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Meeting ID: 825 0460 7952

Passcode: 475888

+1 929 205 6099 US (New York)

TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, April 19, 2022
Town Council Chambers
Remote Meeting
7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. AUDIENCE OF CITIZENS

E. MAYOR'S UPDATE

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

G. CONSENT AGENDA:

1. Topic re: Approve the request of Berlin Lions Agricultural Fair to waive Building permit fees for replacing the siding on their building. The total amount of the fee to be waived is approximately \$525.00. - Building
2. Topic re: Accept donations to the Berlin Animal Control Donation Account for \$ 55.00 and Pet food valued at \$ 1010.00. – Animal Control
3. Topic re: Accept monetary donations totaling \$320.00 for the Berlin Peck Memorial Library and deposit \$320.00 into the library agency account to be used for the acquisition of books and to purchase books in memory of Eileen Barriere and move to accept the donation of books with an approximate value of 185.78 and add them to the appropriate collection. – Berlin-Peck Memorial Library
4. Topic re: Approve Debra Tubbs of Rock N Roll Ice Cream Truck to sell ice cream, snacks and beverages at the following parks and playgrounds: Percival Pool, Demore, Dinda, Bittner Jr. Memorial Pool, Sage Park, Little Peoples Playground and the Friendship Place at Willard School. – Parks and Recreation

5. Topic re: Approve acceptance of the donation to the fishing derbies in the amount of \$200 for the Berlin Parks and Recreation Departments youth fishing derbies to be held on Saturday April 23 and Saturday April 30, 2022 at Sage Park Pond from 8 AM to 10 AM. – Parks and Recreation
6. Topic re: Approve Alex Joslyn of J&S Soccer Camps, LLC to charge a registration fee of \$125 for two separate J & S Youth Soccer Camps which will take place June 20-23, 2022 from 5:00PM – 7:00PM at Percival Field and on August 15-19, 2022 from 5:00PM – 8:00PM on Sage Auxiliary at Sage Park. Both camps will have approximately 30 children. – Parks and Recreation
7. Topic re: Approve request by Saint Paul School to have field usage fees, not to exceed an amount of \$960 waived for the school soccer team practices at Percival Soccer Field and Willard Soccer Field for a number of dates in April, May and June 2022. – Parks and Recreation
8. Topic re: Approve accepting a 6' mahogany bench valued at \$250 with a 9" X 3" plaque to be placed at Paper Goods Pond in memory of Sandra Thomson Lund. – Parks and Recreation

H. PUBLIC HEARINGS

“AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE”.

Copies of said proposed ordinances are on file open to public inspection at the Office of the Town Clerk.

Following the public hearing the Town Council is expected to consider and act upon the bond ordinances.

I. NEW BUSINESS:

1. Topic re: Waive Rule Seven and adopt “AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE” be adopted. – Water Control
2. Topic re: Waive the bidding requirements for GPRS, LLC to allow for additional leak detection work for an amount not to exceed \$2,000.00, as this is in the best interest of the Town. – Water Control
3. Topic re: Allow the Town Manager to enter into a Fire Marshal Mutual Aid agreement with the Cromwell Fire District. – Fire Marshal
4. Topic re: Waive the town's bidding procedure for Atlantic Golf and Turf for specific chemicals, seed and equipment parts in an amount not to exceed \$16,000 as this is in the best interest of the town. – Timberlin Golf Course

5. Topic re: Waive the town's bidding procedure for Turf Products Corporation as they are the sole source provider for Toro parts and service in an amount not to exceed \$19,000 as this is in the best interest of the town. – Timberlin Golf Course
6. Topic re: Update on Branding/Awareness Campaign For The Town of Berlin – Economic Development
7. Topic re: Approve a tax abatement for Alen Cecunjunin for the renovation of 797 Farmington Avenue of 50% in year 1, 40% in year 2, and 30% in year 3 per the town's tax abatement policy. – Economic Development
8. Topic re: Approve a tax abatement for Kevin M. Budney Lifetime Trust for the construction of a 10,000 square foot building at 131 New Park Drive of 50% in year 1, 40% in year 2, and 30% in year 3 per the town's tax abatement policy. – Economic Development
9. Topic re: Authorize the Town Manager to execute the attached subordination agreements with respect to the Town's right of first refusal to purchase 921 Farmington Avenue, recorded in Volume 697, page 1136 of the Berlin Land Records, subject to the review and approval of Corporation Counsel. – Economic Development
10. Topic re: Approve utilizing the State of Connecticut Department of Administrative Services Contract #22PSX00008 for the purpose of reconstructing/paving of Town roadways and other paving projects. – Public Works
11. Topic re: Authorize the Town Manager to enter into a unit price contract to purchase Asphalt Pavement Crack Filling Services utilizing CRCOG Contract #721 with the most cost-effective and qualified contractor. – Public Works
12. Topic re: Authorize the Town Manager to enter into a unit price contract to purchase street line painting services utilizing CRCOG Contract #725 with the most cost-effective and qualified Contractor. – Public Works
13. Topic re: Authorize the Town Manager and Staff to apply to the Connecticut Department of Transportation for the Federal Local Bridge Program, for replacing Glen Street Bridge No. 06955. – Public Works
14. Topic re: Increase the Willard School HVAC design contract with Friar Architecture of Farmington, CT to \$12,800, as this is in the best interest of the Town. – Public Works
15. Topic re: Accept transfer to the Town of 1.01 acres of MBL 1-4-10-1 north of West Lane with parking improvements for the purposes of conservation area parking as depicted on plan entitled The Preserve at Shuttle Meadow, Sheet D4, Construction Details - Trail Head Parking prepared for The Preserve SM, LLC dated December 2, 2021, revised to March 21, 2022, Prepared by Harry E Cole and Sons, Plantsville, CT, and subject to a clean Phase I ESA (if the Town opts to obtain the same) and the review and approval of satisfactory transaction documents by Corporation Counsel and to authorize the Town Manager to execute such transaction documents as are necessary to effectuate the transfer. – Planning and Zoning

J. TOWN MANAGER’S REPORT:

K. SPECIAL COMMITTEE REPORTS:

L. COUNCILORS’ COMMUNICATION:

M. ACCEPTANCE OF MINUTES: April 5, 2022

N. EXECUTIVE SESSION:

1. Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation – Rio Vista

O. ADJOURNMENT

Agenda Item No. Consent 1
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: March 31st 2022
SUBJECT: Request for Fee Waiver/Berlin Lions Agricultural Fair Inc.

Summary of Agenda Item:

The Berlin Lions Agricultural Fair is the fund-raising arm of the Berlin Lions and Berlin Lions Charity, both of which donate proceeds of the fair to support school programs, youth events and the Veterans and Seniors of the Town of Berlin.

A Building Permit application for the replacement of siding on their building has been submitted. Berlin Lions Agricultural Fair is requesting this fee be waived.

Action Needed:

Move to approve the request of Berlin Lions Agricultural Fair to waive Building permit fees for replacing the siding on their building. The total amount of the fee to be waived is approximately \$525.00.

Attachments:

- Request for Fee Waiver Form(s)
- Copy of letter requesting the fee waiver from the representative of Berlin Lions Agricultural Fair
- Copy of the Building Department Application

Prepared By:

Frank Van Linter
Building Official





TOWN OF BERLIN Request for Fee Waiver

Requesting Organization: Berlin Lions Agricultural Fair, Inc	Date: MARCH 22, 2022
Contact Name: Richard S. Yale Supt. of Const.	
Phone Number: 860-828-0232	
Event: Berlin Fair Upgrade	Date of Event: Sept/Oct 2022
Location of the Event: 410 Beckley Road	
What fee do you want waived: BUILDING Permit Fee of \$525.	
Identify the hardship incurred: Berlin Fair is the fundraising arm of the Berlin Lions + Berlin Lions Charity. Both donate proceeds of the fair to support school programs, youth events, veterans + seniors.	
Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific: See above	

Town Manager review:

Does it meet the standards set forth in the "Policy on Fees and Charges?"

Yes

☒

No

☐

If so, which criteria:

- ☐ Raises funds to supplement Town budgeted services.
- ☐ Raises funds for programs normally funded by the Town.
- ☒ Raises funds for Non-Profit groups, which have contributed substantially to the community.
- ☐ Nationally or State affiliated program which provide programs for local youth.
- ☐ Raises funds for scholarships of Berlin students.
- ☐ Raises funds for elderly citizens.

TOWN OF BERLIN Request for Fee Waiver

Name of Non-Profit or Political Organization: Berlin Lions Agricultural Fair, Inc.

Comments: The Berlin Lions would appreciate the fee waiver.
This siding replacement is an expensive, but necessary project.
Waiver of the fee would help us.

Thank You, B. Yale

Richard J. Yale, Supt of Const.
Signature

3-22-2022
Date


Town Manager Signature

3/24/22
Date

Organizations requesting a waiver of fees **must** complete the Request for Fee Waiver **prior** to the event. The request should be filled out in accordance with Section J, Policy on Fees & Charges, restated below.

I. Fee Waiver Policy

1. Fee waivers will be granted on an ad-hoc basis giving due consideration to the financial needs of the Town and the fiscal impact of the waiver upon the Town.
2. Preference for fee waivers will be given to those private, non-profit organizations that serve Berlin that are proposing events which will raise funds that are intended to supplement Town funds for budgeted items or programs, raise funds for programs that would normally be funded by the Town, raise funds for programs by non-profit groups that have contributed substantially to the community, raise funds for programs for local senior or youth groups with a state or national affiliation or raise funds for scholarships for Berlin students.
3. The Town of Berlin will grant fee waivers sparingly with due consideration given to the costs and benefits derived from the fee waiver.
4. Golf Course charity fees will be set at the 18 hole resident rate.
5. The Town Council will consider waiving fees only when the Town Manager receives in writing a request stating that an undue hardship exists and the overall benefit the community will receive as a result of the program. Such waivers must be submitted at least one month in advance of the event for which the waiver is sought.
6. Any and all fee waivers are at the sole discretion of the Town Council.

March 22,2022

Berlin Town Manager

Berlin Town Council

240 Kensington Road

Berlin, Ct. 06037

The Berlin Lions Agricultural Fair Inc. request that Council waive the building permit fee for replacing siding at the Berlin Lions Fairgrounds at 410 Beckley Road, Berlin. We plan to replace 45 year old rusted steel siding on our Commercial Building with new steel siding and related accessories. The estimated permit value at \$525.00 is based on \$32,000.00 value of work to be performed.

The Lions Club is a civic organization that raises money from the Berlin Fair and passes it back to the Town though the Berlins Lions Charities. The new vertical steel siding would be a soft color with white trim to blend with galvanized steel roof presently on the building .

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard S. Yale".

Richard S. Yale

Supt. of Construction

Berlin Lions Agricultural Fair, Inc.

129 Brandeggee lane

Berlin, Ct. 06037

860-828-0232

Kbcinc!@comcast.net

Permit #:

Date: 03/22/2022

App #: BA-2022-0160

Town of Berlin Building Permit Application

Permit Application Type: Siding

Address where work is being done:
410 BECKLEY RD

Account #: 1101920

Owner: BERLIN LIONS AGRICULTURAL FAIR INC

Description of work being done:

REMOVE & REPLACE VERTICAL SIDING WITH NEW VERTICAL
SIDING & ACCESSORIES ON COMMERCIAL BUILDING @BERLIN
FAIRGROUNDS. (BIGGEST COMMERCIAL BUILDING ON
PROPERTY/ABUTS NORTH PARKING LOT). REQUESTING FEE
WAIVER OF \$525.00 FOR \$32,000. VALUE OF WORK.

Estimated Cost of Construction \$ 32,000.00

Fee Type	Amount	Paid Date
Building Permit Fee	\$525.00	

Contact Type	First Name	LastName	Phone #	Address	City	State	Zip
	BERLIN LIONS AGRICULTURAL FAIR INC		<i>Fairgrounds</i>	410 BECKLEY RD	BERLIN	CT	06037
Applicant	RICHARD S	YALE	(860)828-0063	129 BRANDEGEE LN	BERLIN	CT	06037

Applicant Signature: _____

Building Official Signature: _____

Internal Routing: **(Mandatory in Bold)**

	Initial/Date for Approval	Notes:
Building Department		
Tax Department	chennessy@berlinct.gov	

File Scanned on _____ by _____

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: April 13, 2022
SUBJECT: Donation to Berlin Animal Control

SUMMARY:

Accept donations to Berlin Animal Control Donation Account # 001.00.0000.0.20010.00000

Period	Amount	Purpose	Donor*
March 26, 2022 to April 8, 2022	\$ 55.00 (cash)	Animal Care	Ryan Bird Berlin
	\$1000.00 (value)	Animal food	Ryan Bird Eagle Scout badge Berlin
	\$ 10.00 (value)	dog treats	Janice O'Hara Berlin

* Unless a name is mentioned, donors requested anonymity

ACTION NEEDED:

Move to accept donations to the Berlin Animal Control Donation Account for \$ 55.00 and
Pet food valued at \$ 1010.00

ATTACHMENTS:

Thank you notes

PREPARED BY:

Janice Lund, Animal Control Officer





TOWN OF BERLIN
Animal Control Department

April 4, 2022

Ryan Bird
1270 Kensington Rd.
Berlin, CT. 06037

Dear Ryan,

I am not even sure where to begin and Thank you does not even feel adequate. The pet food drive you hosted was the most successful we have ever seen. The amount of dog & cat food and treats and toys are unmeasurable. We are so very appreciative of your efforts.

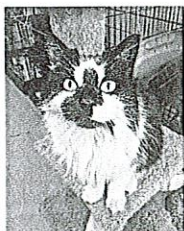
It is so needed during this pandemic as we are unable to host any type of fundraiser at this time.

We appreciate you thinking of us and the animals we care for.

Thank you for allowing us to share some of the donations with town residents that are struggling. They will be very grateful. It was a pleasure meeting you and good luck with your endeavors in Scouting. What an accomplishment to earn your Eagle badge. Thanks again.

Sincerely,

Jan Lund, ACO
Kate Matson, AACO



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



TOWN OF BERLIN
Animal Control Department

April 4, 2022

Janice O'Hara
262 Percival Ave.
Berlin, CT. 06037

Dear Janice,

Thank you for the donation we received of dog treats. The dogs will enjoy them when we have them out to play & during training times.

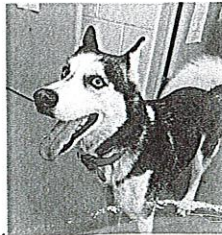
It is so needed during this pandemic as we are unable to host any type of fundraiser at this time.

We appreciate you thinking of us and the animals we care for.

Thanks again.

Sincerely,

Jan Lund, ACO
Kate Matson, AACO



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

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 8, 2022

SUBJECT: Accept Library Donations

SUMMARY:

Accept donations to the Berlin-Peck Memorial Library

Category	Amount	Description	Purpose	Donor
Cash	220.00	Library agency acct	acquisition of books	Joanne M. Pigott Fund of the Community Foundation of Greater New Britain
	100.00	Library agency acct	purchase books in memory of Eileen Barriere	Dorie Wojcik and her "Book Buddies"
	320.00			
Equip/Merch	185.78	Books	add to collection	various patrons
	185.78			

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

ACTION NEEDED:

Move to accept monetary donations totaling \$320.00 for the Berlin Peck Memorial Library and deposit \$320.00 into the library agency account to be used for the acquisition of books and to purchase books in memory of Eileen Barriere and move to accept the donation of books with an approximate value of 185.78 and add them to the appropriate collection.

ATTACHMENTS:

None

PREPARED BY:

Kimberly McNally, Director



Consent
Agenda Item No. 4
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 8, 2022

SUBJECT: Approval to sell ice cream, snacks and beverages in Town parks – Debra Tubbs, Rock N Roll Ice Cream Truck

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, April 7, 2022 recommended that Debra Tubbs of Rock N Roll Ice Cream Truck be authorized to sell ice cream, snacks and beverages from her ice cream truck at Percival Pool, Demore, Dinda, Bittner Jr. Memorial Pool, Sage Park, Little Peoples Playground, and the Friendship Place at Willard School.

Debra Tubbs is aware that as a vendor she is not to be present at a park or field when other concessions are in operation. She is aware there is no exclusivity applied and that the Berlin Parks and Recreation Commission could recommend other vendor approvals in the future.

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

ACTION NEEDED:

Move to approve Debra Tubbs of Rock N Roll Ice Cream Truck to sell ice cream, snacks and beverages at the following parks and playgrounds: Percival Pool, Demore, Dinda, Bittner Jr. Memorial Pool, Sage Park, Little Peoples Playground and the Friendship Place at Willard School.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director, Community Recreation and Parks Services 

Consent
5
Agenda Item No.
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: April 8, 2022
SUBJECT: Donation to Fishing Derbies

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, April 7, 2022, recommended the acceptance of a \$200 donation from Kiwanis of Berlin for the Berlin Parks and Recreation Departments youth fishing derbies to be held on Saturday, April 23, and Saturday, April 30, 2022, at Sage Park Pond from 8 AM to 10 AM.

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

ACTION:

Move to approve acceptance of the donation to the fishing derbies in the amount of \$200 for the Berlin Parks and Recreation Departments youth fishing derbies to be held on Saturday, April 23, and Saturday, April 30, 2022, at Sage Park Pond from 8 AM to 10 AM.

ATTACHMENTS:

None

PREPARED BY:

Debbie Dennis, Superintendent of Recreation

DD

Consent
Agenda Item No. 6
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 8, 2022

SUBJECT: Alex Joslyn of J & S Soccer Camps, LLC to charge a registration fee of \$125 for two separate J & S Youth Soccer Camps

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, April 7, 2022 recommended that Alex Joslyn of J & S Soccer Camps, LLC be able to charge a registration fee of \$125 for two separate J & S Youth Soccer Camps which will take place June 20-23, 2022 from 5:00PM – 7:00PM on Percival Soccer Field and August 15-19, 2022 from 5:00PM – 8:00PM at Sage Auxiliary at Sage Park. Both camps will have approximately 30 children.

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

ACTION NEEDED:

Move to approve Alex Joslyn of J&S Soccer Camps, LLC to charge a registration fee of \$125 for two separate J & S Youth Soccer Camps which will take place June 20-23, 2022 from 5:00PM – 7:00PM at Percival Field and on August 15-19, 2022 from 5:00PM – 8:00PM on Sage Auxiliary at Sage Park. Both camps will have approximately 30 children.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Park Services

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: April 8, 2022
SUBJECT: Saint Paul School to have field usage fees waived, not to exceed an amount of \$960 for the school soccer team practices at Percival Soccer Field and Willard Soccer Field for a number of dates in April, May and June 2022

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, April 7, 2022 recommended that Saint Paul School have field usage fees, not to exceed an amount of \$960 waived for the school soccer team practices at Percival Soccer Field and Willard Soccer Field for a number of dates in April, May and June 2022.

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

ACTION NEEDED:

Move to approve request by Saint Paul School to have field usage fees, not to exceed an amount of \$960 waived for the school soccer team practices at Percival Soccer Field and Willard Soccer Field for a number of dates in April, May and June 2022.

ATTACHMENTS:

Fee waiver and letter

PREPARED BY:

Jennifer Ochoa, Director of Community Recreation and Park Services

Saint Paul Parish

467 Alling Street Kensington, CT 06037
(860) 828-0331 www.stpaulkensington.org

March 1, 2022

Town of Berlin
Department of Community, Recreation and Parks
240 Kensington Road
Berlin, CT 06037

Dear Recreation Commission:

Saint Paul School has submitted an application for use of the Town of Berlin soccer fields for our JV and Varsity soccer team practices. We hope to hold practices four afternoons a week. I am respectfully requesting a waiver of fees for this application.

As you know, Saint Paul School is a non-profit organization that has had a strong presence in the Berlin Community for over 57 years. Our school and parish consistently contribute to the greater Berlin Community by way of yearly food drives, clothing drives, community giving during the holidays, etc. We believe in giving back.

Our student are assessed a fee to participate in soccer. If we were to incur field use fees, we would find it necessary to pass the cost down to the players, and this certainly would result in a greater financial burden on our parents.

I thank you for your consideration of a waiver of fees for use of the soccer fields.

Sincerely,



Fr. Joseph Benicewicz, OFM Conv.
Pastor



TOWN OF BERLIN
Request for Fee Waiver

Requesting Organization: Saint Paul School	Date:
Contact Name: John Thorpe, Parish Manager	3/1/2022
Phone Number: 860 356-6462	
Event: SOCCER	Date of Event:
	April 1 Thru mid June
Location of the Event: Available field per Parks & Rec	
What fee do you want waived: Field usage fee	
Identify the hardship incurred: See attached	
Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific: See attached	

Town Manager review:

Does it meet the standards set forth in the "Policy on Fees and Charges?"

Yes

☐

No

☐

If so, which criteria:

- ☐ Raises funds to supplement Town budgeted services.
- ☐ Raises funds for programs normally funded by the Town.
- ☐ Raises funds for Non-Profit groups, which have contributed substantially to the community.
- ☐ Nationally or State affiliated program which provide programs for local youth.
- ☐ Raises funds for scholarships of Berlin students.
- ☐ Raises funds for elderly citizens.

TOWN OF BERLIN
Request for Fee Waiver

Name of Non-Profit or Political Organization: Saint Paul School

Comments:

Thank You for considering our request.

John Thorge, Parish Manager
Signature

3/1/2022
Date

[Signature]
Town Manager Signature

3/12/22
Date


Organizations requesting a waiver of fees **must** complete the Request for Fee Waiver **prior** to the event. The request should be filled out in accordance with Section J, Policy on Fees & Charges, restated below.

1. Fee Waiver Policy

1. Fee waivers will be granted on an ad-hoc basis giving due consideration to the financial needs of the Town and the fiscal impact of the waiver upon the Town.
2. Preference for fee waivers will be given to those private, non-profit organizations that serve Berlin that are proposing events which will raise funds that are intended to supplement Town funds for budgeted items or programs, raise funds for programs that would normally be funded by the Town, raise funds for programs by non-profit groups that have contributed substantially to the community, raise funds for programs for local senior or youth groups with a state or national affiliation or raise funds for scholarships for Berlin students.
3. The Town of Berlin will grant fee waivers sparingly with due consideration given to the costs and benefits derived from the fee waiver.
4. Golf Course charity fees will be set at the 18 hole resident rate.
5. The Town Council will consider waiving fees only when the Town Manager receives in writing a request stating that an undue hardship exists and the overall benefit the community will receive as a result of the program. Such waivers must be submitted at least one month in advance of the event for which the waiver is sought.
6. Any and all fee waivers are at the sole discretion of the Town Council.

Consent
Agenda Item No. 8
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: April 8, 2022

SUBJECT: Bench and plaque donation in memory of Sandra Thompson Lund – Paper Goods Pond

SUMMARY:

The Berlin Parks and Recreation Commission at its meeting on Thursday, April 7, 2022 recommended accepting a donation of a 6' mahogany bench valued at \$250 and a 9" X 3" plaque valued at \$70 to be placed at Paper Goods Pond in memory of Sandra Thomson Lund.

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


ACTION NEEDED:

Move to approve accepting a 6' mahogany bench valued at \$250 with a 9" X 3" plaque to be placed at Paper Goods Pond in memory of Sandra Thomson Lund.

ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Park Services 

NOTICE OF PUBLIC HEARING
THE TOWN OF BERLIN
April 19, 2022

The Town Council of the Town of Berlin will meet at Berlin Town Hall, Council Chambers, 240 Kensington Road, Berlin, CT on April 19, 2022, at 7:00 p.m. for the purpose of holding a public hearing on the following proposed ordinance of the Town, said ordinance being entitled as follows:

“AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE”.

Copies of said proposed ordinances are on file open to public inspection at the Office of the Town Clerk.

Following the public hearing the Town Council is expected to consider and act upon the bond ordinances.

Dated at Berlin, Connecticut this 6th day of April, 2022.

ATTEST: Kathryn J. Wall, Berlin Town Clerk

Publish Date:

April 8, 2022

FIRST PERSON VERSION

PUBLIC HEARING

I hereby convene the public hearing for the \$2,800,000 Water Line Replacement on the Berlin Turnpike appropriation and bond ordinance. The ordinance which is the subject of this public hearing is available to the public and may be obtained at this meeting from the Town Clerk.

Is there a motion and a second to read the title of the following proposed ordinance and to waive the reading of the remainder of the ordinance, incorporating its full text into the minutes of this meeting.

Moved by _____, seconded by _____.

Those in favor?

Those opposed?

The motion passes.

AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Are there any comments from the public?

[Public Comments]

I call the public hearing on the \$2,800,000 Water Line Replacement on the Berlin Turnpike bond ordinance closed.

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 6, 2022

SUBJECT: "AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE".

Summary of Agenda Item:

Our Bond Counsel, Attorney Joseph P. Fasi, has prepared the attached bonding authorization entitled "AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE".

It is important that you read the exact resolutions as prepared by our Bond Counsel.

As stated in the bond ordinance:

"Section 1. The Town of Berlin, Connecticut (the "Town") appropriates the sum of \$2,800,000 for the planning, design, acquisition and construction of a water line replacement on the Berlin Turnpike with a new 16-inch ductile iron water main, or so much thereof as may be accomplished within said appropriation and bond authorization provided herein, including acquisition of easements and other interests in property, associated utility, street and drainage improvements, remediation, repair and relocation, appurtenances related thereto, licenses and permits, blasting, if and as necessary, and for testing, surveying, paving, engineering, administration, advertising, printing, legal, net temporary interest and other financing costs, and other expenses related to the project and its financing (the "Project"). Said appropriation shall be inclusive of all state and federal grants-in-aid, and in addition to all other appropriations therefor.

Section 2. The estimated useful life of the project exceeds twenty years. The total estimated cost of the project is \$2,800,000. The Project will be submitted to the Department of Public Health and/or the State of Connecticut Department of Energy and Environmental Protection for funding from the State of Connecticut Clean Water Fund loan program as hereinafter described, and more particularly under the State's Drinking Water State Resolving Fund incorporated therein. The Project is a general benefit to the Town and its general governmental purposes."

As a reminder, our Charter states that:

“Section 6-10-6. (c) Bonds, notes or other obligations shall be authorized upon adoption by the Council of an ordinance authorizing the project, the issuance of the obligations, and appropriating the proceeds thereof and approved in its entirety by the Board of Finance. Notice of passage of the ordinance as approved by the Board of Finance and the Council shall be provided by newspaper publication of its title and a statement of its passage. Adoption of an ordinance exceeding five million (\$5,000,000.00) dollars shall be subject to automatic referendum approval by a majority of those voting thereon. Adoption of an ordinance of five million (\$5,000,000.00) dollars or less shall be subject to referendum approval by a majority of those voting thereon if (1) the Council, by majority vote concurrent with the adoption of the ordinance, sends the ordinance to referendum, or (2) not later than the fourteenth (14th) day from publication, counting the day of publication as the first (1st) day, a petition containing three (3%) percent or more of the total numbers of qualified electors whose names appear upon the last voting list is filed with the Town Clerk requesting the ordinance be submitted to referendum approval. The petition will be subject to certification in accordance with Section 3-9 of this Charter. The referendum shall be held within ninety (90) days of adoption of the ordinance or the Town Clerk’s certification, whichever is applicable, provided that if a general election or a town election or referendum is to occur within six (6) months of such adoption or certification, the ordinance may be submitted at such election or referendum, unless prior thereto the Council repeals its approval.”

Action Needed:

Move to waive Rule Seven and adopt “AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE” be adopted.

Attachments:

Proceedings from Bond Counsel, Joseph P. Fasi.
Ordinance

Prepared By: Kate Wall, Town Clerk

FIRST PERSON VERSION

TOWN COUNCIL - ORDINANCE ACTION

The Town Council will now consider and take action with respect to the \$2,800,000 Water Line Replacement on the Berlin Turnpike appropriation and bond ordinance. A copy of the ordinance is available from the Town Clerk.

[Make the following Motion Only if vote is on same night as public hearing.]

Is there a motion to waive Rule 7?

Moved by _____, seconded by _____.

Those in favor?

Those opposed?

The motion passes.]

Is there a motion and a second that the ordinance entitled:

“AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER LINE REPLACEMENT ON THE BERLIN TURNPIKE AND AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION, AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”,
be adopted.

Moved by _____, seconded by _____.

[Council Discussion]

Those in favor?

Those opposed?

I declare the ordinance adopted.

AN ORDINANCE APPROPRIATING \$2,800,000 FOR WATER
LINE REPLACEMENT ON THE BERLIN TURNPIKE AND
AUTHORIZING THE ISSUE OF \$2,800,000 BONDS OF THE
TOWN TO MEET SAID APPROPRIATION, AND PENDING
THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY
BORROWINGS FOR SUCH PURPOSE

Section 1. The Town of Berlin, Connecticut (the "Town") appropriates the sum of \$2,800,000 for the planning, design, acquisition and construction of a water line replacement on the Berlin Turnpike with a new 16-inch ductile iron water main, or so much thereof as may be accomplished within said appropriation and bond authorization provided herein, including acquisition of easements and other interests in property, associated utility, street and drainage improvements, remediation, repair and relocation, appurtenances related thereto, licenses and permits, blasting, if and as necessary, and for testing, surveying, paving, engineering, administration, advertising, printing, legal, net temporary interest and other financing costs, and other expenses related to the project and its financing (the "Project"). Said appropriation shall be inclusive of all state and federal grants-in-aid, and in addition to all other appropriations therefor.

Section 2. The estimated useful life of the project exceeds twenty years. The total estimated cost of the project is \$2,800,000. The Project will be submitted to the Department of Public Health and/or the State of Connecticut Department of Energy and Environmental Protection for funding from the State of Connecticut Clean Water Fund loan program as hereinafter described, and more particularly under the State's Drinking Water State Resolving Fund incorporated therein. The Project is a general benefit to the Town and its general governmental purposes.

Section 3. To meet said appropriation:

(i) bonds of the Town may be issued, maturing not later than the twentieth year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as shall be determined by the a majority of the Mayor, Treasurer, Town Manager and Director of Finance (such majority hereafter, the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Pullman & Comley, LLC, Attorneys-At-Law, of Hartford, Connecticut. Such bonds shall bear such rate or rates of interest as shall be

determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials in accordance with the requirements of the General Statutes of Connecticut, Revision of 1958, as amended (the "Statutes"). In connection with the issuance of any bonds or notes authorized herein, the Town may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Town Council. In order to meet the capital cash flow expenditure needs of the Town, the Town Officials are authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the Town outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized; or

(ii) temporary notes of the Town may be issued pursuant to Sections 7-264, 7-264a or 7-378 of the Statutes. The amount of such notes to be issued, if any, shall be determined by the Town Officials and they are hereby authorized to determine the date, maturity, interest rate, form and other details and particulars of such notes, and to sell, execute and deliver the same. Said notes shall be secured by the full faith and credit of the Town and may be further secured in any other manner set forth in the Statutes, as determined by the Town Council; or

(iii) State of Connecticut ("State") or federal loans as set forth in Section 7 hereof; or

(iv) any combination of bonds or temporary notes or State and federal loans may be issued, provided that the total, aggregate principal amount thereof outstanding at any time shall not exceed \$2,800,000.

Section 4. The issue of the bonds aforesaid and of all other bonds or notes of the Town heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the Town to exceed any debt limit calculated in accordance with law. The principal and interest on the proposed issue are to be paid from property taxation to the extent not paid from other funds available for the payment thereof and the full faith and credit of the Town are pledged to such payment.

Section 5. Said bonds shall be sold by the Town Officials at public or private sale in a competitive offering or by negotiation, in their discretion, as allowed by law. If sold at competitive offering, the bonds shall be sold upon sealed proposals, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town, or comparable method. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Director of Finance is authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the Town are authorized to be issued, and such application shall

reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 6. The Town Officials are authorized to issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of any series of the bonds, notes or obligations or the receipt of grants for the Project. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Town Officials, have the seal of the Town or a facsimile thereof affixed, be payable at a bank or trust company designated by the Town Officials, be certified by a bank or trust company designated by the Town Officials pursuant to Section 7-373 of the Statutes, and be approved as to their legality by Pullman & Comley, LLC, Attorneys-At-Law, of Hartford, Connecticut. Such notes shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 7. The Town Manager, or designee, is authorized in the name and on behalf of the Town to apply for and accept any and all federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the Town with engineers, contractors and others. To meet any portion of the costs of the Project determined by the State of Connecticut Department of Public Health and/or the State of Connecticut Department of Energy and Environmental Protection, as applicable, to be eligible for funding under Sections 22a-475 et seq. of the Statutes, as may be amended, including Section 22a-483f with respect to the Drinking Water State Resolving Fund (collectively, the "Clean Water Fund Program"), the Town is authorized and may issue interim funding obligations in anticipation of project loan obligations and project loan obligations (collectively, "Drinking Water Fund Obligations") in such denominations as the Officials shall. Drinking Water Fund Obligations and Project Loan and Grant Agreements under the Clean Water Fund Program, and any other instruments, agreements or certificates required under the Clean Water Fund Program shall be executed in the name and on behalf of the Town by the manual or facsimile signature of the Town Manager, or designee, and bear the seal of the Town or a facsimile of the seal. The aggregate principal amount of the Drinking Water Fund Obligations to be issued, the dated date, the final maturity, the interest rates, maturities, the date, time of issue and sale and all other terms, details and particulars of such Drinking Water Fund Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the Town Officials. Such Drinking Water Fund Obligations may be secured as to both principal and interest by (a) the full faith and credit of the Town, (b) a pledge of revenues to be derived from the Project (the "Revenues"), or (c) a pledge of a combination of the Revenues and the full faith and credit of the Town. Each of the Drinking

Water Fund Obligations shall recite that every requirement of law relating to its issue has been duly complied with, that such obligation is within every debt and other limit prescribed by law, and that either (a) the full faith and credit of the Town, or (b) a pledge of the Revenues, or (c) a combination of a pledge of the Revenues and the full faith and credit of the Town, are pledged to the payment of the principal thereof and the interest thereon.

Section 8. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this Ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance, or designee, is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 9. The Town Officials are hereby authorized to exercise all powers conferred by Section 3-20e of the Statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this Ordinance.

Section 10. The Town Officials are authorized, upon a determination that such action is in the public interest, to issue any bonds, notes, obligations, temporary notes or interim funding obligations authorized by this Ordinance in such form and manner that the interest on such bonds, notes, temporary notes, or other obligations may be includable under the Internal Revenue Code of 1986, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended, in the gross income of the holder or holders of such obligations or as qualified private activity bonds.

Section 11. The Project may be jointly used among the Town and the fire/taxing districts ("districts") within the town, and in such case the bonds or temporary notes or State and federal loans issued to finance it may be issued by the town for the total of the Project costs. The districts shall each pay its proportionate debt service as determined pursuant to agreements entered into between or among the town and one or more districts. Nothing in this section nor any agreement entered into shall affect the pledge of the town's full faith and credit to pay the total debt service on bonds or temporary notes or State and federal loans issued to finance the project notwithstanding such agreements nor the payment or failure to pay by the districts pursuant to them.

Section 12. The Town Officials, Town Manager, and other proper officers and officials of the Town are each authorized to take any other action which is necessary or desirable

to complete the Project and to issue bonds, notes or obligations or obtain grants to finance the aforesaid appropriation.

Agenda Item No. 2
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 12, 2022

SUBJECT: Request to Waive the Bidding Process for GPRS, LLC (Ground Penetrating Radar Systems) to perform additional testing to pinpoint specific service leaks in the water distribution system

SUMMARY:

Earlier this year, GPRS, LLC conducted a full analysis of the Berlin water distribution in the amount of \$9,900.00. Approximately four significant leaks were identified. The major leak was identified and repaired. Although the other three leaks were identified, it required more detailed analysis to determine the exact location of the leak before we consider the extent of the correction. This additional work requires going over the \$10,000 spending threshold. Per their quote, an additional \$2,000.00 is needed to perform the additional testing. Funds will be provided from the Misc. Water Main Work account number 843.50.5084.0.56819.00000.

ACTION NEEDED:

Move to waive the bidding requirements for GPRS, LLC to allow for additional leak detection work for an amount not to exceed \$2,000.00, as this is in the best interest of the Town.

ATTACHMENT:

Sufficiency of Funds
GPRS, LLC Quote

PREPARED BY:

Ray Jarema, P.E., Water Control Commission





TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 11-Apr-22

Purchase Item or Contract: Additional leak detection work		Requested by: Ray Jarema	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Additional leak detection work - GPRS, LLC	\$2,000.00	\$2,000.00
			-
			-
			-
			-
TOTAL			\$2,000.00


Account No. 843.50.5084.0.56819.00000 Miscellaneous Water Main Work

Budgeted Amount.....	\$67,000.00	Available balance.....	\$29,900.00
Encumbrances to Date.....	\$598.56	Amount Needed for This Package.....	\$2,000.00
Expenditures to Date.....	\$36,501.44	Available Balance After Purchase.....	\$27,900.00

Is a budget change needed? ☐ Yes ☒ No

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

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


Finance Director or Assist. Finance Director

or:

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

Finance Director or Assist. Finance Director

April 8, 2022

Client: Berlin Water Control Commission

Attn: Ray Jarema

rijarema@town.berlin.ct.us, 860.828.7065

Project: Berlin Water Control Commission – 1 Add on Day

Submitted By:

Jared Malone

419.250.9170

Jared.Malone@gprsinc.com

GPRS appreciates the opportunity to provide this proposal. I encourage you to visit our website (www.gprsinc.com) and contact any of the numerous references listed. Our insurance certificate and W-9 can also be downloaded [here](#). Please feel free to contact me if you have any questions, or if you need additional information.

LEAK DETECTION

We understand the scope of work to be to return for a follow up to our 2022 survey for one day of leak detection to analyze which side of the service the leaks are on. The area will need to be marked on the surface prior to our arrival, or a client representative will need to be present to advise on the scope of work and desired areas. If possible, we will listen for leaks at the nearest contact points with a ground microphone, and then locate the leak using a correlator as needed. Our ability to locate the leak will depend on a variety of factors such as depth, pipe material, and noise interference from traffic, machinery, etc. In noisy environments, a return trip at night may be needed for an additional fee.

EQUIPMENT

- **Electronic Microphone.** The leak noise amplification system consists of a control unit, a microphone, and headphones, and is used to listen for a leak signal on a water system contact points (valves, hydrants, etc.) to identify a general location of a potential water leak. This same system will also be used with a ground microphone to further pinpoint the leak location from the surface. Its effectiveness depends on a variety of factors such as pipe size and material, water pressure, leak size, soil type, and noise interference from traffic, machinery, etc.
- **Leak Noise Correlator.** The leak correlator consists of sensors that are placed on water system contact points, and the sound signals between these points will then be processed by mathematical algorithms to provide an approximate distance of the leak between the two points. The accuracy of the potential leak location depends on the ability of the pipe to be located along with the accurate input of pipe attributes such as pipe size and material (size and material information provided by the client).
- **Underground Scanning GPR Antenna.** The antenna frequencies range from 250 MHz-450 MHz is mounted in a stroller frame which rolls over the surface. The surface needs to be reasonably smooth and unobstructed in order to obtain readable scans. Obstructions such as curbs, landscaping, and vegetation will limit the feasibility of GPR. The data is displayed on a screen and marked in the field in real time. The total depth achieved can be as much as 8' or more with this antenna but can vary widely depending on the types of materials being scanned through. Some soil types such as clay may limit maximum depths to 3' or less. As depth increases, targets must be larger in order to be detected and non-metallic targets can be especially difficult to locate. Depths provided should always be treated as estimates as their accuracy can be affected by multiple factors. For more information, please visit: [Link](#)
- **Electromagnetic Pipe Locator.** The EM locator can passively detect the signals from live AC power or radio signals travelling along some conductive utilities. It can also be used in conjunction with a transmitter to connect directly to accessible, metallic pipes, risers, or tracer wires. A current is sent through the pipe or tracer wire at a specific frequency and the resulting signal can then be detected by the receiver. A utility's ability to be located depends on a variety of factors including access to the utility, conductivity, grounding, interference from other utilities, and many others. Depths provided should always be treated as estimates as their accuracy can be affected by multiple factors. For more information, please visit: [Link](#)
- **Traceable Rodder.** The rodder has a copper wire encased in fiberglass. The line is pushed through accessible pipes before placing a current on the wire and the signal is then traced from the surface. The maximum traceable depth is 10' depending on the soil conditions and the maximum distance is 200'. The line can be pushed through a pipe with direct access such as a sewer line at a cleanout or a storm drain catch basin. It may not be able to be pushed through deeper pipes within manholes. Electrical conduits will not be accessed by GPRS. The signal cannot be located through metallic pipes. For more information, please visit: [Link](#)
- **GPS.** This handheld GPS unit offers accuracy down to 4 inches, however, the accuracy achieved will depend on the satellite environment at the time of collection and should not be considered to be survey-grade. Features can be collected as points, lines, or areas and then exported as a KML/KMZ or overlaid on a CAD drawing. For more information, please visit: [Link](#)



PROJECT COSTS

SERVICE	DESCRIPTION	PRICE
SCANNING/FIELD MARKINGS	Described on Page 1	\$1,800
MOBILIZATION		Included
GPS MAP	Findings will be collected with GPS and displayed with an aerial image background. Results are not survey-grade accuracy. See example: Link	Included
TOTAL		*\$1,800
OPTIONAL SERVICES (INITIAL IF DESIRED)		
FORMAL REPORT	Detailed report of findings with photos, example data, and a site sketch (if applicable) in addition to the basic summary report that is included with every job. See example: Link	Initial___ \$400
CAD DRAWING	Findings will be drafted in CAD with an aerial image background. A linework version will also be provided if the client provides an existing drawing. Results are not survey-grade accuracy. See example: Link	Initial___ \$600

- * This price assumes that we will be given access to perform the work during normal, weekday business hours (8am-5pm).
- * As-builts and any other applicable drawings should be made available to GPRS prior to the project if possible.
- * A thorough utility search can only be completed if GPRS is given access to all utility structures, interior and exterior. This service is never a replacement for the use of the state One Call system (811).
- * All of our technicians have OSHA-10 safety training or greater. Site-specific safety training is not included in this quote. Please notify us if this project requires additional safety training.
- * These rates assume that there are no certified payroll requirements. GPRS has not been notified of any PLA, DIR, or Certified Payroll requirements. If GPRS receives notice that any of these conditions exist, there will be additional costs

This proposal is subject to the General Terms and Conditions for Services of Ground Penetrating Radar Systems, LLC posted at [Link](#) (the "Terms and Conditions") and is hereby incorporated by reference into and made a part of this proposal. Customer acknowledges it has read and agrees to be bound by such Terms and Conditions. In the event of any conflict between the terms of this proposal and the Terms and Conditions, the Terms and Conditions will prevail. Customer also acknowledges that Ground Penetrating Radar Systems, LLC may, from time to time and at its discretion, modify the Terms and Conditions and Customer agrees to be bound by such Terms and Conditions as modified.

PROPOSAL-SPECIFIC TERMS & CONDITIONS

1. Customer agrees to meet and perform all requirements described in this document and has fully read and understands all items listed within this document.
2. It is the customer's responsibility to prepare the site for scanning, including clearly identifying areas to be scanned, securing access to all areas required for scanning, and keeping these areas clear and free of obstructions. Delays caused by customer's failure to do so may result in an increased price.
3. GPRS does not conduct an investigation, analysis, or interpretation of soil composition, soil/concrete conditions, or geophysical, geological, engineering, or land surveying information. Customer acknowledges it understands that we are merely reporting retrieved data and that we do NOT provide geophysical, geological, engineering, or land surveying services. Customer should contact a professional in those fields if such services are needed.
4. If for some reason the technician arrives on site and the work is cancelled there will be a charge of \$500.00 per requested technician.

ACCEPTED AND AGREED:

Billing Company Name: _____

Billing Address: _____

Company Phone/Email: _____ PO#: _____ Job#: _____

Print Name: _____ Signature _____ Date: _____



TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: April 19, 2021
SUBJECT: Fire Marshal Mutual Aid Agreement with Cromwell Fire District

SUMMARY:

The Cromwell Fire District requested the Town of Berlin to take into consideration entering into a Mutual Aid agreement to share Fire Marshal services between the two municipalities when staff from either office may not be available to respond to an incident. This agreement would allow the required responder to conduct investigations/inspections related to duties of the Fire Marshal. This agreement has Berlin Fire Marshal staff support as it would allow for proper response to an incident within the Town of Berlin.

ACTION NEEDED:

Move to allow the Town Manager to enter into a Fire Marshal Mutual Aid agreement with the Cromwell Fire District.

ATTACHMENT:

Mutual Aid Agreement

PREPARED BY:

Steven Waznia, Fire Marshal

**JOINT PERFORMANCE AGREEMENT BETWEEN
THE CROMWELL FIRE DISTRICT, CROMWELL, CONNECTICUT
AND
THE TOWN OF BERLIN, BERLIN, CONNECTICUT**

WHEREAS Connecticut General Statutes §7-148cc authorizes two or more municipalities to jointly perform any function that each municipality may perform separately under any provision of the General Statutes or under any special set, charter, or home rule ordinance and

WHEREAS the Cromwell Fire District is a municipality organized and existing under the laws of State of Connecticut, and

WHEREAS the Cromwell Fire District is a Special Act District created by legislative act of the State of Connecticut and authorized under Connecticut General Statute §7-148cc to participate in the joint performance of municipal functions by reference to Connecticut General Statute §7-324, which defines a "municipality" to include fire districts located within the State of Connecticut.

WHEREAS each of the participating municipalities recognizes the benefits of joining together for the performance of certain functions of the local fire marshal; and

WHEREAS each of the participating municipalities finds that entering into a Joint Performance Agreement is desirable for the delivery of more effective services to the citizens of their respective municipalities and

WHEREAS the undersigned municipalities wish to cooperate in providing each other with secondary fire marshal services.

NOW THEREFORE, it is agreed by and between the municipalities signing this Joint Performance Agreement by their respective chief executive officers, duly authorized upon approval as set forth in said Connecticut General Statutes, the following:

1. The Town of Berlin's Town Manager is responsible to appoint a fire marshal pursuant to Berlin's Town Charter, and the Town Manager or their designee, in such capacity, shall be the authority on behalf of the Town of Berlin to determine when the provision of fire marshal services to the Cromwell Fire District best serves the Town of Berlin.
2. The Board of Fire Commissioners or its designee, the Cromwell Fire District president, shall be the authority on behalf of the Cromwell Fire District to determine when the provision of fire marshal services to the Town of Berlin and receipt of fire marshal services from the Town of Berlin best serves the Cromwell Fire District.
3. Upon request of the Town Manager of the Town of Berlin, the Cromwell Fire District shall provide at no charge to the Town of Berlin, the services of its fire marshal for the limited time, scope and purposes outlined by the Town Manager. The request of the Town Manager shall be limited to those times when the Berlin's Fire marshal is unavailable or needs secondary assistance.

4. Upon request of the President of the Board of Fire Commissioner, or the Executive director of the Cromwell Fire District, the Town of Berlin shall provide, at no charge to the Cromwell Fire District, the services of its fire marshal for the limited time, scope and purposes outlined by the President of the board of Fire Commissioners, or the District Manager. The request of the President of the Board of Fire Commissioners or the District Manger shall be limited to those times when the Cromwell Fire District's fire marshal is unavailable or needs secondary assistance.
5. On those occasions when one municipality ("the providing municipality") provides to the other ("the receiving municipality") the services of its fire marshal, the receiving municipality shall provide all insurances, including liability and worker's compensation insurance to cover the providing municipality's fire marshal for the specific times and tasks that are performed for the receiving municipality. At no time will the providing municipality's fire marshal be considered and employee of the receiving municipality.
6. The services provided hereunder shall be deemed to be for the public good and for governmental purposes.
7. At all times when the fire marshal of the providing municipality performs services on behalf of the receiving municipality he shall have the same powers, duties, privileges, and immunities as have been conferred on the fire marshal of the receiving municipality.
8. Not later than five (5) years from the effective date of this agreement, the agreement shall be revied by the legislative body that approved the agreement for each municipality.
9. Either municipality may withdraw from this Joint Performance Agreement by giving thirty (30) days written notice to the other municipality.

IN WITNESS WHEREOF, the parties hereto have executed this Joint Performance Agreement this _____ day of _____ 2022.

TOWN OF BERLIN

Witness

Witness

Aroscha Jayawickrema
Town Manager of the Town of Berlin
Duly Authorized

CROMWELL FIRE DISTRICT

Witness

Witness

Lee Brow
President of the Cromwell Fire District
Duly Authorized

Agenda Item No. 4
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 12, 2022

SUBJECT: Timberlin Golf Club – Atlantic Golf and Turf Bid Waiver

Summary of Agenda Item:

The golf course has reached the \$10,000 spending threshold with Atlantic Golf and Turf. They provide chemicals, seed, and select parts for our equipment. Due to unforeseen substantial increases in the cost of chemicals and parts in the past six months we anticipate spending an additional \$6,000 prior to July 2022.

Attachments:

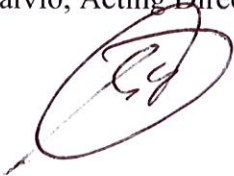
None

Action Needed:

Move to waive the town's bidding procedure for Atlantic Golf and Turf for specific chemicals, seed and equipment parts in an amount not to exceed \$16,000 as this is in the best interest of the town.

Prepared By:

Jerry Salvio, Acting Director of Golf

A handwritten signature in dark ink, appearing to be "JS" or "Jerry Salvio", enclosed within a large, loopy oval stroke.

Agenda Item No. 5
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 12, 2022

SUBJECT: Timberlin Golf Club – Turf Products Corporation Bid Waiver

Summary of Agenda Item:

The golf course has reached the \$10,000 spending threshold with Turf Products Corporation. They are the sole source provider for Toro parts and service. Approximately 90% of the maintenance fleet is comprised of Toro equipment. Due to the age of the equipment, we find ourselves having to spend more money maintaining and repairing the existing fleet. We anticipate spending a total of \$19,000 with Turf Products Corporation for additional parts and service prior to July 2022.

Attachments:

Documentation from Turf Products Corporation

Action Needed:

Move to waive the town's bidding procedure for Turf Products Corporation as they are the sole source provider for Toro parts and service in an amount not to exceed \$19,000 as this is in the best interest of the town.

Prepared By:

Jerry Salvio, Acting Director of Golf





The Toro Company

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

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

Re: Toro authorized sole source distributor

Dear Jerry,

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Turner".

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

cc: Turf Products LLC

A handwritten signature in blue ink, appearing to be a stylized "P" or "B".

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 11, 2022

SUBJECT: Update on Branding/Awareness Campaign For The Town of Berlin

Summary of Agenda Item:

The Town Council and Board of Finance approved additional marketing monies for the Economic Development Commission and Economic Development Department in the 2021-22 Budget. That effort has given us the ability to do ads such as the ones attached in regional publications as well as site selector magazines. Today we are introducing you to an effort that will be launched that will allow the Town of Berlin to brand itself as the place to be. The branding is *Its All In Berlin – Home to Community & Opportunity*. This branding will allow us to:

1. Have something upon which we can all get behind (including a Berlin-centric hashtag)
2. A logo which can be used to promote the community
3. Online presence to share good news
4. A webpage where people can go to see what is happening in Berlin as well as what is already here to see, visit and experience.

The logo is still being worked on, but a concept of it is attached.

Action:

None

Attachments:

2 ads done in publications

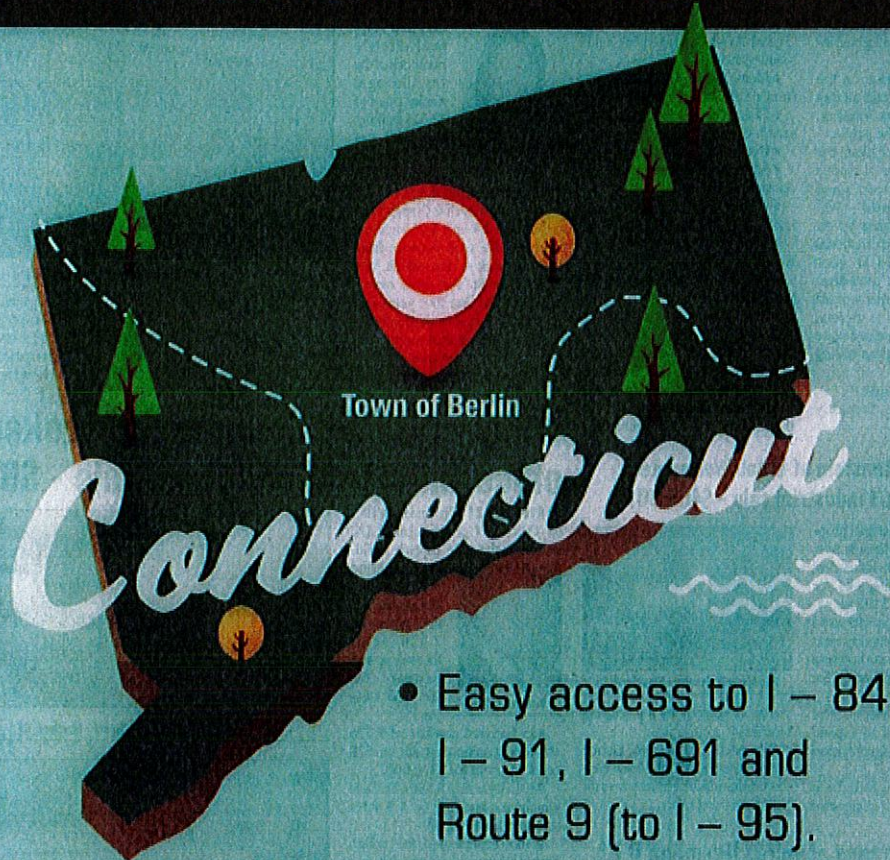
Concept logo for Branding/Awareness campaign

Prepared By:

Chris Edge, Economic Development Director 

Town of Berlin

THE CENTER OF CONNECTICUT



- Easy access to I – 84, I – 91, I – 691 and Route 9 (to I – 95).
- Midway between Boston and New York City.



Chris Edge
Economic Development Director
860-385-0189 – cell
cedge@town.berlin.ct.us
www.town.berlin.ct.us/econdev

THE CENTER OF CONNECTICUT



- CENTER OF CONNECTICUT
(MIDWAY BETWEEN NEW YORK CITY AND BOSTON)
- EASY ACCESS TO I - 84, I - 91 AND I - 691
- COMMUTER AND FREIGHT RAIL IN TOWN



Chris Edge
Economic Development Director
860-828-7005
cedge@town.berlin.ct.us
www.town.berlin.ct.us/econdev



TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: April 11, 2022
SUBJECT: Tax Abatement for Alen Cecunjunin

Summary of Agenda Item:

Alen Cenunjunin has submitted an application for the renovation of the building at 797 Farmington Avenue in Berlin. This renovated building is the home of Cornerstone Restaurant. This abatement would be based on the increase in assessed value resulting from the real property improvements using the following schedule: 50% in year 1, 40% in year 2, and 30% in year 3 per the Town's tax abatement policy. The Economic Development Commission recommends that the Town Council approve the tax abatement for Alen Cecunjunin.

Actions Needed:

Move to approve a tax abatement for Alen Cecunjunin for the renovation of 797 Farmington Avenue of 50% in year 1, 40% in year 2, and 30% in year 3 per the town's tax abatement policy.

Attachments:

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

Prepared By: Christopher Edge, Economic Development Director

C E

Town of Berlin

Department of Economic Development

Tax Abatement Application

Name of Operating Company: Alen Cecunjunin

Name of Parent Company (If applicable): Same

Name of Entity that will own the real estate: Alen Cecunjunin

Mailing Address: 45 River Road Cromwell, CT 06416

Project Address (If applicable): 797 Farmington Avenue

Phone Number: 860-740-4967

Email: alen_cecunjanin@yahoo.com

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

Cornerstone Restaurant will be occupying the former Even Stephens location. It will be a lunch and dinner establishment.

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

860 square foot restaurant

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

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

Town of Berlin

Department of Economic Development

Estimated Value of Real Estate Improvements: \$75,000 _____

Estimated Value of Additional Personal Property: \$30,000 _____

Number of Jobs to be Retained in Berlin: 0 _____

Number of Jobs to be Created: 7 _____

Additional Details (If needed):

Opening a restaurant in the former location of Even Stephens. _____

March 12, 2021

Date

Signature of Company Representative

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

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

PRO FORMA
797 FARMINGTON AVENUE

<u>Year</u>	<u>Estimated Assessment Increase</u>	<u>Mill Rate</u>	<u>Real Estate Taxes</u>	<u>Personal Property Taxes</u>	<u>Total Taxes</u>	<u>Tax Abatement</u>	<u>Net Taxes</u>
1	30,000	33.93	\$ 1,018	\$ 102	\$ 1,120	\$509	\$ 611
2	30,000	34.27	\$ 1,028	\$ 103	\$ 1,131	\$411	\$ 720
3	30,000	34.61	\$ 1,038	\$ 104	\$ 1,142	\$312	\$ 831
4	30,000	34.96	\$ 1,049	\$ 105	\$ 1,154		\$ 1,154
5	30,000	35.31	\$ 1,059	\$ 106	\$ 1,165		\$ 1,165
6	30,000	35.66	\$ 1,070	\$ 107	\$ 1,177		\$ 1,177
7	30,000	36.02	\$ 1,081	\$ 108	\$ 1,189		\$ 1,189
8	30,000	36.38	\$ 1,091	\$ 109	\$ 1,200		\$ 1,200
9	30,000	36.74	\$ 1,102	\$ 110	\$ 1,212		\$ 1,212
10	30,000	37.11	\$ 1,113	\$ 111	\$ 1,225		\$ 1,225
11	30,000	37.48	\$ 1,124	\$ 112	\$ 1,237		\$ 1,237
12	30,000	37.85	\$ 1,136	\$ 114	\$ 1,249		\$ 1,249
13	30,000	38.23	\$ 1,147	\$ 115	\$ 1,262		\$ 1,262
14	30,000	38.62	\$ 1,158	\$ 116	\$ 1,274		\$ 1,274
15	30,000	39.00	\$ 1,170	\$ 117	\$ 1,287		\$ 1,287
16	30,000	39.39	\$ 1,182	\$ 118	\$ 1,300		\$ 1,300
17	30,000	39.79	\$ 1,194	\$ 119	\$ 1,313		\$ 1,313
18	30,000	40.18	\$ 1,206	\$ 121	\$ 1,326		\$ 1,326
19	30,000	40.59	\$ 1,218	\$ 122	\$ 1,339		\$ 1,339
20	30,000	40.99	\$ 1,230	\$ 123	\$ 1,353		\$ 1,353
	Total		\$ 22,413	\$ 2,241	\$ 24,654	\$ 1,232	\$ 23,423

April 12, 2022

Dear Berlin Property Owner,

The Town of Berlin Economic Development Commission has received an application pursuant to its Tax Partnership Program. This involves a phase in of increases in real property taxes resulting from the redevelopment of the building at 797 Farmington Avenue. The applicant, Alen Cecunjanin has requested a 3-year tax abatement on the increase in assessment.

This tax abatement will not increase your taxes, but will give Alen Cecunjanin a small tax abatement over the 3 years following the approval.

This matter is **scheduled** to be considered at the Town Council meeting on **Tuesday April 19th at Town Hall, 240 Kensington Road at 7:00 PM**. The meeting will also be broadcast on Zoom if you are unable to make it or unwilling to do so do the COVID pandemic. Details for the meeting can be found on the town's website at www.town.berlin.ct.us. I am providing you this notice because you are the owner of record of a nearby property. The Town Council has requested that all property owners within 500 feet of the subject property be notified that this application will be considered at the meeting on April 19th, 2022.

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

Sincerely,

Christopher D. Edge
Economic Development Director

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: April 11, 2022

SUBJECT: Tax Abatement for Kevin M. Budney Lifetime Trust

Summary of Agenda Item:

Kevin M. Budney Lifetime Trust has submitted an application for the construction of a 10,000 square foot building at 131 New Park Drive in Berlin. This new building will be an addition to the operation for Budney Overhaul & Aerospace. This abatement would be based on the increase in assessed value resulting from the real property improvements using the following schedule: 50% in year 1, 40% in year 2, and 30% in year 3 per the Town's tax abatement policy. The Economic Development Commission recommends that the Town Council approve the tax abatement for Kevin M. Budney Lifetime Trust.

Actions Needed:

Move to approve a tax abatement for Kevin M. Budney Lifetime Trust for the construction of a 10,000 square foot building at 131 New Park Drive of 50% in year 1, 40% in year 2, and 30% in year 3 per the town's tax abatement policy.

Attachments:

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

Prepared By: Christopher Edge, Economic Development Director 

Town of Berlin

Department of Economic Development

Tax Abatement Application

Name of Operating Company: BUDNEY Overhaul & Repair, LTD.
Name of Parent Company (If applicable): KEVIN M. BUDNEY LIFETIME TRUST
Name of Entity that will own the real estate: KEVIN M. BUDNEY LIFETIME TRUST
Mailing Address: 131 NEW PARK DR. BERLIN, C.T.
Project Address (If applicable): _____
Phone Number: 860 828 0585 Email: Kevin@buckeyoverhaul.com

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

AEROSPACE / FAA Shipping & Distribution

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

5000 SQ. FT. BUILDING

FEB 1 2022 - MAY OR JUNE 2022 Completion

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

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

Town of Berlin

Department of Economic Development

Estimated Value of Real Estate Improvements: \$ 550,235.00

Estimated Value of Additional Personal Property: 0

Number of Jobs to be Retained in Berlin: 5

Number of Jobs to be Created: 5

Additional Details (If needed):

Date

Kevin M. Buckley
Signature of Company Representative

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

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

PRO FORMA - KEVIN M BUDNEY LIFETIME TRUST

<u>Year</u>	<u>Estimated Assessment Increase</u>	<u>Mill Rate</u>	<u>Real Estate Taxes</u>	<u>Personal Property Taxes</u>	<u>Total Taxes</u>	<u>Tax Abatement</u>	<u>Net Taxes</u>
1	600,000	33.93	\$ 20,358	\$ 2,036	\$ 22,394	<i>\$10,179</i>	\$ 12,215
2	600,000	34.27	\$ 20,562	\$ 2,056	\$ 22,618	<i>\$8,225</i>	\$ 14,393
3	600,000	34.61	\$ 20,767	\$ 2,077	\$ 22,844	<i>\$6,230</i>	\$ 16,614
4	600,000	34.96	\$ 20,975	\$ 2,097	\$ 23,072		\$ 23,072
5	600,000	35.31	\$ 21,185	\$ 2,118	\$ 23,303		\$ 23,303
6	600,000	35.66	\$ 21,396	\$ 2,140	\$ 23,536		\$ 23,536
7	600,000	36.02	\$ 21,610	\$ 2,161	\$ 23,771		\$ 23,771
8	600,000	36.38	\$ 21,827	\$ 2,183	\$ 24,009		\$ 24,009
9	600,000	36.74	\$ 22,045	\$ 2,204	\$ 24,249		\$ 24,249
10	600,000	37.11	\$ 22,265	\$ 2,227	\$ 24,492		\$ 24,492
11	600,000	37.48	\$ 22,488	\$ 2,249	\$ 24,737		\$ 24,737
12	600,000	37.85	\$ 22,713	\$ 2,271	\$ 24,984		\$ 24,984
13	600,000	38.23	\$ 22,940	\$ 2,294	\$ 25,234		\$ 25,234
14	600,000	38.62	\$ 23,169	\$ 2,317	\$ 25,486		\$ 25,486
15	600,000	39.00	\$ 23,401	\$ 2,340	\$ 25,741		\$ 25,741
16	600,000	39.39	\$ 23,635	\$ 2,364	\$ 25,999		\$ 25,999
17	600,000	39.79	\$ 23,871	\$ 2,387	\$ 26,258		\$ 26,258
18	600,000	40.18	\$ 24,110	\$ 2,411	\$ 26,521		\$ 26,521
19	600,000	40.59	\$ 24,351	\$ 2,435	\$ 26,786		\$ 26,786
20	600,000	40.99	\$ 24,595	\$ 2,459	\$ 27,054		\$ 27,054
	Total		\$ 448,263	\$ 44,826	\$ 493,089	<i>\$ 24,634</i>	\$ 468,455

April 10, 2022

Dear Berlin Property Owner,

The Town of Berlin Economic Development Commission has received an application pursuant to its Tax Partnership Program. This involves a phase in of increases in real property taxes resulting from the construction of a 10,000 square foot industrial building at 131 New Park Drive in Berlin. The applicant, Kevin M. Budney Lifetime Trust has requested a 3-year tax abatement on the increase in assessment. This abatement will allow Budney Aerospace & Overhaul to expand their business here in town..

This tax abatement will not increase your taxes, but will give the Kevin M. Budney Lifetime Trust a small tax abatement over the 3 years following the approval.

This matter is **scheduled** to be considered at the Town Council meeting on **Tuesday April 19th at Town Hall, 240 Kensington Road at 7:00 PM**. The meeting will also be broadcast on Zoom if you are unable to make it or unwilling to do so do the COVID pandemic. Details for the meeting can be found on the town's website at www.town.berlin.ct.us. I am providing you this notice because you are the owner of record of a nearby property. The Town Council has requested that all property owners within 500 feet of the subject property be notified that this application will be considered at the meeting on April 19th, 2022.

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

Sincerely,

Christopher D. Edge
Economic Development Director

Agenda Item No. 9
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: April 8, 2022
SUBJECT: Authorization for the Town Manager to Subordinate the Town's Right of First Refusal with Respect to 921 Farmington Avenue

Summary of Agenda Item:

AMCO Machine and its related entities, FAV Realty LLC and FAVTO Realty LLC, are in the process of obtaining financing from Liberty Bank. Liberty Bank is requesting subordination by the Town of its right of first refusal to purchase 921 Farmington Avenue recorded in Volume 697, page 1136 of the Berlin Land Records. In 2018, 2019, and 2020 the Town Council authorized similar subordination related to earlier loan agreements between FAV Realty LLC and FAVTO Realty LLC and United Bank/Peoples United Bank.

Action:

Move to authorize the Town Manager to execute the attached subordination agreements with respect to the Town's right of first refusal to purchase 921 Farmington Avenue, recorded in Volume 697, page 1136 of the Berlin Land Records, subject to the review and approval of Corporation Counsel.

Attachments:

Proposed subordination agreement

Prepared By:

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

Record and Return

Attorney Pamela R. Reynolds
Anderson, Reynolds & Lynch, LLP
One Liberty Square, Suite 208
New Britain, CT 06051

SUBORDINATION AGREEMENT

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

WHEREAS, Borrower has granted to **LIBERTY BANK** ("Bank"), having an address of 100 Pearl Street, Hartford, Connecticut ("Bank") an Open-End Mortgage Deed, Security Agreement, Assignment of Rents and Fixture Filing in the principal amount not to exceed Three Million Six Hundred Fifty Thousand and 00/100 Dollars (\$3,650,000,000.00) dated April _____, 2022 and recorded or to be recorded in the Berlin Land Records in connection with the Premises (as amended, the "Mortgage"), given in connection with the Mortgage in connection with the Premises; and

WHEREAS, Bank desires that the Mortgage be fully superior in priority to the Agreement.

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

Approved to Form

Corporation Counsel

IN WITNESS WHEREOF, this Subordination is made effective as of _____
_____, 2022.

TOWN OF BERLIN

By: _____

Its Town Manager
Duly Authorized

STATE OF CONNECTICUT)

: ss

_____, 2022

COUNTY OF HARTFORD)

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

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

Commissioner of Superior County
Notary Public
My Commission Expires: