)
	22-09	Golf				\$4,900.00	Parts for backhoe overhaul (from CNR Backhoe)
	22-10	Highway				\$5,000.00	Paving Box (from CNR Wood Chipper)
	22-11	Library			\$1,200.00		Maint. & Repair (from Data Services)
	22-12	Public Works			\$500.00		Mater.Storage Yard Monitoring Wells (from Contrac. Serv.)
	22-13	Nursing			\$75.00		Org. Fees (from Training)
	22-14	Registrar of Voters			\$170.00		Org. Fees (from Truck Rental)

\$0.00	\$5,310,640.00	\$16,690.33	\$9,900.00
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Cumulative Appropriations

\$2,210,640.00

Bal. of Contingency Account

\$300,000.00

Fee Waivers and Donations Approved by Council
Fiscal Year 2021/22

<u>Date</u>	<u>Value</u>
7/20/2021 Waive Police fees - Willard 5K Fun Run	\$2,289.00
7/20/2021 Waive Police fees - Berlin Fair	\$29,236.00
9/7/2021 Donation of 4 rounds of golf and 2 carts - Timber Cup Tournament raffle prize	\$244.00
9/7/2021 Waive rental fee at Pistol Creek deck - U.S. Army reserves	\$100.00
9/7/2021 Waive permit fees for temp. tent - Wellspring Church	\$170.00
9/7/2021 Waive additional Police fees - Kens. Cong. Church Festival on the Hill	\$79.90
9/21/2021 Waive P & Z special event fee - St. Paul annual picnic	\$150.00
9/21/2021 Waive Police fees - BVFD Jeep show	\$385.00
10/5/2021 Waive Police fees - Hungerford Pumpkin Palooza	\$1,000.00
10/19/2021 Waive fees for the installation of two tents - Hungerford	\$165.00

\$33,818.90

Join Zoom Meeting

<https://berlinct-gov.zoom.us/j/83447275957?pwd=MEVkrR0krZnNNYTZuNjFEbStMYnhiZz09>

Meeting ID: 834 4727 5957

Passcode: 091588

By phone:

+1 929 205 6099 US (New York)

**TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, October 19, 2021
Town Council Chambers and
Remote Meeting
7:00 P.M.**

A. CALL TO ORDER

Mayor Kaczynski called the meeting to order at 7:00 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. MAYOR'S REPORT

Mayor Kaczynski introduced Mitchell Rivers who recently attained the rank of Eagle Scout. A ceremony was held at Kensington Congregational Church on September 26, 2021 for Mr. Rivers and both the Mayor and State Representative Donna Veach attended. Mr. Rivers Eagle Scout Project was planting trees at the Kensington Congregational Church

The Mayor read the following proclamation:

TOWN OF BERLIN
TOWN COUNCIL

PROCLAMATION

BE IT HEREBY KNOWN TO ALL THAT:

The Town of Berlin hereby recognizes Mitchell Rivers on achieving the rank of Eagle Scout, Boy Scouts of America.

In recognition of his commitment to his family, community, and upholding the principles of Eagle Scouting the Town Council congratulates Mitchell and extends best wishes to him in all of his future endeavors.

Dated this 25th day of September 2021.

Mark H. Kaczynski, Mayor

State Representative Donna Veach also read from an Official Citation from the State of Connecticut General Assembly to Mitchell Rivers.

“The State of Connecticut General Assembly introduced by Representative Veach, District 30, Representative Abercrombie, District 83 and Senator Lopes, 6th District. In recognition of the highest achievement that the Boy Scouts of America can achieve. The personal qualities that have enabled him to meet this goal will serve him well in his future endeavors.”

E. AUDIENCE OF CITIZENS

Mary-Kathryn LaRose, 26 Woodruff Lane – Ms. LaRose stated that she had some questions regarding the proposed amendments to the Town’s leash law which is on tonight’s agenda for discussion.

Ms. LaRose is concerned with the wording of allowing dogs to be off leash at Bicentennial Park for a period of six months because it does not address what happens after that time period. She believes that the discussion at the Ordinance Committee meeting included adding the phrase “pending a final location”. Her other concern is that in the section entitled “under restraint” it does not address invisible fence as a means of controlling a dog.

She added that she has been reading the Town Charter, specifically the sections regarding the Conservation Commission as it had been discussed that this Commission has the authority to determine what would and wouldn’t be allowed on properties that they oversee. But in reading section 8-12 of the Charter the word “may” is used, and it is her understanding that word means you are permitted to do something. Also in that section it refers to “an entity that has the authority to delegate to the Conservation Commission” but does not specify what that entity is. In her opinion that entity would be the Town Council.

Susan Kwasniewski, 1111 Kensington Road – Ms. Kwasniewski thanked the Town Council and the Ordinance Committee for their work.

Regarding Ms. LaRose's comments, Corporation Counsel stated that changes can be made to the wording of the ordinance prior to the Public Hearing and can also be discussed the evening of the Public Hearing prior to adoption of the ordinance amendments.

F. MEETING AGENDA – Immediately Following the Audience of Citizens

G. CONSENT AGENDA:

- 1. Topic re: Accept monetary donations totaling \$3,045.00 for the Berlin Peck Memorial Library and deposit \$3,000.00 into the Vance Foundation donation account to be used for the purchase of large print books and audiobooks and deposit \$45.00 into the library agency account to be used for the purchase of books in memory of Myron Pitkin Morgan. – Berlin-Peck Memorial Library**
- 2. Topic re: Approve Berlin High School Class of 2025 to sell prepackaged food and beverages at the Homecoming Dance at Biscoglio Auxiliary Field on Saturday, October 23, 2021, from 6 p.m. to 9 p.m. – Parks and Recreation**

Councilor Luddy moved to accept the Consent Agenda as presented.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to add Item #15 to tonight's agenda.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

H. NEW BUSINESS:

1. Topic re: Housing Authority update. – Housing Authority

Housing Authority Vice Chair Michele Yarincik provided an update on the Senior Housing project stating that the four-percent tax credit application has not yet been filed because there are two significant design changes to the original HVAC concept. New construction estimates need to be obtained from Enterprise Builders for those changes in order for the tax credit application to be submitted. They hope to submit that application by the middle of November

The Town was not awarded the \$800,000 Community Development Block Grant. Other funding sources will be researched.

On another subject, Ms. Yarincik added that she had a conversation with State Representative Donna Veach regarding obtaining a generator for the Percival Heights complex to cover the thirty (30) housing units, the community room, and the Senior Center. Several years ago the complex was without power for about a week, although a generator was obtained to run the fuel pumps for heat.

Obtaining a generator for Percival Heights would allow the seniors at the complex to remain in place during a power outage, and it could also allow the Senior Center to be an additional place of refuge during extended Town power outages.

Ms. Yarincik obtained quotes for a generator which she distributed to Town Council members at tonight's meeting. She inquired about the possibility of Covid Relief Funds being used for the purchase, or if Council members have any other ideas for funding.

Mayor Kaczynski stated that the funds the Town will be receiving for Covid relief have many stipulations. Ms. Yarincik added that there is the possibility that the Housing Authority could fund half of the cost.

2. Topic re: Approve the employment agreement between the Town of Berlin and Matthew McNally to be executed upon the successful completion of the background requirements. – Police Commission

Corporation Counsel Donofrio began the discussion of the employment agreement by stating that it is a typical senior management contract with terms provided to Counsel by the Town. The term of the contract is for one year commencing on November 1, 2021 and terminating on October 31, 2022, the first year is considered to be a probationary period, meetings between the Police Chief and Police Commission must be held at least once per month to discuss the Chief's performance, and the residency requirement states that the Police Chief must establish his primary residence in Berlin within one year unless the Police Commission issues a waiver or extension. Benefits are typical senior management benefits.

He added that the contract contains typical statutory language regarding the Chief submitting to a comprehensive medical exam on an annual basis, including prior to the effective date of this contract. The termination language refers to Connecticut General Statute 7-278 which provides police chiefs certain due process rights, and that section of the contract also addresses the Town's ability to terminate the agreement if the Chief is permanently disabled. The contract also addresses arbitration and the statutory indemnification provision.

Police Commission Vice Chairman Steve Wilson stated that there is a list of items that the State of Connecticut requires from the new Police Chief. The polygraph and fingerprints have been completed; the background check is currently underway. The psychological tests are backed up due to the Police Accountability Act and there are a limited number of administrators, but the State allows 182 days from hire date to complete those tests. The medical exam will be done early in the probationary period due to a backlog of available vendors for these police-specific services. Mr. Wilson added that the State Police have unofficially cleared Mr. McNally for this job.

Mayor Kaczynski inquired with Corporation Counsel regarding the medical exam not being completed prior to the effective date of the agreement. Attorney Donofrio stated that if the medical exam is in process, then it will be fine.

Councilor Rosso inquired about pushing off the start date until the medical exam is completed. Councilor Urrunaga added that it could be a safety concern for the Town. Mayor Kaczynski stated that if Mr. McNally wasn't already an officer in Danbury it would be more of a concern. Mr. Wilson added that Mr. McNally has had a medical exam, background check, and psychological exam in the last five years, and they are all considered current. He only needs to retake them because he is changing agencies as that is how the law is written. Mayor Kaczynski added that his first year is a probationary period and if he doesn't pass any of the required exams then the agreement can be ended.

Councilors Veach, Paonessa and Luddy agreed with moving forward as there is the probationary period in the agreement.

Mayor Kaczynski addressed the hiring process again and reminded everyone that Corporation Counsel vetted the entire process and has spoken directly to those that had complaints about it and assured them that it was a fair process. He requested those with issues with the process to address those issues now.

Police Commission member Ryan Zelek stated that he is a ten-year member of the Police Commission. Although Chief Klett retired on July 1st he did not find out about it until July 14th and never saw a job posting for the position and that is very concerning to him. He added that he feels the process to hire a new Chief has been rushed and believes the Town has a very capable 27-year veteran of the department that was overlooked for the job. He presented a letter to Mayor Kaczynski from the Berlin Police Union dated September 2, 2021 which stated that the Union supports promoting from within the department. The Mayor added that he spoke to the Police Union President after the selection of Mr. McNally and stated they were accepting of the selection.

Vice Chairman Wilson then explained that all members of the Police Commission had the opportunity to meet with all the candidates for the position. He stated that over the course of a number of meetings straw polls were held with the hopes that the Commission could come to a 5-0 or 4-1 vote for any one person, but it was apparent that wasn't going to happen so a meeting was scheduled and a 3-2 vote was made for Mr. McNally.

There was discussion about the new Chief's salary being more than the previous Chief's, but the Town Manager clarified that the difference is \$4,807.

Councilor Luddy moved to approve the employment agreement between the Town of Berlin and Matthew McNally to be executed upon the successful completion of the background requirements.

Seconded by Councilor Paonessa.

Those voting in favor: Councilor Luddy, Councilor Paonessa, Councilor Veach, Mayor Kaczynski.

Those opposed: Councilor Angelico Stetson, Councilor Rosso, Councilor Urrunaga.

Vote being 4-3 (MOTION CARRIED)

3. Topic re: Discussion concerning the Town's COVID—19 Protocols and Vaccination Status Verification. – Human Resources

Human Resources Director Denise Parsons explained that COVID-19 protocols have changed numerous times over the past year and a half, and her department has issued multiple updates to be in compliance with the Governor's orders. The most recent protocols were issued to staff on October 15, 2021 and they included requirements related to travel.

Prior to that date all staff were required to follow CDC guidelines which required unvaccinated people to quarantine following out of state travel. With the new protocols the Town is asking people to follow those guidelines, but it is no longer a requirement.

The new protocols also include language regarding COVID-19 exposure and/or a positive test. Based on CDC guidelines there are different protocols for vaccinated versus unvaccinated people.

In addition to the updated protocols Human Resources has also collected information from employees regarding their vaccination status. This has been done based on the President's notice that employers with more than 100 employees mandate vaccination or COVID testing protocols for staff. While still waiting for OSHA to provide those emergency orders the Town has decided to get ahead of the curve and collect the data from employees now.

Mayor Kaczynski inquired about the Town's mask policy, specifically at the Senior Center. Town Manager Jayawickrema stated that Town Hall is following the CDC guidelines that mask wearing is encouraged for those that are vaccinated and required for those that aren't. Ms. Parsons stated that the Community Center and Library require masks due to the presence of unvaccinated children at both locations. She added that she believes the Senior Center still requires masks to protect the seniors.

Mayor Kaczynski inquired if there had been pushback from the Police Department with the request for vaccination information. Ms. Parsons stated that she met with the Police Union President who stated their concern had been with the quarantine requirement after travel, but when it was determined that that was no longer a factor there was no issue.

NO ACTION NEEDED

4. Topic re: Authorize the Town Manager to apply for a grant from the Connecticut Department of Economic and Community for the demolition of the former Knights of Columbus building at 143 Percival Avenue. – Economic Development

Community Development Coordinator Jim Mahoney stated that the Town did not receive the Community Development Block Grant (CDBG) it had applied for to demolish the former Knights of Columbus building on Percival Avenue in preparation for a Berlin Housing Authority project. He added that all CDBG grants awarded this year were for rehabilitation of existing housing units which is the State's priority.

The Connecticut Department of Economic and Community Development has issued an invitation for application for brownfields grants. The demolition may be eligible for this type of grant because it would require the abatement of hazardous building materials. The grant amount would be approximately \$160,000 which could be used for demolition and abatement.

Housing Authority Chairman Joe Bajorski stated that the difference between the CDBG funds and the brownfields grant funds could be made up from other grant sources. He added that he believes financing will be in place by the first quarter of 2022 and breaking ground at the end of 2022.

State Representative Veach added that she did send a letter of support for the Senior Housing project to go along with the application.

Councilor Luddy moved to authorize the Town Manager to apply for a grant from the Connecticut Department of Economic and Community for the demolition of the former Knights of Columbus building at 143 Percival Avenue.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

5. Topic re: Award bid no. 2022-04 to T&T Electrical Contractors, Inc., of Hartford, CT in the amount of \$188,400 for lighting and ceiling upgrades within the McGee Middle School Library Media Center which includes a 20 percent project contingency. – Facilities

Director of Facilities Doug Solek stated that for fiscal year 2022 funding was allocated for lighting and ceiling upgrades within the McGee Middle School Library Media Center. The project was publicly bid, and a scope review was conducted with the two low bidders.

It is recommended to award the bid to T&T Electrical Contractors, Inc. of Hartford, CT., utilizing alternate no. 2 in the amount of \$188,400 which includes a 20 percent project contingency. Materials will be ordered immediately upon bid award and contract execution to help minimize risk of rising costs, with installation scheduled to be performed during the summer school recess of June to August of 2022. Contingency will also cover the anticipated Prevailing Wage increases in 2022.

Councilor Luddy moved to award bid no. 2022-04 to T&T Electrical Contractors, Inc., of Hartford, CT in the amount of \$188,400 for lighting and ceiling upgrades within the McGee Middle School Library Media Center which includes a 20 percent project contingency.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

6. Topic re: Award Contract #2022-08 to the lowest bidder, New Britain Fence out of New Britain, CT for installing, replacing and repairing fences. Funding will come from line-item accounts within fiscal years 2021/2022, 2022/2023 and 2023/2024 through established unit prices. – Public Grounds

Superintendent of Parks and Grounds Steve Wood stated that the Berlin Parks and Grounds Department, Highway Department, Public Works and Facilities Departments, Water Control Commission and Cemetery Committee are all requesting permission to utilize New Britain Fence Company for installing, replacing, and repairing fences that have been damaged during storms at parks, athletic fields, pump stations, cemeteries and other remote buildings and properties throughout town.

A public bid opening was held on October 4, 2021 with three bids received. After careful review of all three bids and prices, and the history of work that New Britain Fence has provided, staff recommends executing a three-year contract with New Britain Fence.

Mr. Wood added that with the price of steel and fencing increasing, to procure a vendor for three years is in the best interest of the Town.

Councilor Luddy moved to award Contract #2022-08 to the lowest bidder, New Britain Fence out of New Britain, CT for installing, replacing and repairing fences. Funding will come from line-item accounts within fiscal years 2021/2022, 2022/2023 and 2023/2024 through established unit prices.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

7. Topic re: Approve the purchase of three (3) 2022 Ford Utility Police Interceptors for the Police Department, utilizing the State of Connecticut, Department of Administrative Services Contract #12PSX0194 for an amount not to exceed \$111,009. – Municipal Garage

Fleet Manager Jim Simons stated that within the 2021/2022 fiscal year budget, funding was approved to replace three police vehicles. MHQ of Marlborough, MA currently holds the contract with the Connecticut Department of Administrative Services (Contract #12PSX0194).

This purchase would be for three (3) 2022 Ford Police Utility Interceptors for a price of \$33,639.00 each, for a total expenditure of \$100,917. Adding a ten percent contingency would bring the requested amount to \$111,009.

Delivery dates are currently unavailable due to market conditions.

Councilor Luddy moved to approve the purchase of three (3) 2022 Ford Utility Police Interceptors for the Police Department, utilizing the State of Connecticut, Department of Administrative Services Contract #12PSX0194 for an amount not to exceed \$111,009.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

8. Topic re: Call a Town Meeting at 6:45 p.m. on November 30, 2021, to approve a FY22 non-budgeted appropriation of \$2,200,000 from the General Fund Unassigned Fund Balance to the Transfers to Other Funds, both in the General Fund, to fund the purchase of two new fire vehicles and the balance owed on a third new fire vehicle to be delivered in early 2022. – Fire Administrator

Fire Administrator Jim Simons explained that the next two fire vehicles scheduled to be replaced are both pumpers that were manufactured by American LaFrance which filed for bankruptcy in 2008 and replacement parts are difficult to find. The Town has maintained both vehicles over the years, but the part shortages have created extended down times.

Pierce is currently the preferred vendor for these vehicles. In discussing the possible order, Pierce has indicated that commodity prices are driving a higher-than-normal annual increase in January 2022. Pierce is projecting to increase prices 10% in January (versus 3% historically). This request is to purchase two vehicles in December to save the Town approximately \$200k versus waiting until 2022 to place the order. Mr. Simons added that delivery time for the vehicles is averaging fourteen months due to Covid.

The purchase request was brought to the Board of Finance who recommended bringing the item to the Town Council to set a Town Meeting to approve the non-budgeted appropriation.

Councilor Luddy moved to call a Town Meeting at 6:45 p.m. on November 30, 2021, to approve a FY22 non-budgeted appropriation of \$2,200,000 from the General Fund Unassigned Fund Balance to the Transfers to Other Funds, both in the General Fund, to fund the purchase of two new fire vehicles and the balance owed on a third new fire vehicle to be delivered in early 2022.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

9. Topic re: Authorize the award of Contract #2022-05, the snow plowing of Town streets, to Earth Contractors, LLC at the rate of \$200.00 per hour for the primary vehicle, and \$200.00 per hour for each spare vehicle. – Public Works

Public Works Director Mike Ahern stated that bids for snow plowing of town streets were received from Earth Contractors, LLC of Kensington and Staxx Construction Services, LLC both at the rate of \$200 per hour.

The bid also requires the contractor to provide spare vehicles which was bid by both at the rate of \$200 per hour, per spare vehicle. Staxx indicated it could supply one spare truck, while Earth could supply up to two spare trucks. Staff recommend selecting Earth Contractors, due to its past performance over the past several winter seasons, familiarity with the Town main road plow routes, and for the availability of an additional spare truck as compared to Staxx.

Councilor Luddy moved to authorize the award of Contract #2022-05, the snow plowing of Town streets, to Earth Contractors, LLC at the rate of \$200.00 per hour for the primary vehicle, and \$200.00 per hour for each spare vehicle.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

10. Topic re: Authorize the award of the snow plowing of Cul-de-Sacs and Misc. Areas 2022-06 to Staxx Construction Services at the rate of \$155.00 per hour, and Rogan Enterprises, LLC at the rate of \$165.00 per hour. – Public Works

Public Works Director Ahern stated that the Public Works Department received two bids for the plowing of cul-de-sacs and other miscellaneous areas from Staxx Construction Services and Rogan

Enterprises, LLC. Due to the number of snow plowing districts the Town will be required to retain both Staxx and Rogan to perform the work as has been done in past years.

Councilor Luddy moved to authorize the award of the snow plowing of Cul-de-Sacs and Misc. Areas 2022-06 to Staxx Construction Services at the rate of \$155.00 per hour, and Rogan Enterprises, LLC at the rate of \$165.00 per hour.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 11. Topic re: Review, discuss, and possibly revise amendments to Sec. 3-2 Definitions of Chapter III – Animals Ordinance to amend the definitions of “At large”, “Public nuisance”, and “Under restraint” contained therein and add a definition of “Designated public property” thereto and designate a temporary permitted off-leash area at Bicentennial Park, and related amendments to Sec. 13-32 Dogs of Chapter XIII – Parks and Recreation and Open Spaces Ordinance, which amendments have been recommended by the Ordinance Committee, and authorize the Town Manager to schedule and advertise said amendments for a Public Hearing to be held on Tuesday, November 30, 2021 at 7:00 PM. – Town Manager**

Town Manager Jayawickrema stated that the Ordinance Committee has discussed the potential adoption of amendments to the Town’s leash law for some time and a special meeting of the Committee was held on October 14, 2021.

The proposed amendments are threefold. First, there are proposed amendments to Sec. 3-2 Definitions of the Animals Ordinance at Chapter III to amend the definitions of “At large”, “Public nuisance”, and “Under restraint” and add a definition of “Designated public property” regarding the type of leash or lead that can be used depending on the public property involved and the control that the owner or keeper must exercise over an animal. Second, there is a designation of the meadow area of Bicentennial Park as an off-leash area. Third, there are proposed amendments to Sec. 13-32 Dogs of the Parks and Recreation and Open Spaces Ordinance at Chapter XVI consistent with the proposed amendments to Chapter III.

Councilor Luddy moved to authorize the Town Manager to schedule and advertise for a Public Hearing to be held Tuesday, November 30, 2021 at 7:00 PM on amendments to Chapter III Animals Sec. 3-2 Definitions and Chapter XVI Parks and Recreation and Open Spaces Sec. 13-32 Dogs.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 12. Topic re: Authorize the Town Manager to schedule and advertise for a Public Hearing to be held Tuesday, November 30, 2021 at 7:00 PM on amendments to Section 16-15(d) of the Taxation and Finance Ordinance at Chapter XVI of the Town of Berlin Code Book to amend the process for applying for an exemption from personal property taxation of vehicles for the handicapped. – Town Manager**

Town Manager Jayawickrema stated that this item was also discussed at the October 14, 2021 Ordinance Committee meeting and pertains to residents with vehicles that have been specifically modified for their disabilities. These modifications include lifts, ramps, and accommodations for medical equipment among other items.

The current ordinance requires a person applying for an exemption from personal property taxes for these vehicles to apply every year. The proposed amendments seek to eliminate that requirement.

Councilor Luddy moved to authorize the Town Manager to schedule and advertise for a Public Hearing to be held Tuesday, November 30, 2021 at 7:00 PM on amendments to Section 16-15(d) of the Taxation and Finance Ordinance at Chapter XVI of the Town of Berlin Code Book to amend the process for applying for an exemption from personal property taxation of vehicles for the handicapped.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

13. Topic re: Adopt the proposed Flag Flying Policy and set an effective date therefor. – Town Manager

Mayor Kaczynski requested that this item be removed from tonight's agenda to allow more time for public comment on the subject. This item will be placed on the next Town Council Agenda.

NO ACTION TAKEN

14. Topic re: Approve the appointment of Mr. Mike Ahern as the Temporary Town Manager during the absence of the Town Manager effective noon on Thursday, October 21, 2021 until the Town Manager resumes managerial powers and duties.

Town Manager Jayawickrema stated that he will be away from Friday October 22, 2021 through Friday, November 5, 2021 to tend to personal matters.

Section 5-6 of the Town Charter gives the Town Manager the option to appoint a Temporary Town Manager, with Council approval, in the event of the Manager's absence for a period of less than thirty consecutive days.

The Town Manager is recommending the appointment of Mike Ahern, Public Works Director and Town Engineer, as Temporary Town Manager for this period.

Councilor Luddy moved to approve the appointment of Mr. Mike Ahern as the Temporary Town Manager during the absence of the Town Manager effective noon on Thursday, October 21, 2021 until the Town Manager resumes managerial powers and duties.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

ITEM #15 ADDED TO AGENDA

15. Topic re: Approve the request of the New Britain Youth Museum @ Hungerford Park, 193 Farmington Ave, Berlin to waive all fees associated with the installation of two tents on the patio area. The total amount of fees to be waived is \$165.00.

Donna Veach, representing the New Britain Youth Museum @ Hungerford Park is requesting a fee waiver of Building Permit Fees in the amount of \$165.00 for placement of two tents 20' x 40' on their patio area. One tent is owned by Hungerford (value \$3,300) and one is to be rented (\$500).

Councilor Luddy moved to approve the request of the New Britain Youth Museum @ Hungerford Park, 193 Farmington Ave, Berlin to waive all fees associated with the installation of two tents on the patio area. The total amount of fees to be waived is \$165.00.

Seconded by Councilor Paonessa.

Those voting in favor: Councilor Angelico-Stetson, Councilor Luddy, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Mayor Kaczynski

Abstain: Councilor Veach

Vote being 6-0-1 (MOTION CARRIED)

I. 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. **Commission for Persons with Disabilities – Vacancy** -Term would be until January 31, 2022. Can be filled with a D, R or U.
4. **Conservation Commission – Vacancy** -Term would be until January 31, 2024. Can be filled with a D, R or U.
5. **Constables – 5 Vacancies** -Terms would be until December 2021. Can be filled with D, R, or U.
6. **Inland Wetlands & Water Courses Commission – Alternate – Vacancy** – New term would be until January 31, 2023. Can be filled with a D, R or U.
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. Planning and Zoning Commission – Vacancy - George Millerd resigned on October 14, 2021. Term would be until January 31, 2026. Can be filled with a D, R or U.

Councilor Luddy placed in nomination the name of Sandra Coppola (R) of 66 Heritage Drive for appointment to the Planning and Zoning Commission.

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

Vote being 7-0 in favor of Sandra Coppola (R) to serve on the Planning and Zoning Commission. Term ending January 31, 2026.

10. Public Building Commission – Vacancy -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. Water Control Commission – Alternate – Vacancy -New term would be until January 31, 2026. Can only be filled with a D or U.

13. Youth Services Advisory Board – Service Consumer- Vacancy – New term would be until January 31, 2024.

14. Zoning Board of Appeals – Vacancy – New term would be until January 31, 2023. Can be filled with D, R, or U.

15. Zoning Board of Appeals – Vacancy – Sandra Coppola resigned on October 14, 2021. Term would be until January 31, 2026. Can be filled with D, R, or U.

J. TOWN MANAGER'S REPORT:

- School Nurses – In the Town of Berlin school nurses fall under the VNA, not the Board of Education as is the case in other towns. As part of the recent restructuring of the VNA a school system member has been delegated to manage scheduling nurses for the schools.

Since that time the high school nurse has left, another nurse will be on maternity leave, and there has been difficulty finding per diem nurses. To avoid a shortage of school nurses the Town Manager suggests hiring a part-time nurse that could rotate through the schools as needed as a short-term solution for now.

K. SPECIAL COMMITTEE REPORTS:

The Ordinance Committee met on October 14, 2021 as evidenced by some of tonight's agenda items.

Councilor Luddy provided information from the Community/Senior Center Advisory Committee. He stated that members toured the Bloomfield Community Center and received a lot of good information on the building process and the center itself. This Center is about 56,000 square feet and was opened just prior to the pandemic. Two more Center tours are planned for next week in Mansfield and Newtown.

L. COUNCILORS' COMMUNICATION:

Councilor Rosso thanked Councilor Angelico-Stetson for her service to the Town of Berlin as a member of the Town Council for the past four years. He added that she brought class and energy to the Council as well as provided service to the town that goes beyond Town Council with the creation of the Lasagna Project.

Councilor Urrunaga added that Councilor Angelico-Stetson provided guidance to him when he joined Town Council two years ago. He stated that she has put herself out there to fight for what she believes in for the residents of the Town.

Councilor Angelico-Stetson thanked both Councilors for their comments. She added that it has been an honor to serve the people of Berlin on the Town Council as well as on the Board of Education and Economic Development Commission. She is looking forward to her continued social justice and advocacy work. The Councilor also thanked Town Manager Jayawickrema and Town Clerk Kate Wall for their leadership and stability for the Town Council.

Mayor Kaczynski and Councilors Luddy, Paonessa and Veach also thanked Councilor Angelico-Stetson for her service to the Town of Berlin.

M. ACCEPTANCE OF MINUTES:

October 5, 2021

Councilor Luddy moved to accept the Town Council Meeting Minutes of October 5, 2021.

Seconded by Councilor Paonessa.

Those voting in favor: Councilor Angelico-Stetson, Councilor Luddy, Councilor Paonessa, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Abstain: Councilor Rosso

Vote being 6-0-1 (MOTION CARRIED)

N. EXECUTIVE SESSION:

1. Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation - New Britain Stadium Pilot Agreement negotiations.

Councilor Luddy moved to go into Executive Session: Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation - New Britain Stadium Pilot Agreement negotiations at 9:21 p.m. Invited in: Town Manager Jayawickrema, Corporation Counsel Donofrio, and Assessor Joe Ferraro.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Executive Session ended at 9:39 p.m.

O. ADJOURNMENT

Councilor Luddy moved to adjourn at 9:39 p.m.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall
Clerk of the Meeting

Join Zoom Meeting

<https://berlinct->

[gov.zoom.us/j/83204150009?pwd=RGNXS2VGK3BFM1Y1TXp2aTJQc0VSdz09](https://berlinct-gov.zoom.us/j/83204150009?pwd=RGNXS2VGK3BFM1Y1TXp2aTJQc0VSdz09)

Call-in Option 1-929-205-6099 (New York)

Meeting ID: 832 0415 0009

Passcode: 601902

**TOWN OF BERLIN
TOWN COUNCIL MEETING
November 16, 2021
Town Council Chambers
7:00 P.M.**

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Those in attendance were:

Councilor Jack Fazzino
Mayor Mark Kaczynski
Councilor Brenden Luddy
Councilor Charles Paonessa
Councilor Peter Rosso
Councilor Mike Urrunaga
Councilor Donna Veach

Also in attendance:

Town Manager Aroscha Jayawickrema
Corporation Counsel Jennifer Coppola

D. MEETING AGENDA

1. Designation of Deputy Mayor by the Mayor

Mayor Kaczynski appointed Councilor Brenden Luddy as Deputy Mayor adding that it has been a pleasure working with him.

E. **PROCLAMATIONS:**

JoAnn Angelico-Stetson – Ms. Angelico-Stetson was unable to attend tonight's Town Council meeting. Mayor Kaczynski read the following proclamation:

TOWN OF BERLIN
Town Council

PROCLAMATION

BE IT HEREBY KNOWN TO ALL THAT:

The Town of Berlin hereby recognizes

JoAnn Angelico-Stetson

As she completes her term of office on the Berlin Town Council, having served with distinction from November 2017 until November 2021.

While on the Council, JoAnn served on the Budget Committee, the Ordinance Committee, the Audit Committee, the Technology Committee, the Community Conversations Committee, the Meeting House Committee, and the Central Connecticut Health District Committee.

JoAnn also served on the Board of Education from November 2014 until November 2017 and the Economic Development Commission from February 2014 until November 2017.

In recognition of her service to the Town of Berlin and the many contributions she made to improve the quality of life in our community, the Town Council hereby salutes **JoAnn Angelico-Stetson** and extends best wishes to her for many years of health and happiness in her future endeavors.

Dated this 16th day of November 2021.

Mark H. Kaczynski, Mayor

Councilor Rosso added that it was an honor to work with Councilor Angelico-Stetson for the past four years adding that she was the conscience of the Democratic caucus and made the Council a better body by her example.

F. **NEW BUSINESS**

1. **Topic re: Approve an extension of Ciulia & Donofrio LLP to continue as Corporation Counsel of the Town of Berlin for a period of two years,**

through and including the organizational meeting of the Town Council following the 2023 general municipal election. – Town Council

Town Manager Jayawickrema introduced this item and stated this is a two-year extension of the current agreement with the 2016 rates remaining the same and with no increase in retainer rates or hourly rates.

He added that the Town is very satisfied with the service received from Ciulia & Donofrio, they are responsive and give good advice, and recommends extending the agreement.

Mayor Kaczynski stated that he agrees with the Town Manager's statements and appreciates the service and advice provided by Attorneys Donofrio and Coppola to the Town of Berlin. Councilor Luddy added that he appreciates that they have held their price structure steady.

Councilor Luddy moved to approve an extension of Ciulia & Donofrio LLP to continue as Corporation Counsel of the Town of Berlin for a period of two years, through and including the organizational meeting of the Town Council following the 2023 general municipal election.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 2. Topic re: Authorize Corporation Counsel to finalize and the Town Manager to sign the four (4) easement documents for the Berlin Pump Station Property located at 436 Berlin Turnpike, as shown on the Proposed Easement Map prepared for BT 2008, LLC, 404 Berlin Turnpike, Berlin Connecticut prepared by The Bongiovanni Group, Inc and dated October 14, 2021; and to approve the recording of this map and the easements with the Town Clerk. – Water Control**

Public Works Director Mike Ahern stated that the Berlin Turnpike Sewer Station located at 436 Berlin Turnpike is the largest sanitary pump station of the Berlin Water Control (BWC) district. The pump station is located on a relatively small triangular Town parcel surrounded by privately-owned land to the North, West, and South.

BT 2008, LLC, the developer of a mixed-use project at 404 Berlin Turnpike requested shifting an access easement from one portion of the Town parcel to another, to construct a connecting access drive west of the pump station. BWC retained DPC Engineering (DPC) to evaluate options and possible modification to the proposed development around the Town parcel, as well as estimating future land needs for the pump station. After completing its analysis, DPC assisted

BWC and Town Staff in working with the Developer and his design team on the easement locations.

The arrangement is essentially an “easement swap”, in which the Developer would be granted easements for the access road and utilities, retaining wall maintenance, and for the connection and future access and maintenance of a sanitary line to the sanitary manhole located on Town property. In return, the Developer will grant an easement to the Town on the development site for future expansion and maintenance of the pump station and would relinquish the existing access easement that crosses the northeast corner of the Town parcel.

The easement map shows three easements in favor of BT 2008, LLC, as well as one easement in favor of the Town and the existing access easement on Town land to be extinguished. Staff (in coordination with the Berlin Water Control Commission) and Corporation Counsel have reviewed and approved the easement map and the four easement descriptions and recommend that the Town Manager be authorized to execute the referenced easements for recording with the Town Clerk, along with the associated easement map.

Councilor Luddy moved to authorize Corporation Counsel to finalize and the Town Manager to sign the four (4) easement documents for the Berlin Pump Station Property located at 436 Berlin Turnpike, as shown on the Proposed Easement Map prepared for BT 2008, LLC, 404 Berlin Turnpike, Berlin Connecticut prepared by The Bongiovanni Group, Inc and dated October 14, 2021; and to approve the recording of this map and the easements with the Town Clerk.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

At this time Mayor Kaczynski introduced Berlin’s new Chief of Police Matthew McNally. Chief McNally stated that he’s excited to be working in Berlin and his door is always open. In the short time he’s been here he can see that the Berlin police officers are phenomenal, and he sees that as a testament to prior leadership and the training they have received.

3. Topic re: Appointment of Town Council members to Sub-Committees

Town Manager Jayawickrema introduced this item and stated that some of the Sub-Committees have not met in some time and suggested that the Town Council charge the Rules and Procedure Committee to determine which Sub-Committees are no longer needed.

Mayor Kaczynski suggested that Town Council members review the list of committees and make appointments at the November 30, 2021 meeting.

Standing Committees:

- a. Ordinance Committee (3-5 members)
- b. Rules and Procedures Committee (2-3 members)
- c. Audit Committee (1-2 members)

Other Committees:

- d. Physical Services Committee (1-3 members)
- e. Committee to Oversee the "Robert Wolf Incentive Plan" (1-2 members)
- f. Connecticut Conference of Municipalities (1 member)
- g. Central Connecticut Health District Committee (1 member)
- h. Technology Committee (1-3 members)
- i. Playing Fields Committee (2-4 members)
- j. Plan of Development Committee (1 member)
- k. Fire Strategic Committee (1-2 members)
- l. Community Conversations (1-2 members)
- m. Manager's Evaluation (1 member)
- n. Meeting House (1 member)
- o. Mattabessett Watershed (1 member)
- p. Calendar (1 member)

NO ACTION TAKEN

G. ADJOURNMENT

Councilor Luddy moved to adjourn at 7:23 p.m.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall
Clerk of the Meeting