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TOWN OF BERLIN
SPECIAL TOWN COUNCIL MEETING
PUBLIC HEARING
Tuesday, July 12, 2022
Town Council Chambers
Remote Meeting
6:00 P.M.

A public hearing of the Charter Revision Commission will be held on July 12th, 2022, in the Town Council Chambers, Berlin Town Hall, 240 Kensington Road, Berlin, CT at 6:00 p.m. for the purpose of receiving both written and oral comments concerning the proposed revisions of the Berlin Charter.

TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, July 12, 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: Accept monetary donations totaling \$1,881.05 for the Berlin Peck Memorial Library and deposit \$1,756.05 into the library agency account to purchase new books, adult fiction books, teen books in memory of Noah P. Bourden, gift cards for “Booking around Berlin” and the libraries greatest needs, and deposit \$125.00 into the John Day fund for the libraries greatest need. Also accept the donation of books and DVDs with a total approximate value of \$204.91 to be added to the appropriate department collections and move to accept the donation of birthday cards with an approximate value of \$25.00 to be used for patrons or employees. – Berlin-Peck Memorial Library
2. Topic re: Approve Berlin Youth Football and Cheerleading to sell food and beverages at their home football games at Scalise Football Field, Sage Park for the 2022 season. – Parks and Recreation
3. Topic re: Approve waiving the Police Security and Traffic Control fees in the amount of \$2071.00 for Boxes to Boots which takes place on Saturday, November 5, 2022. – Town Manager
4. Topic re: Transfer \$121,200, as detailed on the accompanying spreadsheet, to cover higher than budgeted expenditures in identified accounts. – Finance
5. Topic re: Accept the donation of \$50 from the Martinez family for the fire department’s “Programs Account”. – Fire Administration
6. Topic re: Accept donations to the Berlin Animal Control Donation Account for \$80.00 and supplies/Vet fees valued at \$1,688.19. – Animal Control

H. NEW BUSINESS:

1. Topic re: Approve waiving the Police Traffic Control fees for the Berlin Lions Club’s 2022 Berlin Fair in the approximate amount of \$27,393 or the amount that is needed to cover the Police Traffic Control Fees for Friday through Sunday. – Town Manager
2. Topic re: Discussion and possible action concerning the proposed amendments by the Charter Revision Commission to the Town Charter. – Town Clerk
3. Topic re: Discussion of proposed Leash Free area at Pistol Creek. – Town Manager
4. Topic re: Memorandum from Board Of Finance Chair on the Berlin Community and Senior Center. – Town Manager
5. Topic re: Discussion concerning the asphalt millings and disposition on Chamberlin Highway. – Town Manager
6. Topic re: Award RFP 2022-34 and authorize the Town Manager to enter into a contract with Halloran and Sage, LLP for labor counsel as the most qualified bidder. – Human Resources
7. Topic re: Award Contract No. 2022-35 for design and construction administration services for the Biscoglio Field Renovations at Berlin High School to Kaestle Boos Associates, Inc. of New Britain, CT in the amount of \$70,100.00, and to authorize the Town Manager to execute change orders (when required) in an amount not to exceed \$80,615.00 using our grant from the CT Department of Energy and Environmental Protection (DEEP). – Public Grounds/Parks and Recreation

8. Topic re: Waive the Town's bidding procedure for Water & Wetland LLC, in the amount of \$20,000 for permitting, treatment and aeration of invasive species at several waterways throughout town as this is in the best interest for town. – Public Grounds
9. Topic re: Award Contract #2022-37 Routine Repairs, Emergency Repairs, and Minor Construction of the Water and Sanitary Sewer System to the lowest bidders: Butler Construction at \$160,360.00, and Earth Contractors at \$173,650.00, and to authorize the Town Manager to enter into agreements with the above parties. – Water Control
10. Topic re: Award Contract # 2022-36 (Miscellaneous Concrete Sidewalks) to William Laydon Construction of North Haven, CT to allow for concrete sidewalk construction throughout the Town, by various Town departments (including the Board of Education), through established unit prices. Funding will come from established line-item accounts within the fiscal year 2022/2023 and 2023/2024 departmental budgets. The contract will involve work to be performed through December 31, 2023. – Public Works
11. Topic re: Authorize the Town Manager to apply for a 2022 Transit Oriented Development (TOD) grant for renovation of the former Ledge School Grant Program and to retain an architect from the Town's on-call bid list to prepare a feasibility study for a cost not to exceed \$7,500 to be paid from the Townwide Professional Services account. – Economic Development/Facilities
12. Topic re: Waive the Town's purchasing requirements for the purchase of 5 barrels (275 gallons) of diesel engine oil from Lubrication Engineering for an amount of \$7,821.93. – Municipal Garage
13. Topic re: Approve the purchase of auto parts and supplies using the Source Well Contract (032521-GPC) from N.A.P.A. Auto Parts for an amount not to exceed \$30,000.

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

Waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Fleet Pride for an amount not to exceed \$15,000, since this is in the best interest of the town.

Approve the purchase of auto parts and supplies using the above State of Connecticut Department of Administrative Services Contract # 19PSX0189 from Tasca Ford for an amount not to exceed \$25,000.

Waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Monaco Ford for an amount not to exceed \$25,000, since this is in the best interest of the town.

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

Waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Municipal Truck Parts for an amount not to exceed \$15,000, since this is in the best interest of the town. – Municipal Garage

14. Topic re: TOWN MANAGER'S REPORT:

I. SPECIAL COMMITTEE REPORTS:

J. COUNCILORS' COMMUNICATION:

K. ACCEPTANCE OF MINUTES:

June 21, 2022

L. ADJOURNMENT

NOTICE OF PUBLIC HEARING

TOWN OF BERLIN

JULY 12th, 2022

A public hearing of the Charter Revision Commission will be held on July 12th, 2022 in the Town Council Chambers, Berlin Town Hall, 240 Kensington Road, Berlin, CT at 6:00 p.m. for the purpose of receiving both written and oral comments concerning the proposed revisions of the Berlin Charter.

Dated at Berlin, Connecticut June 21, 2022

Chairman Charles Paonessa

Charter Revision Commission

Publish Date: July 5, 2022

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 30, 2022

SUBJECT: Accept Library Donations

SUMMARY:

Accept donations to the Berlin-Peck Memorial Library

Category	Amount	Description	Purpose	Donor
Cash	6.05	Library agency acct.	small donation	Anonymous
	50.00	Library agency acct.	purchase of new adult fiction books	Mark and Sue Pepe
	50.00	Library agency acct.	in honor of Sue Pepe's birthday for libraries greatest need	David and Nancy Mastrianni
	400.00	Library agency acct.	to purchase gift cards for "Booking around Berlin" children's program	Economic Development
	1,000.00	Library agency acct.	for the purchase of adult fiction books	Ronald and Beverly Cook Fund
	100.00	Library agency acct.	for the purchase of books	Central Connecticut Women's Club
	150.00	Library agency acct.	for the purchase of teen books in memory of Noah P. Bourden	Marie T. Bogdanski
	100.00	John Day donation fund	in memory of Judith Guite for libraries greatest need	Beverly Peters
	25.00	John Day donation fund	in memory of Judith Guite for libraries greatest need	Franklin Elementary School Sunshine Club
	1,881.05			

Category	Amount	Description	Purpose	Donor
Equip/Merch	165.92	Books	add to department collection	Various
	38.99	DVDs	add to department collection	Various
	25.00	Birthday cards	send to patrons/employees	Anonymous
	229.91			

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

ACTION NEEDED:

Move to accept monetary donations totaling \$1,881.05 for the Berlin Peck Memorial Library and deposit \$1,756.05 into the library agency account to purchase new books, adult fiction books, teen books in memory of Noah P. Bourden, gift cards for "Booking around Berlin" and the libraries greatest needs, and deposit \$125.00 into the John Day fund for the libraries greatest need.

Move to accept the donation of books and DVDs with a total approximate value of \$204.91 to be added to the appropriate department collections and move to accept the donation of birthday cards with an approximate value of \$25.00 to be used for patrons or employees.

ATTACHMENTS:

None

PREPARED BY:

Kimberly McNally, Director



Consent

Agenda Item No. 2
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: July 1, 2022

SUBJECT: Berlin Youth Football and Cheerleading approval to sell food and beverages

SUMMARY:

The Berlin Parks and Recreation Commission at its special meeting on Friday, July 1, 2022 recommended approval for Berlin Youth Football and Cheerleading to sell food and beverages at their home football games at Scalise Football Field, Sage Park for the 2022 season.

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

ACTION NEEDED:

Move to approve Berlin Youth Football and Cheerleading to sell food and beverages at their home football games at Scalise Football Field, Sage Park for the 2022 season.


ATTACHMENTS:

None

PREPARED BY:

Jennifer Ochoa, Director of Community, Recreation and Parks Services

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager 

DATE: June 30, 2022

SUBJECT: Police Fee Waiver for the Boxes to Boots “Giving Thanks to our Troops” Event

Summary of Agenda Item:

Boxes to Boots will be hosting a town wide event, Giving Thanks to our Troops, in which they ask Town residents to come out and volunteer their time to wrap care packages to be sent overseas to hundreds of our military men and women stationed across the world. Boxes to Boots receives donations from the community and sends care packages filled with daily essentials which are in short supply in some remote areas. They also send some valuable extras such as playing cards and books which for some recipients are their only connection to home. Knowing that their community through Boxes to Boots recognizes and honors their extraordinary sacrifice can sustain our troops during deployment.

Kristen Gauvin with Boxes to Boots has requested the assistance of the Berlin Police Department to help with traffic control and security indoors at McGee Middle School. It is estimated that the cost for 3-4 officers will be approximately \$2071.00, and Boxes to Boots is requesting a fee waiver from the Town

Action Needed:

Move to approve waiving the Police Security and Traffic Control fees in the amount of \$2071.00 for Boxes to Boots which takes place on Saturday, November 5, 2022.

Attachments:

Fee Waiver Form

Prepared By:

Arosha Jayawickrema, Town Manager 



TOWN OF BERLIN Request for Fee Waiver

Requesting Organization: Boxes to Boots	Date: Sat Nov. 5 th 2022
Contact Name: Kristen Gauvin	
Phone Number: (860) 534-6391	
Event: Boxes to Boots' Giving Thanks to Our troops	Date of Event: Sat. Nov 5 th 2022
Location of the Event: McGee Middle School	
What fee do you want waived: Police Coverage - at various times / places throughout the day beginning at 8 a.m. - 4 p.m. The amount requested to be waived ranges from \$1920 to \$2171 depending on the rank of the officer.	
Identify the hardship incurred: We are a non profit. We work hard to raise over \$25,000. to pay for our shipping costs for our event. We would need 2 officers inside the school.	
Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific: Our event asks town residents to come out & volunteer their time to help wrap care packages to be sent overseas to hundreds of our military men & women stationed across the world.	

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: Boxes to Boats

Comments:

Kristen Gorman
Signature

4/29/22
Date

Arosha Jayaramkumar
Town Manager Signature

7/1/22
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. 4
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 28, 2022

SUBJECT: Budget Transfers to Clear Overbudget Accounts

Summary of Agenda Item:

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

Action Needed:

Move to transfer \$121,200, as detailed on the accompanying spreadsheet, to cover higher than budgeted expenditures in identified accounts.

Attachments:

Budget Adjustments spreadsheet
Budget Change forms

Prepared By:

Kevin Delaney, Finance Director


Budget Adjustments July 12, 2022

<u>Department</u>	<u>GL Account #</u>	<u>From</u>	<u>To</u>	<u>Explanation</u>
Fire	001.45.4567.0.59622.00000		\$33,200.00	The Fire Radio project requires a portion of the previously approved project contingency funds to expand coverage and purchase additional devices. The Town does not bond contingency until the amount is known, but because the request is small the intent is to use operating contingency instead of bonding more money.
	001.05.0507.0.53927.00000	\$33,200.00		The funds will ultimately be transferred into the Fire Radio System Project account (134.15.1531.0.54000.01114).
Police	001.15.1532.0.51440.00000		\$40,000.00	Private construction projects often require a police presence for safety. Due to higher than budgeted extra duty projects throughout town, the cost of extra duty police officers was higher than budgeted. The Town is reimbursed for these costs from private parties, so there is no taxpayer impact.
	001.15.1532.0.51811.00000	\$13,000.00		
	001.15.1532.0.51140.00000	\$27,000.00		
Municipal Garage	001.20.2035.0.53233.00000		\$10,000.00	Inflation has driven the cost of auto parts to historic levels. This transfer covers the additional cost of necessary auto parts.
	001.20.2035.0.51135.00000	\$10,000.00		
Golf Course	001.25.2543.0.51160.00000		\$5,000.00	The golf course started the spring season earlier than expected resulting in higher than budgeted starters, rangers & golf cart attendant costs.
	001.25.2543.0.51510.00000	\$5,000.00		
Water Control		<u>\$88,200.00</u>	<u>\$88,200.00</u>	
				Engineering and design costs related to the Berlin Turnpike water main replacement were higher than budgeted. Delays in meter replacements have left money available in the Meters account to cover these higher costs.
		\$20,000.00		
			\$8,000.00	The unused vacation payout of a retired foreman and a change in the work schedule of the BWC manager resulted in higher than budgeted wages.
			\$5,000.00	The unused vacation payout of a retired foreman and a change in the work schedule of the BWC manager resulted in higher than budgeted wages.
		\$5,000.00		
		<u>\$33,000.00</u>	<u>\$33,000.00</u>	
		<u>\$121,200.00</u>	<u>\$121,200.00</u>	



TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

Department:	Fire Department	Fiscal Year:	FY2022	Date:	6/30/22
To Acct #:	Description:	Amount:	Requested by:		
001.45.4567.0.59622.00000	Transfer to Other Funds	\$33,200.00	J. Simons		
Are there funds from another account which can be requested: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Partially <input type="checkbox"/> Don't Know <input type="checkbox"/>					
From Acct #:	Description:	Amount:	Approved by:		
001.05.0507.0.53927.00000	Contingency	\$33,200.00			

Contingency Balance (If applicable): \$295,000.00


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

The Fire Radio project requires a portion of the previously approved project contingency funds to expand coverage and purchase additional devices. The Town does not bond contingency until the amount is known, but because the request is small the intent is to use operating contingency instead of bonding more money.

The funds will ultimately be transferred into the Fire Radio System Project account (134.15.1531.0.54000.01114).

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:
Comments:			6/30/22



Section 3a: Town Council action:

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

Section 3b: Board of Finance action:

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


Section 4: To be completed by Finance Department:

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

Section 1: To be completed by Department:

Department:	Police	Fiscal Year:	FY2022	Date:	6/28/22
To Acct #:	Description:	Amount:	Requested by:		
001.15.1532.0.51440.00000	Extra Duty Police Officer	\$40,000.00	C. Ciuci		
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:		
001.15.1532.0.51811.00000	In Lieu of Sick Pay (retiree)	\$13,000.00			
001.15.1532.0.51140.00000	Police Personnel	\$27,000.00			

Contingency Balance (If applicable):

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

Private construction projects often require a police presence for safety. Due to higher than budgeted extra duty projects throughout town, the cost of extra duty police officers was higher than budgeted. The Town is reimbursed for these costs from private parties, so there is no taxpayer impact.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:	6/28/22
Comments:				

Section 3a: Town Council action:

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

Section 3b: Board of Finance action:

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

Section 4: To be completed by Finance Department:

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

Section 1: To be completed by Department:

Department:	Garage	Fiscal Year:	FY2022	Date:	6/28/22
To Acct #:	Description:	Amount:	Requested by:		
001.20.2035.0.53233.00000	Auto Parts	\$10,000.00	J. Simons		
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:		
001.20.2035.0.51135.00000	Blue Collar Personnel	\$10,000.00	KD		

Contingency Balance (If applicable):

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

Inflation has driven the cost of auto parts to historic levels. This transfer covers the additional cost of necessary auto parts.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:
			6/28/22
Comments:			
[Signature]			

Section 3a: Town Council action:

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

Section 3b: Board of Finance action:

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


Section 4: To be completed by Finance Department:

Budget Change # :	JE#	Approved by Town Meeting	Date approved:



TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

Department:	Golf Course	Fiscal Year:	FY2022	Date:	6/28/22
To Acct #:	Description:	Amount:	Requested by:		
001.25.2543.0.51160.00000	Strtrs, Rngrs, Golf Carts	\$5,000.00	J. Salvio		
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:		
001.25.2543.0.51510.00000	Part time & Summer Help	\$5,000.00			

Contingency Balance (If applicable):

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

The golf course started the spring season earlier than expected resulting in higher than budgeted starters, rangers & golf cart attendant costs.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date: 6/28/22
Comments:			

Section 3a: Town Council action:

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

Section 3b: Board of Finance action:

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


Section 4: To be completed by Finance Department:

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

Section 1: To be completed by Department:


Department:	Water Control	Fiscal Year:	FY2022	Date:	6/28/22
To Acct #:	Description:	Amount:	Requested by:		
843.50.5086.0.53814.00000	Contractual Services	\$20,000.00	R. Jarema		
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:		
843.50.5084.0.56803.00000	Meters	\$20,000.00			

Contingency Balance (If applicable):

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

Engineering and design costs related to the Berlin Turnpike water main replacement were higher than budgeted. Delays in meter replacements have left money available in the Meters account to cover these higher costs.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:
			6/28/22
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:



TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

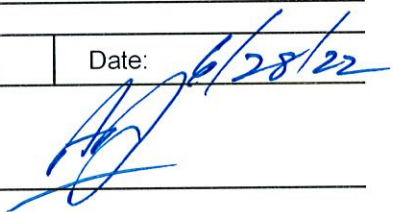
Department:	Water Control	Fiscal Year:	FY2022	Date:	6/28/22
To Acct #:	Description:	Amount:	Requested by:		
843.50.5091.0.51125.00000	Mid-Management Personnel	\$8,000.00	R. Jarema		
Are there funds from another account which can be requested: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Partially <input type="checkbox"/> Don't Know <input type="checkbox"/>					
From Acct #:	Description:	Amount:	Approved by:		
843.50.5092.0.51135.00000	Blue Collar Personnel	\$8,000.00			

Contingency Balance (If applicable):

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

The unused vacation payout of a retired foreman and a change in the work schedule of the BWC manager resulted in higher than budgeted wages.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:
			6/28/22
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:



TOWN OF BERLIN
BUDGET CHANGE FORM

Section 1: To be completed by Department:

Department:	Water Control	Fiscal Year:	FY2022	Date:	6/28/22
To Acct #:	Description:	Amount:	Requested by:		
844.55.5591.0.51125.00000	Mid-Management Personnel	\$5,000.00	R. Jarema		
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:		
844.55.5592.0.51135.00000	Blue Collar Personnel	\$5,000.00	FJD		

Contingency Balance (If applicable):

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

The unused vacation payout of a retired foreman and a change in the work schedule of the BWC manager resulted in higher than budgeted wages.

Section 2: To be completed by Town Manager:

Request approved <input checked="" type="checkbox"/>	Disapproved <input type="checkbox"/>	Partially Approved <input type="checkbox"/>	Date:	6/28/22
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:
-------------------	-----	--------------------------	----------------

Consent
5

Agenda Item No.: 5
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Aroscha Jayawickrema, Town Manager
DATE: June 16, 2022
SUBJECT: Approve the donation to the Fire Department Programs account of \$50 from Martinez family.

Summary of Agenda Item:

The Martinez family has donated \$50 to the fire department "Programs account" #100.15.1531.0.53400.00000. Funds within this account pay for training classes.

These funds will be deposited into Account #100.05.0505.2.45100.00000, Donations and then appropriated to account #100.15.1531.0.53400.00000.

Action Needed:

Move to accept the donation of \$50 from the Martinez family for the fire department's "Programs Account".

Attachments:

None

Prepared By:

James C. Simons, Fire Administrator

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: July 06, 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*
June 12, 2022 to July 1, 2022	\$ 50.00 (ck# 2636)	Animal Care	Thomas Ottman Berlin
	\$ 30.00 (ck # 2895)	Animal Care	Elizabeth Mattera Berlin
	\$ 291.95 Value	Vet care vaccines/spay	FOBAC Berlin
	\$ 510.00 (value)	Winsted cats Vet Care	FOBAC Berlin
	\$ 886.24 (value)	Vet care injured dog	FOBAC Berlin

* Unless a name is mentioned, donors requested anonymity

ACTION NEEDED:

Move to accept donations to the Berlin Animal Control Donation Account for \$ 80.00 and supplies/ Vet fees valued at \$ 1688.19

ATTACHMENTS:

Thank you notes

PREPARED BY:

Janice Lund, Animal Control Officer



TOWN OF BERLIN
Animal Control Department

June 29, 2022

Elizabeth Mattera
140 Tollgate Rd
Berlin, CT. 06037

Dear Elizabeth,

Thank you for the thoughtful donation of \$ 30.00 to help with the cats that we took in from Winsted.. The fresh catnip from your yard will help soothe the new cats adjusting to our shelter. Our cats here at the Animal Control Facility in Berlin thank you too.

Thanks again.

Sincerely,

Jan Lund, ACO
Kate Matson, AACO



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

Case# 22-0078

Animal Hospital Of Berlin

369 New Britain Rd
Kensington, CT 06037
860-828-1770



FOR: Animal Control Friends Of Berlin
P.O. Box 1
Kensington, CT 06037
()

Printed: 06-10-22 at 1:41p
Date: 06-10-22
Account: 2403
Invoice: 38667

Date	For	Qty	Description	Net Price
06-10-22	Mr Julius	1	DISCOUNT RESCUE GROUP	-147.20
06-10-22		1	Feline Leukemia +FIV Test	0.00
06-10-22		1	Rabies 1 Year Vaccine	43.50
06-10-22		1	Distemper Booster Vaccine	36.50
06-10-22		1	Medical Waste Disposal Fee	10.20
06-10-22		1	Annual Wellness Physical Examination	87.00

Old balance	Charges	Payments	New balance
494.94	30.00	0.00	524.94

Patient	Total charges
Mr Julius	30.00

Reminders for: Mr Julius	Last done
06-10-23 Annual Physical Examination	06-10-22
06-10-23 Rabies 1 Year Vaccine	06-10-22
07-01-22 Distemper Booster Vaccine	06-10-22

THANK YOU FOR CHOOSING OUR PRACTICE !!

OUR GOAL IS TO:

- ~Treat each client's pet as if it were our own.
- ~Treat all patients with respect and dignity.
- ~Educate clients so that they can make informed decisions concerning their pet's care.
- ~Provide quality veterinary care at an honest and affordable price.
- ~To always exceed client expectations.

We are an American Animal Hospital Association-accredited hospital. We voluntarily choose to participate in this comprehensive evaluation process in order to be sure that we comply with hundreds of the highest standards in veterinary medicine. In order to maintain our accreditation with AAHA, we are reevaluated regularly to prove our commitment and dedication to providing this level of our care to our patients, clients,

INVOICE

Chester Veterinary Clinic

264 Middlesex Ave
Chester, CT 06412
860-526-5313

FOR: Friends of Berlin Animal Control
P.O. Box 1
Kensington, CT 06037
(860) 828-5287

Printed: 06-22-22 at 8:12a
Date: 06-22-22
Account: 11469
Invoice: 128812

Date	For	Qty	Description	Net Price
06-22-22	Beans	1	Hosp For Procedure Feline	22.20
06-21-22		1	Discount - Rescue	-23.25 **
06-21-22		1	Revolution Plus Orange 5.6-11 lbs.	24.00
06-21-22		1	Snap Felv/FIV/Heartworm (In house)	69.00
This is a test that helps our veterinarians to detect Feline Immunodeficiency Virus, Feline Leukemia Virus and Feline Heartworm Disease.				
06-21-22		1	Feline Alter	104.13
06-21-22		0.09	Buprenorphine 0.3 mg/ml	6.25
06-21-22		0.33	Ketamine 100mg/ml	4.23
06-21-22		0.10	Yohimbine Per ML	1.12
06-21-22		0.27	Xylazine (Anased) 20mg/ml	1.37
06-21-22		0.41	Onsior injection per ml	52.90
<hr/>				
Old balance	Charges	Payments	Discount	New balance
277.50	261.95	0.00	23.25 **	539.45

Your invoice total reflects our **Regular Clientele** discount.

Patient	Total charges
Beans	261.95

Reminders for:	Beans (Weight: 9.2 lbs - 12m)	Last done
06-11-23	Rabies Feline 1 year Purevax	06-11-22
06-11-23	Feline Distemper 3Yr	

Doctor's Instructions

Feline Alter

We are including important information concerning your visit with us today. Please take a few moments to review it. If you have any questions, please don't hesitate to ask.

CENTRAL HOSPITAL
FOR VETERINARY MEDICINE, INC.
4 Devine Street North Haven 203-865-0878
535 Boston Post Rd Guilford 203-533-6444
North Haven, CT 06473
(203) 865-0878

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. Berlin Animal Control
240 Kensington Road
Berlin, CT 06037

Client ID: 173656
Invoice #: 373937
Date: 6/17/2022
(860) 538-4719
jlund@berlinct.gov

Patient ID: 260258	Species: Canine	Weight: 9.00 kilograms
Patient Name: Imp 114 Case 20-0104 E. Buldo	Breed: Bulldog, English	Birthday: 08/17/2021 Sex: Female

	<u>Description</u>	<u>Staff Name</u>	<u>Quantity</u>	<u>Total</u>
6/17/2022	Emergency Visit	Dr. Diana Weston, DVM	1.00	\$170.00
	X-ray - 3 views		1.00	\$347.00
	Chem 17, Lyte 4, ProCyte & SDMA.		1.00	\$316.80
	Oxygen Therapy - Initial		1.00	\$80.00
	Euthanasia		1.00	\$82.00
	Communal Cremation		1.00	\$112.00
		Patient Subtotal:		\$1,107.80
		Invoice Total:		\$1,107.80
		Shelter/Rescue Group Discount:		(\$221.56)
		Total:		\$886.24
		Balance Due:		\$886.24
		Previous Balance:		\$0.00
		Balance Due:		\$886.24
		NH-Visa:		(\$886.24)
		Less Payment:		(\$886.24)
		Balance Due:		\$0.00

We appreciate the opportunity to meet your veterinary needs and look forward to serving you in the future. Visit www.carecredit.com for future payment alternatives. The Doctors & Staff at CENTRAL HOSPITAL for VETERINARY MEDICINE.

Patient Visit List Report

Client ID and Name: 436 Hidden Treasures Adoption Center
Address: P.O. Box 322
Kensington, CT 06037

Patient ID and Name: 8536 Ben
Sex: Neutered Male
Species/Breed: Feline/Feral
Age and Birthdate: 12 Mos. 0 Wks. 0 Days 6/28/2021

Date	Type	Status	Rev Ctr	Item ID	Description	Staff ID	Disc	Tax	Quantity	Price
06/28/2022		R	H	2221	Rescue Feline Neuter Package	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2214	Rescue Feline Neuter	KA	N	N	1.00	\$200.00
06/28/2022		R	H	2206	Rescue Pre-surgery Exam	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2207	Rescue Subcutaneous Fluids	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2213	Rescue Sedation	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2215	Rescue Deworming	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2217	Rescue Feline Snap	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2216	Rescue Flea/Tick	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2209	Rescue FVRCP	KA	N	N	1.00	\$0.00
06/28/2022		R	H	2219	Rescue Meloxicam Injection	KA	N	N	0.12	\$0.00
06/28/2022		R	H	2220	Rescue Penicillin Injection	KA	N	N	0.80	\$0.00
06/28/2022		R	H	2211	Rescue Nail Trim	KA	N	N	1.00	\$0.00
06/28/2022		R	H	MDK	Cat Sedation M,K,D	KA	N	N	1.00	\$0.00
06/28/2022		R	H	3028	Ketamine HCl 100 mg/mL	KA	N	N	0.10	\$0.00
06/28/2022		R	H	DEXMED	Dexmedetomidine 0.5 mg/mL	KA	N	N	0.10	\$0.00
06/28/2022		R	H	3006	Butorphanol 10 mg/mL	KA	N	N	0.10	\$0.00
06/28/2022		R	H	2162	State of Connecticut Voucher Pr	KA	N	N	1.00	(\$80.00)
06/28/2022		R	H	2178	State Voucher Administration Fe	KA	N	N	1.00	\$10.00

Total: \$130.00
Discount: \$0.00
Tax: \$0.00
Total: \$130.00

Type: A - appointment items, B - boarding, C - correspondence items, E - estimates, L - lab, P - prescriptions, T - template items, X - exam room items
Status: R - recommended, A - accepted, P - performed

Patient Visit List Report

Client ID and Name: 2925 Animal Control Friends Berlin
Address: PO Box 1 12 four rod rd
Berlin, CT 06037

Patient ID and Name: 8612 Dottie
Sex: Female
Species/Breed: Feline/Domestic Shorthair
Age and Birthdate: 12 Mos. 0 Wks. 0 Days 6/29/2021

(Winsted Hoarding Case) 22-0113

Date	Type	Status	Rev Ctr	Item ID	Description	Staff ID	Disc	Tax	Quantity	Price
06/29/2022		R	H	2218	Rescue Feline Spay Package	KA	N	N	1.00	\$0.00
06/29/2022		R	H	RSPAY	Rescue Feline Spay	KA	N	N	1.00	\$250.00
06/29/2022		R	H	2206	Rescue Pre-surgery Exam	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2213	Rescue Sedation	KA	N	N	1.00	\$0.00
06/29/2022		R	H	MDK	Cat Sedation M,K,D	KA	N	N	1.00	\$0.00
06/29/2022		R	H	3645	Midazolam 5mg/mL Injectable	KA	N	N	0.10	\$0.00
06/29/2022		R	H	3028	Ketamine HCl 100 mg/mL	KA	N	N	0.10	\$0.00
06/29/2022		R	H	3006	Butorphanol 10 mg/mL	KA	N	N	0.10	\$0.00
06/29/2022		R	H	REVERT	Revertidine Injection 5 mg/mL	KA	N	N	0.10	\$0.00
06/29/2022		R	H	2209	Rescue FVRCP	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2217	Rescue Feline Snap	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2215	Rescue Deworming	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2211	Rescue Nail Trim	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2220	Rescue Penicillin Injection	KA	N	N	0.60	\$0.00
06/29/2022		R	H	2219	Rescue Meloxicam Injection	KA	N	N	0.12	\$0.00
06/29/2022		R	H	2162	State of Connecticut Voucher Pr	KA	N	N	1.00	(\$120.00)

Total: \$130.00
Discount: \$0.00
Tax: \$0.00
Total: \$130.00

Type: A - appointment items, B - boarding, C - correspondence items, E - estimates, L - lab, P - prescriptions, T - template items, X - exam room items
Status: R - recommended, A - accepted, P - performed

Patient Visit List Report

Client ID and Name: 2925 Animal Control Friends Berlin
Address: PO Box 1 12 four rod rd
Berlin, CT 06037

Patient ID and Name: 8611 Sassy
Sex: Female
Species/Breed: Feline/Domestic Shorthair
Age and Birthdate: 12 Mos. 0 Wks. 0 Days 6/29/2021

Winsted Hoarding Case # 22-0113

Date	Type	Status	Rev Ctr	Item ID	Description	Staff ID	Disc	Tax	Quantity	Price
06/29/2022		R	H	2218	Rescue Feline Spay Package	KA	N	N	1.00	\$0.00
06/29/2022		R	H	RSPAY	Rescue Feline Spay	KA	N	N	1.00	\$250.00
06/29/2022		R	H	2206	Rescue Pre-surgery Exam	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2213	Rescue Sedation	KA	N	N	1.00	\$0.00
06/29/2022		R	H	MDK	Cat Sedation M,K,D	KA	N	N	1.00	\$0.00
06/29/2022		R	H	3645	Midazolam 5mg/mL Injectable	KA	N	N	0.10	\$0.00
06/29/2022		R	H	3028	Ketamine HCl 100 mg/mL	KA	N	N	0.10	\$0.00
06/29/2022		R	H	3006	Butorphanol 10 mg/mL	KA	N	N	0.10	\$0.00
06/29/2022		R	H	REVERT	Revertidine Injection 5 mg/mL	KA	N	N	0.10	\$0.00
06/29/2022		R	H	2209	Rescue FVRCP	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2217	Rescue Feline Snap	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2216	Rescue Flea/Tick	KA	N	N	1.00	\$0.00
06/29/2022	Revolution	R	H	2215	Rescue Deworming	KA	N	N	1.00	\$0.00
06/29/2022	Revolution	R	H	2211	Rescue Nail Trim	KA	N	N	1.00	\$0.00
06/29/2022		R	H	2219	Rescue Meloxicam Injection	KA	N	N	0.12	\$0.00
06/29/2022		R	H	2162	State of Connecticut Voucher Pr	KA	N	N	1.00	(\$120.00)
06/29/2022		R	H	CONV	Convenia Injection	KA	N	N	0.30	\$0.00

Total: \$130.00
Discount: \$0.00
Tax: \$0.00
Total: \$130.00

Type: A - appointment items, B - boarding, C - correspondence items, E - estimates, L - lab, P - prescriptions, T - template items, X - exam room items
Status: R - recommended, A - accepted, P - performed

Vet for Pet Animal Clinic

765 Main Street
East Hartford, CT 06108
(860) 519-1519

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Animal Control Friends Berlin
PO Box 1 12 four rod rd
Berlin, CT 06037

Client ID: 2925
Invoice #: 17247
Date: 6/29/2022

Patient ID: 8600		Species: Feline	Weight: 5.90 pounds	
Patient Name: Freckles		Breed: Domestic Mediumhair	Birthday: 06/29/2021	Sex: Male
6/29/2022	Description	Staff Name	Quantity	Total
	Rescue Feline Neuter	Dr. Kamran Afzal, DVM	1.00	\$200.00
	Rescue Pre-surgery Exam		1.00	\$0.00
	Rescue Sedation		1.00	\$0.00
	Deworming -Pyrantel		1.00	\$0.00
	Rescue Feline Snap		1.00	\$0.00
	Vectra		1.00	\$0.00
	Rescue FVRCP		1.00	\$0.00
	Rescue Meloxicam Injection		0.10	\$0.00
	Rescue Penicillin Injection		0.60	\$0.00
	Rescue Nail Trim		1.00	\$0.00
	Cat Sedation M,K,D		1.00	\$0.00
	Midazolam 5mg/mL Injectable		0.10	\$0.00
	Ketamine HCl 100 mg/mL		0.10	\$0.00
	Butorphanol 10 mg/mL		0.10	\$0.00
	Revertidine Injection 5 mg/mL		0.10	\$0.00
	State of Connecticut Voucher Program		1.00	(\$80.00)
		Patient Subtotal:		\$120.00

We appreciate your patience while we are learning to use our new computer system.
This will allow us to better meet the needs of you and your pets.

Agenda Item No. 1
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Interim Town Manager
DATE: June 29, 2022
SUBJECT: Berlin Lions Club Waiver of Fees



Summary of Agenda Item:

The Berlin Lions Club is requesting a waiver of Police Traffic Control Fees for the 2022 Berlin Fair. The Berlin Lions donate each year to local causes and non-profits.

In 2021, the total amount waived by the Town Council was \$27,393. Historically, the Town has waived the fees from Friday through Sunday of the week of the Fair. The Lions Club is planning to open the Fair one day earlier in 2022 and has requested the assistance of the Berlin PD for that Thursday as well. This additional expense was not anticipated and thus not requested and budgeted for FY 2023.

Action Needed:

Move to approve waiving the Police Traffic Control fees for the Berlin Lions Club's 2022 Berlin Fair in the approximate amount of \$27,393 or the amount that is needed to cover the Police Traffic Control Fees for Friday, through Sunday.

Attachments:

Request for Fee Waiver
July 14, 2022 letter from Lt. Drew Gallupe
Three -year history of donations given by the Berlin Lions

Prepared By:

Arosha Jayawickrema, Town Manager



TOWN OF BERLIN Request for Fee Waiver

Requesting Organization: The Berlin Lions Agricultural Fair Association	Date: May 20, 2022
Contact Name: Philip C. Porter	
Phone Number: 860-729-7358	
Event: The Berlin Fair	Date of Event: September 15, 16, 17, & 18, 2022
Location of the Event: Berlin Fairgrounds 430 Beckley Road East Berlin, CT	
What fee do you want waived: The Police costs associated with Traffic Direction and Control ; \$34,672.00 (See attached)	
Identify the hardship incurred: The costs associated with Police Traffic Control would negatively impact the amount of money contributed back to the town's Non Profit organizations, Children/Youth Activities, and residents in need.	
Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific: The Berlin Fair is the major fundraising activity for the Berlin Lions Club and Berlin Lions Charities. Berlin Lions Charities Inc is a 501c-3 Non Profit organization with no paid employees. Its sole purpose is to support area organizations in need. This charitable giving provides much needed financial support to many community groups that supply services to our town's youth and seniors along with providing scholarship opportunities to Berlin students. Recipients include the Cub Scouts, Boy Scouts, Girl Scouts, Berlin Little League, Berlin UpBeat, Interact Club, Berlin Food Pantry, Berlin Volunteer Fire Departments, VIP Fishing that provides experiences to those in our community that are visually impaired, Meals provided to the senior community at the Senior Center, meals and care packages through the holiday season to town families in need of financial assistance, The McGee Musical, Berlin Bears Youth Football, The Berlin High Boosters Association, Berlin Veterans organizations and countless other organizations and associations. Most every civic and religious organization in town uses the annual Berlin Fair as their major fundraising activity which in turn allows them to continue to provide their services to our town as a whole. I think it is fair to say that any and all of Berlin's residents have experienced the charitable side of the Berlin Lions Club.	

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: The Berlin Lions Agricultural Fair Association

Comments:

Philip C. Porter

Signature



Town Manager Signature

6/6/2022

Date



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.

BERLIN POLICE DEPARTMENT

*Lieutenant Drew Gallupe • Support Services Commander
Email: dgallupe@berlinpd.org Phone: (860)828-7184*

June 14, 2022

Philip Porter, Fair President
Berlin Lion's Club
P.O. Box 23
Berlin, CT 06037

Dear Mr. Porter:

The Berlin Lions Club customarily has requested a waiver of the police costs associated with traffic direction and control at the Berlin Fair from the Town Council. This request also includes a waiver of a portion of the Town's private duty surcharge. If it is the Lions Club's intention to do so again this year the following actions need to be taken prior to this year's fair:

- 1.) A petition needs to be made to get the Lions Club's request for a waiver on the Town Council Agenda. The Lions Club must request that the Town Manager place the fee waiver on the agenda for Council approval. Attached is the waiver form.
- 2.) Town Council approval before the costs are incurred at this year's fair.

Last Berlin Fair (2021) a total of **\$27,392.80** was waived by the Town Council for costs associated with traffic direction & control.

Traffic Total	375 hours	\$24,390.35	
Fringe rate 12.31%		\$ 3,002.45	
Traffic Total Cost		\$27,392.80	Waived by Town Council
		<0.00>	25% surcharge waived by Town
		\$27,392.80	Total Waived by Town in 2021

4th Day Addition

The traffic costs for the fourth day are difficult to establish at this time and as we get closer we hope to be able to have a better understanding of possible attendance to determine the need for traffic services. I am providing an estimate of traffic costs based on a partial traffic pattern and a full traffic pattern with one way traffic. The need for a full or partial traffic pattern will be determined by the Chief of Police prior to the event based on the latest estimates. This rate is based on the standard town overtime rate for officers. This accounts for an eight hour shift from 3pm to 11pm and can vary depending on when the fairgrounds and parking lots are substantially cleared and officers are released.

Partial Traffic Pattern	\$ 4,298.14
Full Traffic Pattern with One Way Traffic	\$ 7,368.25

Sincerely,

A handwritten signature in black ink, appearing to read "Lt Drew Gallupe", with a long horizontal flourish extending to the right.

Lieutenant Drew Gallupe
Support Services Division
(860) 828-7184 / (860) 801-0145

2:36 PM
06/08/22
Cash Basis

Berlin Lions Charities
Profit & Loss
July 2019 through June 2022

	Jul '19 - Jun 22
Ordinary Income/Expense	
Expense	
Charity Expenditures	
Agricultural Scholarship	2,500.00
Berlin 4 Volunteer Fire Depts.	6,000.00
Berlin Food Pantry	1,500.00
Berlin High Salutatorian	1,500.00
Berlin High Valedictorian	1,500.00
Berlin Out & About Club	4,000.00
Berlin Volunteer Fund	1,500.00
Boys & Girls Committee	28,972.30
C. Howard Goding Award	3,669.39
CCSAR	1,250.00
CRIS	4,550.00
Scholarships(4 @ 3,500)	42,000.00
Sunshine Kids Foundation	250.00
Youth Outreach	24,540.00
Total Charity Expenditures	123,731.69
Total Expense	123,731.69
Net Ordinary Income	-123,731.69
Net Income	-123,731.69

Agenda Item No. 2
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: July 5, 2022

SUBJECT: Recommendations to the Charter Revision Commission

Summary of Agenda Item:

A Public Hearing was held earlier tonight by the Town Council to receive written and verbal comments on the proposed amendments to the Town Charter. The Council can make recommendations to the Charter Revision Commission (CRC).

Council must make recommendations within 15 days of Public Hearing to CRC. If the Council makes no changes, then this becomes the final draft. [CGS §7-191(b), 7-191(c)]

Action Needed:

Discussion and possible action concerning the proposed amendments by the Charter Revision Commission to the Town Charter.

Attachments:

None

Prepared By: Kate Wall, Town Clerk

Agenda Item No. 3
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: July 5, 2022
SUBJECT: Discussion of proposed Leash Free area at Pistol Creek

Summary of Agenda Item:

The Mayor, the Town Manager, Chair of Parks and Recreation, the Cross-Country Coach of the McGee Middle School, the Superintendent of Parks and Grounds, and a resident interested in creating a leash-free area for dogs explored various locations at Pistol Creek. The group recommends a fenced-in area of approximately 50,000 square feet, which is located in the middle of the former fairway, right in front of the handicap parking lot off of Spruce Brook road.

Action Needed:

No action needed.

Attachments:

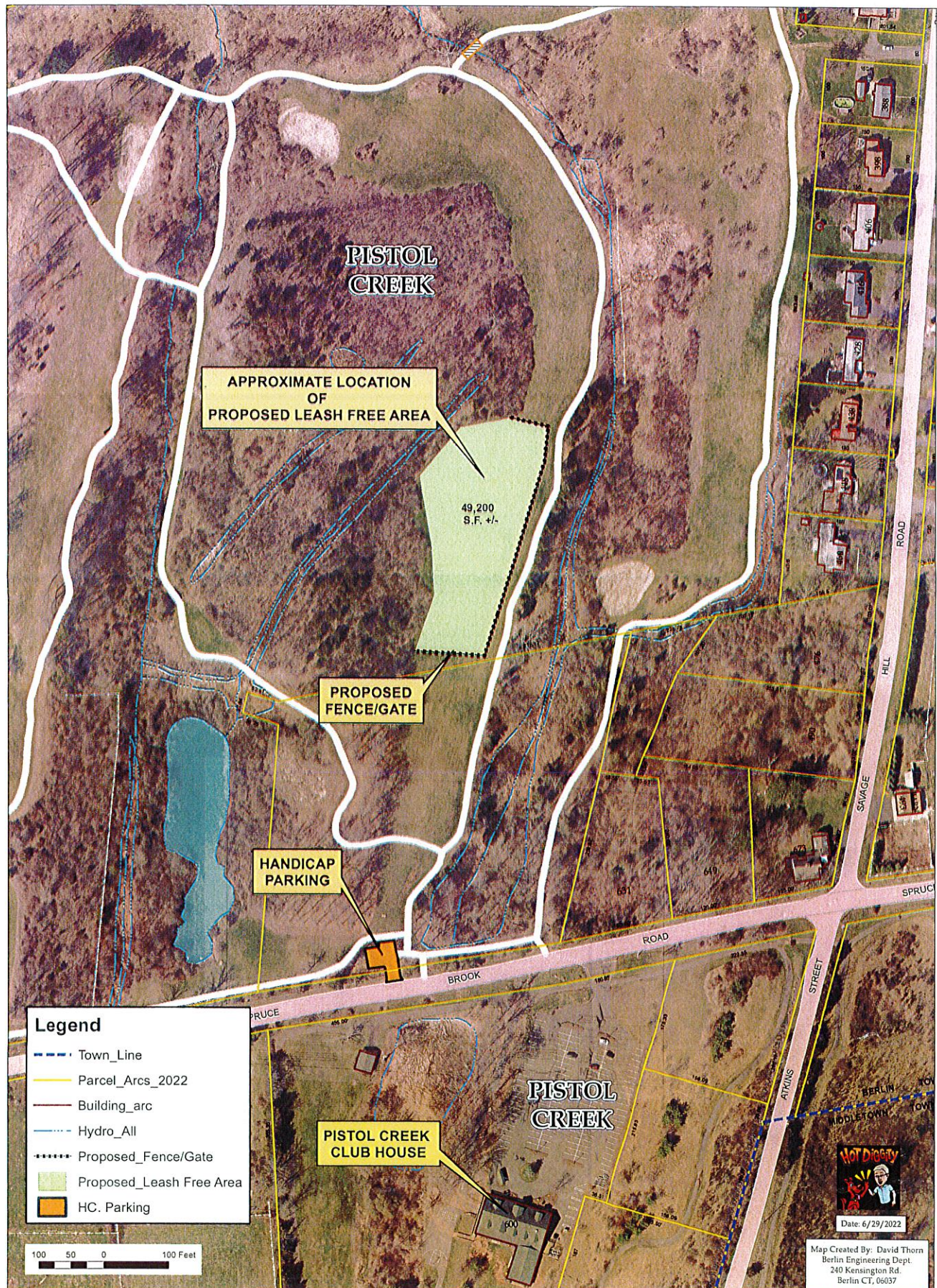
Map of proposed leash free area.

Prepared By:


Arosha Jayawickrema, Town Manager



PROPOSED LEASH FREE AREA AT PISTOL CREEK



Agenda Item No. 4
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager 
DATE: July 5, 2022
SUBJECT: Memorandum from BOF Chair on the Berlin Community and Senior Center

Summary of Agenda Item:

The members of the BOF discussed the Report on the Berlin Community and Senior Center at its June 14, 2022, regular BOF meeting. The input from the BOF members regarding the Town funded proposed Community and Senior Center is summarized in the attached memorandum.

Action Needed:

No action needed.

Attachments:

Memorandum from BOF Chair on the BOF discussion on the Berlin Community and Senior Center.

Prepared By:

Arosha Jayawickrema, Town Manager 

29 June 2022

To: Mayor Mark Kaczynski & Town Council Members

From: Sal Bordonaro, Board of Finance Chairman

Cc: Raul Fernandes, Tim Grady, Mark Holmes, George Millerd, Gerald Paradis, Aroscha Jayawickrema, Kevin Delaney

Subject: Berlin Community and Senior Center Discussion at the June 14, 2022 Regular Board of Finance Meeting

At the subject meeting, Board of Finance members provided the following input regarding the town funded proposed Community and Senior Center.

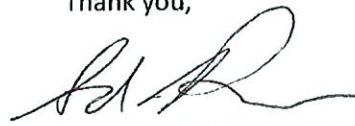
1. The projected cost of \$40 to \$50 million would require the town to assume a considerable amount of debt. Given the Town's current debt load (at \$73M or almost twice the average debt of a town our size), it is not prudent to add this much new debt.
2. The Town has \$300 million in gross General Fund capital assets; more town and school funding is required to maintain, upgrade, or replace existing facilities or equipment. We believe these assets need to be addressed before adding a major and costly new asset.
3. We see a short- term need to use new debt to support current capital asset requirements. Any new debt should be applied to these current capital assets as a priority.
4. Between construction and on-going operating costs, the Town's mil rate would need to increase 2 to 3 mils annually. The economy has changed with interest rates increasing, inflationary costs, and a forecasted recession in the next 12 to 24 months. Not a good time for a mil rate increase of this level.
5. With respect to the proposed building, it is much larger than similar towns the committee visited. Is it possible to redesign to something smaller than 72K sq. ft.; in the 30K to 40K sq. ft. range? Also, can the building be built as proposed because of wetlands and will modifications to accommodate wetlands on the site add to the projected costs?

Although the planned building would be a great addition to the Town of Berlin, there was consent by all the Board of Finance members that for the above reasons, we do not recommend going forward with the town funded proposed Community and Senior Center.

With respect to the YMCA option, more information would be required to offer an opinion.

If there any further questions, I will make myself available for upcoming Town Council meetings.

Thank you,

A handwritten signature in black ink, appearing to read 'Sal Bordonaro', written over a horizontal line.

Sal Bordonaro
Board of Finance Chairman

Agenda Item No. 5
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: July 5, 2022

SUBJECT: Follow up to the comments received at the June 21, 2022, Audience of Citizens on asphalt millings and disposition on Chamberlin Highway

Summary of Agenda Item:

Comments and concerns were shared with the Town Council at its June 21, 2022, meeting under Audience of Citizens on Asphalt millings and disposition on #2014 and #2215 Chamberlin Highway. The attached is a follow up memorandum from Town Planner and the Deputy Director of Public Works / Wetlands Agent to the comments received at that meeting.

Action Needed:

No action needed.

Attachments:

Memorandum from the Town Planner and the Deputy Director of Public Works / Wetlands Agent.

Prepared By:

Arosha Jayawickrema, Town Manager

MEMORANDUM

TO: Berlin Town Council and
Arosha Jayawickrema, Town Manager

FROM: Maureen K. Giusti, AICP, Town Planner / Zoning Enforcement Officer
James Horbal, Deputy Director of Public Works / Wetlands Agent

DATE: July 5, 2022

RE: COMPLAINT - Asphalt millings disposition Chamberlain Highway reconstruction
2215 Chamberlain Highway and
2104 Chamberlain Highway

2104 Chamberlain Highway

Mr. Brian Rogan, occupant of the property, has met with me to discuss storage and use of millings on their property.

After review of the Zoning Regulations and in consultation with the Town Engineer and Wetlands agent we determined that there was no violation or Town land use approvals required for surfacing the farm roads and driveways within the private farm property at 2215 Chamberlin Highway.

He was advised that stockpiling the millings for use off of the property was not permitted and he should have them removed as soon as possible. However, removal has been stalled due to outstanding concerns at the intended relocation to 2215 Chamberlain Highway.

As he was cooperative and understanding of the parameters, no order has been written on the matter.

2215 Chamberlain Highway:

There are several issues being worked on and investigated regarding this property.

1. Conservation Easement:
Relocation of the conservation access easement from this property to adjacent parcels to the south was being explored by the previous owner. The easement has not been moved and the gate access is frequently secured, which is a violation of the access rights and pending enforcement. The situation has been discussed with the Conservation Commission so staff could determine enforcement priority level, as the trails are not high volume, and the relocation of the easement is continuing to be pursued.
2. Tractor Trailer Truck parking:
Observation and received complaints noted tractor trailer trucks regularly parked on the property with no known intent of use of the property by the new owner.

3. Resurfacing parking area with asphalt millings:

Upon receiving a report the afternoon of Wednesday, June 15, 2022 that millings were being relocated from 2104 Chamberlain highway to resurface the lot at 2215 Chamberlain Highway, Jim Horbal and Maureen Giusti immediately went to the property. The dump driver, Steve Biella Jr., explained that the millings were being used to resurface the existing gravel drive and lot along the northside of the greenhouses to the property line. They had leveled and rolled the existing area and were working to relocate the millings from 2104 Chamberlain asap. He was instructed to cease the project for further investigation into town and environmental regulations and compliance with any approved site plans. He reached out to the owner of the property and left a message.


The owners of the property immediately responded and met with me on June 16, 2022.

1. The new owners indicated that they believed the easement had been relocated prior to their purchase and would work with the Town to resolve.
2. They indicated they were working to clean and prepare the site to reopen the nursery operation and were unaware that the trucks could not be parked there in the meantime. They acknowledged that they have a trucking company and also have trucks that would be used to transport the nursery products. They were instructed that storage of vehicles not directly related to the operation of agricultural use would not be permitted, and they agreed to immediately work on finding another place to store their trucks. They are expected to provide an update this week.
3. Reuse of the millings on this property remains stalled and outstanding with ongoing research of past PZC or IWWCC review regarding extent of the parking area or if there are any environmental restrictions. We are also waiting feedback from State staff regarding use of millings on farmland.

As the owners responded immediately and were cooperative and understanding of the parameters, and indicated that they will work to resolve issues, no order has been written on the matter.

Agenda Item No. 6
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: July 1, 2022
SUBJECT: RFP 2022-34 Legal Services – Labor Counsel



SUMMARY:

The Town of Berlin recently went out to bid for labor counsel legal services.

- Bid No. #2022-34 was advertised on April 11, 2022 and the bid opening was held on May 9, 2022 at 2:00pm. Bids were received from three labor counsel firms – 1) Berchem Moses, PC, 2) Ryan & Ryan, LLC, and 3) Halloran and Sage, LLP. After review of the bid results, all three labor counsel firms were interviewed by a committee. The committee consisted of Arosha Jayawickrema, Town Manager, Jeffrey Donofrio, Town Attorney, Kevin Delaney, Finance Director, Denise Parsons, BOE/Town Human Resources Director and Paula Carabetta, Town Human Resources Director. Interviews took place on June 7, 2022 and June 8, 2022. After completion of interviews and reference checks, it was a unanimous decision to move forward with Halloran and Sage, LLP as the most qualified bidder.
- Halloran and Sage, LLP proved to be a strong legal team, presenting three partners from their firm during the RFP interview process. All three partners will be a part of the Town of Berlin's labor counsel team. Mr. Duncan J. Forsyth (partner) has a strong background in wrongful terminations, discrimination & sexual harassment claims, collective bargaining issues/negotiations, and litigations. Mr. Kevin Greene (partner) has a strong background in training, workplace policy, employee handbooks, FMLA, evaluations, etc. and Ms. Jennifer Pedevillano (partner) represents employers in all areas of labor and employment law, including employer counseling, training, and the litigation of employment disputes, such as discrimination claims, unemployment compensation claims, and claims for wrongful termination. All three references provided by Halloran and Sage, LLP spoke very highly of the team/firm, citing their high level of professionalism, accessibility, respected relationships with their unions and their level-headed approach to labor and disciplinary issues.

The interview committee is requesting Town Council approval of this recommendation.

ACTION NEEDED:

Move to award RFP 2022-34 and authorize the Town Manager to enter into a contract with Halloran and Sage, LLP for labor counsel as the most qualified bidder.

ATTACHMENTS:

Bid Results

PREPARED BY:

Paula Carabetta, Human Resources Director (Town)

A handwritten signature in purple ink, appearing to be 'PC' or similar initials, enclosed within a circular flourish.

Labor Services - Labor Counsel Bid #2022-34

May 9, 2022 2:00PM

	COMPANY	Partner	Attorney	Paralegal
1	Berchem Moses PC of Milford, CT	\$275/hr	\$225/hr	\$145/hr
2	Ryan & Ryan LLC of New Haven, CT	N/A	\$225/hr	\$110/hr
3	Halloran and Sage, LLP of Hartford, CT	\$275/hr	\$175/hr	\$100/hr

Agenda Item No. 7
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 30, 2022

SUBJECT: RFP 2022-35 Architectural/Engineering Design and Construction Administration Services for Biscoglio Field Renovations at Berlin High School

Summary of Agenda Item:

The Town received a grant from the CT Department of Energy and Environmental Protection (DEEP); this grant was accepted by the Town Council and the grant agreement was executed in March 2022. Part of this grant will fund renovating Biscoglio Field with a new synthetic turf surface along with other improvements, which will allow the field to be multi-use for numerous sports and groups.

The Town advertised RFP No. 2022-35 (for Architectural/Engineering Design and Construction Administration Services for Biscoglio Field Renovations at Berlin High School) on May 16, 2022, and held a public bid opening on June 9, 2022. The RFP package was a combined request for qualifications and proposals; the qualifications component was quite specific due to the specialized nature and scope of this project. Five design firms submitted proposals and qualifications information, as shown on the attached bid summary.

After review by the selection committee (Jen Ochoa - Director of Community, Recreation and Park Services, Steven Wood - Parks and Grounds Superintendent and the Director of Parks and Recreation from Rocky Hill), the apparent low bidder was eliminated as it did not meet the required qualifications and did not have enough relevant experience. The selection committee then short-listed and interviewed three of the five firms, with findings and recommendations summarized below:

- Staff recommend eliminating the second apparent low bidder (who was interviewed) due to significant gaps in the requested qualifications, as well as a lack of relevant experience. Many of the projects their staff provided as examples were focused on the civil engineering aspects, with other firms handling the landscape architecture design portion.
- The other two firms that were interviewed Clough, Harbour & Associates, LLP and Kaestle Boos Associates, Inc. met all the qualification requirements and have extensive experience with the design and installation of synthetic turf fields, as well as working on adjacent running tracks. The fee difference between these two firms is a nominal \$150.
- Having worked with Kaestle Boos Associates Inc. in the past on a number of projects that have been successful, within budget and on schedule, Staff recommend selecting Kaestle Boos Associates, Inc. for this project. Their experience of being involved in 23 new/renovated synthetic turf fields in the past 5 years, as well as their existing

relationship and successful projects with the Town make them the most qualified bidder and the best choice for the Town.

The selection committee recommends awarding Contract No. 2022-35 to Kaestle Boos Associates, Inc of New Britain, CT as the most qualified bidder and authorizing the Town Manager to enter into contract with them for an amount not to exceed \$80,615 (which includes a 15% contingency). This project would utilize funds from the DEEP Grant account.

Action Needed:

Move to award Contract No. 2022-35 for design and construction administration services for the Biscoglio Field Renovations at Berlin High School to Kaestle Boos Associates, Inc. of New Britain, CT in the amount of \$70,100.00, and to authorize the Town Manager to execute change orders (when required) in an amount not to exceed \$80,615.00 using our grant from the CT Department of Energy and Environmental Protection (DEEP).

Attachments:

Bid Results

Prepared By:

Steven Wood, Superintendent of Parks and Grounds

Jennifer Ochoa, Director of Community, Recreation and Park Services



Bid #2022-35 Biscoglio Field Consultant
June 9, 2022 10:00AM

Company	Location	Construction Documents & Permitting			Construction & Administration & Closeout			On-Site Survey	Permitting Fees and Reproductions	TOTAL
		Design Development	Permitting	Bidding						
¹ Kaestle Boos Associates, Inc.	New Britain, CT	\$ 9,500.00	\$ 23,000.00	\$ 3,000.00	\$ 20,500.00	\$ 9,000.00	\$ 2,600.00	\$ 2,500.00	\$ 70,100.00	
² SLR International Corporation	Cheshire, CT	\$ 26,310.00	\$ 23,970.00	\$ 3,200.00	\$ 17,800.00	\$ 7,800.00	\$ 4,500.00	\$ 1,400.00	\$ 84,980.00	
³ Barton & Loguidice	Glastonbury, CT	\$ 16,500.00	\$ 4,400.00	\$ 5,500.00	\$ 13,750.00	\$ 5,850.00	\$ 3,000.00	\$ 1,500.00	\$ 50,500.00	
⁴ Alfred Benesch & Company	Glastonbury, CT	\$ 25,000.00	\$ 13,000.00	\$ 2,000.00	\$ 12,000.00	\$ 5,500.00	\$ 3,000.00	\$ 1,500.00	\$ 62,000.00	
⁵ Clough, Harbour & Associates, LLP	East Hartford, CT	\$ 21,000.00	\$ 13,650.00	\$ 2,800.00	\$ 15,000.00	\$ 10,500.00	\$ 6,000.00	\$ 1,000.00	\$ 69,950.00	

Agenda Item No. 8
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: June 16, 2022
SUBJECT: Move to waive the bidding process and enter into an agreement with Water and Wetland LLC

SUMMARY:

The Berlin Parks and Grounds Department is requesting to waive the bidding process for Water & Wetland LLC for permitting and treatment of several invasive species such as water chestnut, milfoil and coontail on three waterways throughout the Town of Berlin. The bid waiver is being requested for the purpose that Water & Wetland LLC has obtained the state permitting and are familiar with these waterways. They also treated Paper Goods Pond last year. The funds are available in the 2022/2023 budget in the amount of \$20,000 out of account 001.25.2545.0.53932.00000.

ACTION NEEDED:

Move to waive the Town's bidding procedure for Water & Wetland LLC, in the amount of \$20,000 for permitting, treatment and aeration of invasive species at several waterways throughout town as this is in the best interest for town.

ATTACHMENTS:

- 1) Sufficiency of Funds

PREPARED BY:

Steven T. Wood, Superintendent of Parks and Grounds

SW

CAUTION

VETERANS MEMORIAL PARK POND TO BE TREATED WITH PESTICIDE ON WEDNESDAY, JUNE 22, 2022

Pesticide Name(s): Tribune
Schooner
Captain XTR

Time To Be Treated: 8:00AM-5:00PM

CT DEEP PERMIT #: AQUA-2022-089

**DO NOT USE THE WATER FOR THE FOLLOWING
PURPOSE(S) UNTIL THE DATE NOTED BELOW:**

DIRECT DRINKING AND COOKING	6/25/2022
BOATING, FISHING AND SWIMMING	6/23/2022
WATERING OF LIVESTOCK	6/23/2022
IRRIGATION	6/27/2022

FOR FURTHER INFORMATION, CONTACT:



Water & Wetland, LLC
Upton, MA
(888) 493-8526
info@waterandwetland.com

**THIS SIGN MUST REMAIN POSTED FOR 7 DAYS AFTER
TREATMENT OR UNTIL THE LATEST DATE ISSUED ABOVE**



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 16-Jun-22

Purchase Item or Contract: Waterways treatment		Requested by: Steve Wood	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Waterways treatment throughout Town (FY23 budget)	\$20,000.00	\$20,000.00
			-
			-
			-
			-
TOTAL			\$20,000.00

Account No. 001.25.2545.0.53932.00000 Waterways Treatment

Budgeted Amount.....	\$20,000.00	Available balance.....	\$20,000.00
Encumbrances to Date.....	\$0.00	Amount Needed for This Package.....	\$20,000.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$0.00

Is a budget change needed? ☐ Yes ☒ No

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

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

or:


Finance Director or Assist.Finance Director

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

Finance Director or Assist.Finance Director

Agenda Item No. 9
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 29, 2022

SUBJECT: Award of Routine Repairs, Emergency Repairs, and Minor Construction of Water and Sanitary Sewer System - Contract #2022-37

SUMMARY:

Annually the Town of Berlin requests outside services for a contractor to perform routine and emergency repairs and minor construction within the Water Control jurisdiction which the Town does not have the capacity to accomplish. On June 27, 2022, the Water Control Commission opened bids for this contract. The contract was structured to award this bid to the lowest bidders in order to ensure that all emergency work will be performed in a timely fashion. As part of this award, the Town also reserves the right to retain a specialized contractor based on the type of work being performed. The low bidder for this work was Butler Construction of Portland, CT at \$160,360.00, and the second lowest bidder was Earth Contractors at \$173,650.00, in case of emergencies when/if one of the bidders is not available, or cannot respond in a timely fashion (the intention is to utilize the lowest bidder when possible). Funding for this comes from accounts 843.50.5088.0.58042.000 (Water Main Repairs) and 844.55.5588.0.58063.00000 (Sewer Main Extension). Since this is a unit price contract for an un-specified project or work scope, a sufficiency of funds is not applicable. Each purchase order issued will be based on the work task, rates provided in the proposals, and available funds in the accounts. The contract is effective for 2.5 years (July 1, 2022 – December 31, 2024).

ACTION NEEDED:

Move to award Contract #2022-37 Routine Repairs, Emergency Repairs, and Minor Construction of the Water and Sanitary Sewer System to the lowest bidders: Butler Construction at \$160,360.00, and Earth Contractors at \$173,650.00, and to authorize the Town Manager to enter into agreements with the above parties.

PREPARED BY:

Ray Jarema, P.E., Water Control Manager



TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: June 30, 2022

SUBJECT: Award of Contract #2022-36 Miscellaneous Concrete Sidewalks

SUMMARY:

The public bid opening for Contract #2022-36 was held on June 29, 2022. This contract is structured to establish unit prices for numerous activities associated with repair/replacement and/or new construction of sidewalks throughout Town. The contract specifications are such that it will allow Public Works (and other departments) to coordinate and supervise sidewalk construction as funding sources become available for repair, or new sidewalk work. The actual contract value will be determined upon those *unit prices* chosen for the work needed. One bid was received, as follows and shown on the attached bid tabulation:

- William Laydon Construction - North Haven \$ 101,770.00

Per Staff's bid analysis and review:

- 1) William Laydon Construction (Laydon) was responsive with all unit price items provided.
- 2) Laydon's proposed unit prices are reasonable when compared with past bid results (with expected price increases).
- 3) Laydon has successfully completed multiple projects for Town Departments and the Board of Education under the previous sidewalk contract (#2020-21).

Based upon bid review and knowledge of previous work satisfactorily performed for the Town, Staff recommends awarding Contract #2022-36 to William Laydon Construction of North Haven, CT. The contract will involve work to be performed through December 31, 2023.

ACTION NEEDED:

Move to award Contract # 2022-36 (Miscellaneous Concrete Sidewalks) to William Laydon Construction of North Haven, CT to allow for concrete sidewalk construction throughout the Town, by various Town departments (including the Board of Education), through established unit prices. Funding will come from established line-item accounts within the fiscal year 2022/2023 and 2023/2024 departmental budgets. The contract will involve work to be performed through December 31, 2023.

ATTACHMENT:

Bid Tabulation Sheet

PREPARED BY:

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

MSA

Town of Berlin
Engineering Department
Bid Tabulation Sheet
6/29/2022'

2:00pm Room 120

Project No. 2022-36

Project Name: MISCELLANEOUS CONCRETE SIDEWALKS

				1 William M. Laydon Constructon of North Haven, CT	
Item No.	Item	Est. Quant.	Unit	Unit Price	Total
1	For five (5) inch thick reinforced walks, four (4) foot wide, including all fill material as required, and an eight (8) inch thick process stone base	50	LF	\$40.00	\$2,000.00
2	For five (5) inch thick reinforced walks, five (5) foot wide, including all fill material as required, and an eight (8) inch thick processed stone base	50	LF	\$40.00	\$2,000.00
3	For eight (8) inch thick reinforced walks, four (4) foot wide, including all fill material, and an eight (8) inch thick processed stone base	25	LF	\$44.00	\$1,100.00
4	For eight (8) inch thick reinforced walks, five (5) foot wide, including all fill material, and an eight (8) inch thick processed stone base	25	LF	\$44.00	\$1,100.00
5	For the removal of old walk, excavate soil and replace with 8" processed stone and five (5) inch thick reinforced walk, four (4) foot wide	100	LF	\$51.60	\$5,160.00
6	For the removal of old walk, excavate soil and replace with eight (8) inch processed stone and eight (8) inch thick reinforced walk in driveway area, four (4) foot wide,	25	LF	\$65.40	\$1,635.00
7	For the removal of old walk, excavate soil and replace with eight (8) inch processed stone and five (5) inch thick reinforced walk, five (5) foot wide	100	LF	\$51.60	\$5,160.00
8	For the removal of old walk, excavate soil and replace with eight (8) inch processed stone and eight (8) inch thick reinforced walk in driveway area, five (5) foot wide	25	LF	\$65.40	\$1,635.00
9	Removal of 6" Bituminous Concrete Curbing	200	LF	\$1.00	\$200.00
10	Installation of 6" Bituminous Concrete Curbing	200	LF	\$8.00	\$1,600.00
11	Removal of 6" Bituminous Concrete Curbing, 5' wide grass shoulder & 4' wide Concrete Sidewalk	400	LF	\$2.00	\$800.00
12	Install 8" Processed Stone Base, 8" Thick reinforced concrete walk 8' w & 6" thick, 6" wide monolithic Concrete Curbing	400	LF	\$126.00	\$50,400.00
13	Installation of Concrete Curbing where ordered complete in place	50	LF	\$44.00	\$2,200.00
14	For furnishing & installing borrow material compacted in place complete	20	CY	\$2.00	\$40.00
15	For furnishing & installing bank run gravel compacted in place, complete	20	CY	\$2.00	\$40.00
16	Permanent pavement restoration of driveways to include 8" processed stone base compacted & 2" Bituminous Concrete where ordered	100	SY	\$61.50	\$6,150.00
17	For restoration of maintained lawns where ordered to include 6" of screened loam & seed fertilization & mulch complete	100	SY	\$3.50	\$350.00
18	For restoration of non-maintained lawns where ordered to include 3" loam & seed fertilization & mulch complete	100	SY	\$8.50	\$850.00
19	For restoration of maintained lawns where ordered to include 6" of loam & sod	100	SY	\$3.50	\$350.00
20	For removal of old walk & concrete curb (or bituminous curb) 4' wide	25	LF	\$30.00	\$750.00
21	For removal of old walk & concrete curb (or bituminous curb) 5' wide	25	LF	\$30.00	\$750.00
22	For handicapped ramps complete	5	Unit	\$1,300.00	\$6,500.00
23	For establishment of traffic control flag man per/hr	100	HR	\$35.00	\$3,500.00
24	For establishment of traffic control police officer per/hr	100	HR	\$75.00	\$7,500.00
Total Bid					\$101,770.00

Agenda Item No. 11
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: July 5, 2022

SUBJECT: Authorization for the Town Manager to Apply for a 2022 Transit Oriented Development Grant related to Renovation of the former Ledge School and to retain an Architect to Prepare a Feasibility Study for the Renovation

Summary of Agenda Item:

The State of Connecticut issued a request for applications for the 2022 Transit Oriented Development (TOD) Grant Program. The purpose of the grant program is to revitalize areas within ½ mile of transit hubs. Applications are due by September 1, 2022. One of the eligible project categories is the stabilization or renovation of historic buildings. Based on a review of the 2022 Transit Oriented Development (TOD) Grant Program application guidelines, staff proposes that the Town apply for a grant to renovate the historic former Ledge School at the entrance to the drive to Town Hall. The application will be either for the stabilization of the Ledge School building or for stabilization and reuse (if a reuse is determined based on consultation and initial study by the architect and approval of the reuse by the Town Council at a subsequent meeting). An architect for the project will be selected from the Town's on-call architects list. Staff will solicit proposals from our on-call consultants and select a firm to do an initial feasibility review with a goal of reporting back the results at the next Town Council meeting. Funding for the feasibility study is estimated not to exceed \$7,500 and is proposed to come from the Townwide Professional Services account # 001.05.0507.0.53920.00000.

Action

Move to authorize the Town Manager to apply for a 2022 Transit Oriented Development (TOD) grant for renovation of the former Ledge School Grant Program and to retain an architect from the Town's on-call bid list to prepare a feasibility study for a cost not to exceed \$7,500 to be paid from the Townwide Professional Services account.

Attachments:

1. Sufficiency of funds.
2. TOD Grant Program Guidelines.

Prepared By:

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



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 5-Jul-22

Purchase Item or Contract: Economic Development		Requested by: Chris Edge	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Feasibility study of Art League Building	\$7,500.00	\$7,500.00
			-
			-
			-
			-
TOTAL			\$7,500.00

Account No. 001.05.0507.0.53920.00000


Budgeted Amount.....	\$80,000.00	Available balance.....	\$74,500.00
Encumbrances to Date.....	\$5,500.00	Amount Needed for This Package.....	\$7,500.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$67,000.00

Is a budget change needed? ☐ Yes ☒ No

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

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

or:


Finance Director or Assist.Finance Director

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

Finance Director or Assist.Finance Director



State of Connecticut

Office of Policy and Management www.portal.ct.gov/opm

2022 Transit-Oriented Development (TOD) Grant Program Request for Applications (RFA)

A. PROGRAM OBJECTIVE:

The Office of Policy and Management (OPM) is seeking applications from municipalities for shovel-ready capital projects to advance state, regional, and local goals for transit-oriented development (TOD), as defined in [Section 13b-79c](#) of the Connecticut General Statutes.

B. ELIGIBLE APPLICANTS:

Connecticut municipalities.

Note that municipalities currently administering grant awards through other OPM-funded grant programs and whose contracts are (1) more than five years-old, or (2) have expired contracts that have not been closed out with the administering agency are not eligible to apply for new funding. OPM-funded grant programs include the Responsible Growth and Transit-Oriented Development (RGTOd) Program, and the Small Town Economic Assistance Program (STEAP). Grantees should contact the administering agency for previous award information to ensure compliance.

C. SELECTION PROCESS:

This is a competitive grant program, in which proposals shall be selected on a rolling basis at the discretion of the OPM Secretary, and subject to availability of funding approved by the Bond Commission. OPM reserves the right to award partial funding for projects.

Preference will be given to shovel-ready projects that include a minimum 20% match of the total project cost.

Only completed applications that are submitted by the deadline will be evaluated.

All proposals in response to this RFA are to be the sole property of the State and are subject to the terms of State laws defining freedom of information and privacy and all rules, regulations and interpretations resulting from those laws. If the proposer indicates that certain documentation, as required by this RFA, is submitted in confidence, by specifically and clearly marking said documentation as CONFIDENTIAL, OPM will endeavor to keep said information confidential to the extent permitted by law.

Any addendums or changes to this program will be posted to OPM's 2022 Transit-Oriented Development (TOD) Grant Program webpage: <https://portal.ct.gov/opm/igpp/grants/rgtod-grant-program/2022-tod>. It is the responsibility of the applicant to monitor this website for any updates.

Applications must be submitted electronically to OPM-TOD2022@ct.gov by 5:00pm on September 1, 2022.

D. PROJECTED TIMELINE:

- Program Announcement: July 1st, 2022
- Applications Due: 5:00pm on September 1st, 2022
- Anticipated Project Awards: October 1st, 2022

E. DEFINITIONS:

Transit-Oriented Development (TOD) shall have the same meaning as defined in the Connecticut General Statutes [Section 13b-79a](#) as the development of residential, commercial and employment centers within one-half mile or 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.

Shovel-Ready projects are defined as those which have:

- Legislative body approval (eg. referendum, town meeting);
- All other project funding, including match funds, has been secured;
- All applicable local permits are in place, including but not limited to Inland Wetlands, Building, Planning and Zoning, etc;
- All applicable State approvals and permits are in place, including but not limited to review by the State Historical Preservation Office (SHPO), Flood Management Certification (FMC), Department of Transportation (DOT) Encroachment Permits, environmental reviews, etc;
- Utility coordination plan established;
- The Municipal Plan of Conservation and Development (POCD) is in compliance with [Connecticut General Statutes \(CGS\) 8-23](#)
- The project plans, specifications and estimates (PS&E) are ready to be advertised;

Authorized Signatory means the municipality's Chief Executive Officer (eg. Town Manager, Mayor, First Selectman, etc.) who is the individual legally authorized to apply for the grant and who has the authority to enter into any subsequent agreements/contracts per referendum vote or legislative body action.

F. FUNDING:

This program is funded from an aggregate amount of \$5.8M of State General Obligation Bond Funds authorized under Public Acts 16-4 MSS, Sec. 2(a)(1), and 17-02, Sec. 378(a)(1).

Any funding associated with an award is on a one-time basis only, with no promise or obligation of additional funding from OPM or the State.

All other funding for the proposed project (other than these grant funds) must be secured as of the time of application.

Unspent grant funds will not be repurposed for other uses. Such unspent funds will be returned to the program account and will be used for awards made in future rounds.

G. AWARD AMOUNTS:

Not less than two-hundred thousand dollars (\$200,000) and not more than two million dollars (\$2,000,000).

H. CONTRACT TIMELINES:

Awarded grants will have a four (4) year term and may be considered for a one (1) year extension to the grant end date. No grant shall have a term longer than five (5) years.

I. MATCHING FUNDS:

Grantee matching funds are not required. However, preference will be given to applicants that provide at least a 20% match of the total project cost.

Match funds must be from the municipality, not funds from other state or federal grants, and must directly support the proposed project and scope of work.

Salaries and/or expenses cannot be counted toward the match funds.

Grantee must spend 100% of its matching funds prior to final reimbursement.

Match expenditures can be those allowable project-related expenditures which were incurred before or during the grant contract period.

Eligible match expenditures include but are not limited to: studies, planning, design, engineering, contract services, remediation, and land acquisition.

J. REIMBURSEMENT PAYMENTS:

Grantee shall be paid on a reimbursement basis for eligible expenses incurred between the contract start date and the contract expiration date.

Reimbursement requests shall be prepared and submitted in accordance with the requirements of the administering agency.

Final reimbursement requests and all required project documents shall be submitted to the administering agency no later than ninety (90) days after the contract expiration date.

Reimbursement requests must be completed and signed by the Authorized Signatory.

Final reimbursement payment will be issued only after the grantee has expended all of its match funds, and the administering agency has (1) reviewed and approved all deliverables and project expenditures, and (2) verified that the terms of the contract have been satisfied.

Payments may be withheld at any time at the discretion of the administering agency if the agency identifies performance-related concerns, delays, or other issues which the agency anticipates will impact the grantee's ability to complete its contractual obligations in full. The agency shall provide written notice of its concerns to the grantee prior to withholding payment.

K. CONTRACT ADMINISTRATION:

Consistent with past practices, these grants will be administered by project-relevant agencies other than OPM. Grantees shall follow the rules and requirements of the administering agency.

The grantee shall adhere to any contracting standards, processes, procedures, submittals, reviews, and any other conditions as required by the administering agency.

The administering agency may include a retainage provision as part of the grant award.

Only minor changes germane to the original scope from the approved application shall be approved by the administering agency.

All projects are subject to all federal, state and local laws, ordinances, regulations, charters and municipal bylaws. It is the municipalities responsibility to be compliant and all should be reviewed with the municipal attorney and appropriate bodies.

Certain projects may require additional reviews, evaluations, permits and/or certifications with the potential to significantly impact project costs and timelines. The grantee is responsible for any added costs or delays as a result of these activities, and these should be accounted for in the grant application.

Delays caused by additional reviews, evaluations, permits and/or certifications shall not be used as justification for extending a grant beyond the maximum 5-year contract timeline.

Any product, whether acceptable or unacceptable, developed under a contract awarded as a result of this RFA is to be the sole property of the State.

L. ELIGIBLE ACTIVITIES:

Projects must be located within one-half (1/2) mile of an existing public transportation facility, including rail, bus rapid transit (BRT) and/or high-frequency, seven day per week local transit stop.

The municipality must either own the property, or hold a long-term lease on the property.

Shovel-ready capital projects or certain activities to directly support such projects, including but not limited to the following:

- New construction, expansion, renovation, or replacement of an existing facility or facilities;
- Site improvements to support an eligible capital project;
- Upgrades or improvements to existing public infrastructure to support an eligible capital project;
- Land Acquisition in support of an eligible capital project;

Examples of preferred projects include, but are not limited to the following:

- Infill development or redevelopment in existing regional centers, downtowns, city or village centers, and/or other major hubs of activity;

- Rehabilitation, redevelopment, or adaptive reuse of existing facilities with access to existing public infrastructure, including public sewer and water;
- Projects for the timely repair or upgrade of existing essential infrastructure;
- Projects to expand housing opportunities and availability;
- Projects to create or enhance a mix-of-uses within a community;
- Stabilization of historic facilities that are well-positioned for future rehabilitation or redevelopment;
- Improvements to public spaces and/or public facilities;
- Projects to improve accessibility and connections for pedestrians and other non-vehicle users;
- Projects to improve access to parks and other recreational opportunities, especially in communities with limited access;

M. INELIGIBLE ACTIVITIES AND EXPENDITURES:

Examples of ineligible expenditures include, but are not limited to the following:

- Non-capital projects such as studies, design, engineering, architectural planning, etc. These can be used to satisfy the applicant's match requirements but are not eligible for reimbursement;
- Furniture, fixtures and equipment (FF&E) that are not permanently affixed to a building or site and can be easily moved or removed;
- Operational equipment or utilities such as desks, chairs, computers, electronic equipment, appliances, tables, bookcases, partitions, or other furnishings;
- Temporary or demonstration projects, ceremonial or entertainment expenses, or other expenses related to marketing or publicity;
- Programmatic expenditures or recurring budget expenditures, rent or lease payments, employee salaries or employee expenses, meals, lodging, bonus payments, or similar;
- Charges in excess of the lowest responsible bid where competitive bidding is required unless prior approval is obtained;
- Judgment for damages arising from the project, or any other fines or penalties related to the project, including interest, deficits, overdrafts, or other fees;
- Any costs and expenses incurred by proposers in preparing or submitting proposals are the sole responsibility of the proposer;
- Any expenditures made before the contract start date, or after the contract end date will not be reimbursed.

Examples of ineligible projects and activities include, but are not limited to the following:

- Development of previously undeveloped land (eg. greenfields);
- The expansion of public sewer or water infrastructure beyond the existing service area or development projects which require an expansion of public sewer or water infrastructure beyond the existing service area;
- Projects located in a floodplain, flood zone, or at an elevated risk for impacts from natural hazards and/or projected impacts from climate change;
- Environmental remediation or hazardous material abatement;
- Projects for the implementation or expansion of broadband infrastructure;
- Funds cannot be used as a municipal "match" or "share" for another state or federal grant.

- OPM through its administering agencies reserves the right to not fund or refuse reimbursement for projects or project components deemed inconsistent with the program parameters and/or the use of state bond funds.

N. GENERAL GRANT CONDITIONS OF THE STATE

In addition to the requirements of this RFA, applicants agree to comply with OPM's General Grant Conditions, or any terms and conditions required by the administering agency, if other than OPM.


O. CONTACT INFORMATION:

Programmatic and application questions should be directed to:

- Martin Heft, Undersecretary for the Intergovernmental Policy and Planning Division at the Office of Policy and Management, at martin.heft@ct.gov; and
- Rebecca Augur, Policy Development Coordinator for the Intergovernmental Policy and Planning Division at the Office of Policy and Management at Rebecca.Augur@ct.gov

Questions related to a specific grant that has been awarded (including questions about your grant contract/agreement, payment/reimbursement and a one-time extension), must be directed to the state agency assigned to administer your grant. Such information will be provided in the TOD award notification letter.

Agenda Item No.: 12
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager 
DATE: June 28, 2022
SUBJECT: Waive the Town's purchasing requirements and purchase 5 barrels (275 gallons) of diesel engine oil.

Summary of Agenda Item:

During mid-June, Jim Simons was made aware of possible supply chain problems with various products that are vital to the operation of the Town's fleet. These items include diesel exhaust fluid and engine oil for both gasoline and diesel engines.

These products were ordered with the expectation that they would be delivered sometime after July 1, 2022, putting the expenditure in the next fiscal year. The diesel oils became available and were delivered in late June, thus putting the cumulative amount at \$12,316.77.

Action Needed:

Move to waive the Town's purchasing requirements for the purchase of 5 barrels (275 gallons) of diesel engine oil from Lubrication Engineering for an amount of \$7,821.93.

Attachments:

Certificate of Sufficiency of Funds

Prepared By: 

James C. Simons, Fleet Manager



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 28-Jun-22

Purchase Item or Contract: Purchase of diesel engine oil		Requested by: Jim Simons	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	5 barrels of diesel engine oil	\$7,821.93	\$7,821.93
	(Previous purchase of \$4,494.84, thus putting cumulative total at \$12,316.77)		
			-
			-
			-
			-
TOTAL			\$7,821.93

Account No. 001.20.2035.0.53106.00000 Vehicle Fuel

Budgeted Amount.....	\$263,845.00	Available balance.....	\$12,335.93
Encumbrances to Date.....	\$24,421.73	Amount Needed for This Package.....	\$7,821.93
Expenditures to Date.....	\$227,087.34	Available Balance After Purchase.....	\$4,514.00

Is a budget change needed? ☐ Yes ☒ No

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

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

or:

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

Finance Director or Assist.Finance Director

Agenda Item No.: 13
Request for Town Council Action

TO: The Honorable Mayor and Town Council
FROM: Arosha Jayawickrema, Town Manager
DATE: July 5, 2022
SUBJECT: Purchase Auto Parts and supplies from various vendors, some using consortium contracts, for the fiscal year 2022/2023.

Summary of Agenda Item:

Over the course of the fiscal year 2022/2023, the Fleet Garage is anticipating utilizing various vendors for auto parts and supplies for both cars and heavy-duty trucks. The Garage receives a minimum of two price quotes for approximately 80 percent of the purchases, and evaluates each for both cost and availability. The Garage will then purchase from the vendor that best suits the Town's operation at that point in time.

There are existing contracts through the State of Connecticut Department of Administrative Services and some others that are awarded through other purchasing agreements, such as U.S. Communities that are utilized for these purchases.

Jim Simons has anticipated the following expenditures for the Fiscal Year 2022/2023:

N.A.P.A. Auto	\$30,000	Source Well Contract
Advanced Auto	\$15,000	U.S. Communities Contract
Fleet Pride	\$15,000	No Contract
Tasca Ford	\$25,000	State of CT Contract
Monaco Ford	\$25,000	No Contract
Rock Auto	\$10,000	No Contract
Municipal Truck Parts	\$15,000	No Contract

Cumulatively, the expenditures listed above, and other vendors approved for less than \$10,000 will not exceed \$125,000 for our Auto Parts Account.

Action Needed:

Move to approve the purchase of auto parts and supplies using the Source Well Contract (032521-GPC) from N.A.P.A. Auto Parts for an amount not to exceed \$30,000.

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

Move to waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Fleet Pride for an amount not to exceed \$15,000, since this is in the best interest of the town.

Move to approve the purchase of auto parts and supplies using the above State of Connecticut Department of Administrative Services Contract # 19PSX0189 from Tasca Ford for an amount not to exceed \$25,000.

Move to waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Monaco Ford for an amount not to exceed \$25,000, since this is in the best interest of the town.

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

Move to waive the Town's bidding procedures, and to approve the purchase of auto parts and supplies from Municipal Truck Parts for an amount not to exceed \$15,000, since this is in the best interest of the town.

Attachments:

None

Prepared By:


James C. Simons, Fleet Manager

Join Zoom Meeting

<https://berlinct-gov.zoom.us/j/82410526912?pwd=cE1QQXc4VDhzNzl3QkRUMGxVnJYQT09>

Meeting ID: 824 1052 6912

Passcode: 632037

+1 929 205 6099 US (New York)

**TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, June 21, 2022
Town Council Chambers
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 Jack Fazzino
Mayor Mark Kaczynski
Councilor Brenden Luddy – *joined at 7:38 p.m. via Zoom*
Councilor Charles Paonessa
Councilor Peter Rosso
Councilor Mike Urrunaga
Councilor Donna Veach

Also in attendance:

Town Manager Arosha Jayawickrema
Corporation Counsel Jeffrey Donofrio

D. PRESENTATION OF PROCLAMATION: LGBTQ Pride Month

Mayor Mark Kaczynski read the following proclamation:

PROCLAMATION

WHEREAS, The Town of Berlin recognizes that June is celebrated nationwide as LGBTQ Pride Month and that our great nation was founded on the principal of equal rights for all; and

WHEREAS, as a community, Berlin is inclusive and strives for diversity; and

WHEREAS, we welcome all people and believe everyone should be able to live without fear of prejudice, discrimination, violence, or hatred based on gender identity or sexual orientation.

WHEREAS, The Town of Berlin does hereby proclaim June 2022 as Pride Month to honor and celebrate our LGBTQ citizens. Let us as a community continue to build a culture of inclusiveness and acceptance for all.

NOW, THEREFORE, BE IT RESOLVED, that I, Mark H. Kaczynski, Mayor of the Town of Berlin, Connecticut do officially recognize June 2022 as

LGBTQ Pride Month

Dated this 21st day of June 2022 at Berlin, Connecticut.

Mark H. Kaczynski, Mayor

E. AUDIENCE OF CITIZENS:

Keith Bostrom, 2053 Chamberlain Highway – Mr. Bostrom stated that recently a large number of tractor trailers have been parked on the former Sunny Border Nursery property on the Chamberlain Highway. Equipment is being moved in and out of the property and repairs seem to be being made on that equipment, there may also be an office trailer on the property. He added that he believes there was supposed to be access to walking trails which has been blocked by a gate.

Another issue in the area is that a pile of millings from the repaving of the Chamberlain Highway have been dumped on the property across the street from him. Mr. Bostrom called the State DEEP about them as they are considered hazardous waste and they are not far from the brook. His estimate is that there are 2400 cubic yards of material that has been dumped there.

Mr. Bostrom stated that he put in a complaint with the Town about three weeks ago but has not heard back. He added that the DEEP put his complaint on their high agenda issues, but they have a backlog of inspections.

Roger Naldi, 1984 Chamberlain Highway – Mr. Naldi stated that he is also concerned about the millings and their proximity to Stocking Brook. Neighbors have contacted Barbara Gigliotti from the State Health Department, but she has been on vacation, and they have also contacted the DEEP. He is concerned with what the runoff from those millings could do to the wells in the area. Mr. Naldi hopes that the Town will be able to offer assistance in the matter as the neighbors have not been receiving clear information from the State.

Michele Janota, 2074 Chamberlain Highway – Ms. Janota stated that her property abuts the property where the millings are located. She was told that 50% of the millings were going to be stored there temporarily and 50% were going to be used there. Mr. Janota called the State DEEP and the State DOT and was told that the primary issue with contamination from millings is at the time of

grinding as a gas is released. Once that material is deposited elsewhere what is released from the millings is nominal.

Ms. Janota stated that a ground water study had previously been done on her property and it was determined that the groundwater flow in that area is from the northeast to the southwest, therefore she felt comfortable that any contamination from the millings would not impact her well or the stream on her property.

Councilor Veach stated that she had been contacted by one of her constituents regarding this situation. The Central Connecticut Health District did come out to the property to look at the situation and it is still up in the air as to if the property owner is out of compliance. They are aware that this is a temporary situation, although some of the materials will be used on the property which the Health District stated was not an issue, and the rest of the materials will be moved and not sold. Councilor Veach added that she has not contacted the State DEEP as she was unaware that they had been contacted by Town residents.

Councilor Paonessa added that he lives in that area and that the State is slow to enforce any environmental issues in that area. There is a pile of contaminated fill that has been next to an old gas station that has been there for months and the plastic covering it is no longer there. Every time it rains the contents of that pile runoff into the ground.

Mr. Bostrom then asked even if this material is not considered contaminated material, why is a farm in 2-acre residential zoning considered a storage area for asphalt millings?

Brian Rogan, 2104 Chamberlain Highway – Mr. Rogan stated that Barbara Gigliotti from the Central Connecticut Health District did come out to the property. He has also been in contact with the Town over the concerns. What he has determined is that he did fall out of compliance and a plan and timeframe was put in place to get him back into compliance, and the Town is not ignoring anyone's concerns. Mr. Rogan added that the millings are going to be used to make a road on the property more functional and will be placed around the barn and driveway area. The rest of the millings will be removed from the property, and he is not receiving any money for them.

Mr. Rogan stated that he is trying to get the materials spread on his property as quickly as he can and he has spoken with the company that is removing the additional material from his property, requesting they do it as quickly as possible.

Mayor Kaczynski asked the Town Manager to follow up with Town staff on the matter. Town Manager Jayawickrema stated that he contacted Public Works Director Mike Ahern during this meeting and that department is aware of the situation and have been working on it.

Mayor Kaczynski asked the Town Manager to look into the status of a parking lot on the former Bennerup property in that area that was going to be turned over to the Town. The parking lot was to provide access to a walking trail which, as Mr. Bostrom stated earlier, is now blocked by a gate.

Economic Development Coordinator Jim Mahoney stated that his understanding is that an easement was proposed to be moved to another property that Mr. Bennerup also sold that would have a new

parking lot and a new trail connection. That easement has not been moved. The Town Planner is aware of this and is in the process of issuing a notice of violation as the owner is not in compliance. Councilor Paonessa stated that this does not explain the trucks being parked on the property.

Mayor Kaczynski also asked the Town Manager to look into the contaminated soil pile next to the gas station Councilor Paonessa mentioned earlier.

Atty. Craig Fishbein – Atty. Fishbein stated that he represents the plaintiff in agenda item #15 which is currently before the Town Council in its' penalty phase. He continued by stating that an ethics complaint was filed against his client and even though that complaint was dismissed, former Council member Joann Angelico-Stetson along with the Berlin Democratic Town Committee publicly published and mailed to thousands of people information about the complaint. Atty. Fishbein stated that the mailing was received close to November 2020 Presidential election. Information was also posted on Facebook which remains on the internet.

The powers before the Town Council to levy a penalty are limited in some respects but a penalty of not more than \$1000 per violation can be levied. With approximately 6,000 flyers having been mailed out that could be a hefty fine. Another way to deal with this situation is to ask whoever mailed out the flyers to provide names of the individuals they were mailed to and with the approval of his client create a letter to be mailed to those people paid for by the complainant. Atty. Fishbein believes the dissemination of the false illegal information should be corrected.

F. MAYOR'S UPDATE:

Mayor Kaczynski stated that the Ordinance Committee met Monday night and they are working on an ordinance stemming from the incident that occurred at a house party on Orchard Road. Planning and Zoning and the Police Department are working on other efforts that could help with future situations.

The Police Department pension plan is still being discussed.

The Community/Senior Center Project has been sent to the Board of Finance for an advisory opinion which should be sent back to the Town Council by their July 12th meeting.

On Saturday, a Juneteenth program was held at the Berlin-Peck Memorial Library. It was a great event with a wonderful speaker.

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

H. CONSENT AGENDA:

Councilor Paonessa moved to remove Consent Agenda item #2 to be voted on as a separate item.

Seconded by Councilor Urrunaga.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

1. **Topic re: Accept donations to the Berlin Animal Control Donation Account for \$ 50.00 and supplies valued at \$25.00. – Animal Control**
2. **Topic re: Approve the request of NB Youth Museum at Hungerford Park to waive permit fees for all permits, Building, Electrical and Plumbing and Fire Suppression. The total amount of the fees to be waived is approximately \$540.00. – Building Department**
3. **Topic re: Accept the Cemetery Committee's Management Funds Report for fiscal year 2021/2022. – Cemetery Committee**
4. **Topic re: Approve Berlin High School Boosters Club to sell food, beverages and merchandise at Berlin High School events during the 2022 – 2023 school year. – Parks and Recreation**
5. **Topic re: Approve permission for consumption of alcoholic beverages (BYOB – beer and wine) at Timberlin Park Pavilion for Carlo's Ruscito's family picnic for approximately 40 people Saturday, July 23, 2022 from 8:00 AM to 7:00 PM. Food will be served buffet style and there will be no entertainment. Tulip Insurance will be obtained if permission is granted. – Parks and Recreation**
6. **Topic re: Approve Berlin High School Class of 2023 to sell food and beverages at Berlin High School events during the 2022 – 2023 school year. – Parks and Recreation**
7. **Topic re: Approve Friends of Berlin High School Men's Swimming and Diving Team to sell food and beverages at Berlin High School events during the 2022 – 2023 school year. – Parks and Recreation**
8. **Topic re: Approve waiving the Police Traffic Control fees in the amount of \$3,490.00 for the Willard PTO Run Back to School 5K Fun Run which takes place on Sunday, September 25, 2022. – Town Manager**

Councilor Luddy joined the meeting via Zoom at 7:38 p.m.

Councilor Paonessa moved to accept the Consent Agenda with item #2 removed.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

2. **Topic re: Approve the request of NB Youth Museum at Hungerford Park to waive permit fees for all permits, Building, Electrical and Plumbing and Fire Suppression. The total amount of the fees to be waived is approximately \$540.00. – Building Department**

Councilor Paonessa moved to approve the request of NB Youth Museum at Hungerford Park to waive permit fees for all permits, Building, Electrical and Plumbing and Fire Suppression. The total amount of the fees to be waived is approximately \$540.00.

Seconded by Councilor Urrunaga.

Those voting in favor: Councilor Fazzino, Councilor Luddy, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Mayor Kaczynski.

Abstain: Councilor Veach

Vote being 6-0-1 (MOTION CARRIED)

I. NEW BUSINESS:

1. Topic re: Approve a non-budgeted appropriation of \$288,000 from the Outside Police Services account to the Extra Duty Police Officer account, both in the General Fund, pending approval by the Board of Finance. – Finance

Town Manager Jayawickrema stated that this item was the subject of tonight's Town Meeting.

Councilor Paonessa moved to approve a non-budgeted appropriation of \$288,000 from the Outside Police Services account to the Extra Duty Police Officer account, both in the General Fund, pending approval by the Board of Finance.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa made a motion to move item #15 of tonight's agenda to item #1a.

Seconded by Councilor Luddy.

Vote being 7-0 (MOTION CARRIED)

1a. Topic re: Update on Complaint 2021-001 the violation of the Ethics Policy and Code of Ethics. – Mayor

Mayor Kaczynski stated that the Town Council now has all the information pertaining to the Ethics violation including minutes and exhibits. A great deal of information was provided, and the Mayor stated that the Council will continue to read through the items and will discuss at the next meeting or two. Mayor Kaczynski thanked Atty. Fishbein for his comments to the Council this evening to assist in their deliberation.

Corporation Counsel stated that the Town Council would wait until the Superior Court adjudicated the appeal for taking any action on it. The Appellate filed a motion to stay that was denied by the Court but they did indicate to the Court that the Town Council, over which the Court has no jurisdiction as it is not a party to the appeal, would voluntarily agree to stay its' vote until the Court made a decision.

NO ACTION TAKEN

2. Topic re: Presentation by the Charter Revision Commission. Set a Public Hearing on Tuesday, July 12, 2022 at 6:00 pm in the Town Council Chambers for the purpose of receiving both written and oral comments concerning the proposed revisions of the Berlin Charter. – Charter Revision Commission

Town Manager Jayawickrema introduced this item stating that Corporation Counsel will provide a summary of the proposed changes to the Town Charter recommended by the Charter Revision Commission (the Commission).

Corporation Counsel Donofrio provided the following suggested changes:

- **Section 2-8** – currently provides for the election of the Berlin Board of Education solely based on petition. Those candidates appear on the ballot but with no party affiliation indicated. The proposal is to change the process to a statutory method of nomination and election rather than petition only, although candidates could petition their way on to the ballot.

For this change to occur there would need to be a transition period and the language in Section 2-8 provides for a process for the Board of Education to transition from petition-only members to members nominated in accordance with the Connecticut General Statutes.

- **Section 2-9-1** – clarifies what it means to be a petitioning candidate and states they would be listed as “Petitioning Candidate” on the ballot.
- **Section 2-13** – clarifies language regarding vacancies in elective town offices, stating that the Council shall appoint a person from the same political party as nominated. This is to prevent confusion if party changes are made by a person while in elective office.
- **Section 3-8** – currently the Town cannot purchase in excess of \$10,000 without Town Council approval. The suggestion is to increase the threshold to \$25,000 “or such greater amount as is authorized by the Connecticut General Statutes” so Charter Revision would not be needed in the future.

Added in this section is to have all Town collective bargaining agreements, including Board of Education, must be presented to the Council for its approval.

- **Section 4-2** – adds codifying language in the Charter regarding Board of Education reporting to the town.
- **Section 4-4-1** – currently states Board of Finance members can not hold any other elective or appointive office and changes it to “not serve on the Board of Education or Town Council”.
- **Section 5-1** – currently the Town Manager must reside in town during his or her tenure. The Commission agreed to recommend that the Manager need not be a resident of Berlin but must be a resident of Connecticut.
- **Section 5-3d** – This is a clean up issue as there is uncertainty what this is a reference to.

- **Section 5-5** – again addresses the purchasing threshold from \$10,000 to \$25,000. Corporation Counsel added that any projects that involve State or Federal funds must be put out to bid (also see Section 3-8 above).
- **Section 6-9** – adds language in case the Town decides to provide fire service through paid providers or a hybrid paid-volunteer version.
- **Section 6-10** – breaks out the Fire Marshal from Section 6-9 as the position is appointed by the Town Manager.
- **Section 6-11-2** – edits requested by the Finance Director include deletion of reference to the heads of the division as there is no Town Accountant. Also changes financial report for fiscal year end be submitted within 180 days.
- **Section 6-11-4** – added reference to Board of Finance approval for pension changes.

Also added language requiring the Town to fund the pension annual required contribution in the annual general fund budget.

- **Section 6-11-6b** – removes the requirement that finance or capital leases be approved in the same manner as bond authorizations are approved.

Added language that Registrars may hold the budget referendum at a single polling location. Both Registrars must agree on the subject and on the polling location. Given voter turnout and the expenses associated with holding these referendums this allows the Registrars the ability to simplify the process.

- **Section 6-11-7** – removes reference to the Town Accountant. Also removes the word “making” in reference to payments that are found to be illegal as the Finance department is simply making the payment for another department and not authorizing it and therefore should not be liable.
- **Section 6-11-9** – a terminology change to the annual financial report.
- **Section 7-4** – changes the department budget requests to an earlier date of the first day of December which allows the budget process to begin earlier.
- **Section 7-6** – allows the Registrars to hold the budget referendum at a single polling location (also see Section 6-11-6b above)

Also changes the timing of the second budget referendum from four weeks after to three weeks after the first budget referendum.

- **Section 7-11** – increases the amount of non-budgeted appropriations required for Town Meeting approval from \$25,000 to \$100,000. Also changes the aggregate threshold from \$250,000 to \$500,000 each year to reflect current times. The Board of Finance and Town

Council would still need to approve the appropriations, but the Town Meeting would be eliminated.

In this section the time frame for budget transfers between departments is increased from the last three months of the fiscal year to the last six months. Wording also added stating the Finance Director shall provide the Board of Finance with a summary of inter department transfers on a monthly basis.

Also, the Town Manager's authority to transfer for any single transfer is increased from \$5,000 to \$10,000.

- **Section 7-15** – State Statute only requires the audit report and the annual report of the Collector of Revenue. Removes the report compiled yearly by the Town Manager's office which is more of an informal report.
- **Section 8-17-1** – There has been discussion as to what alternatives and options are available in order to continue to provide high quality responsive nursing services by the Berlin VNA while negating the financial burden the department's deficit continues to run.

A provision was added to this section which sunsets the Berlin VNA once the Town Council adopts an ordinance to provide public nursing services through some other means.

The remainder of Section of 8-17 was removed and Chapter 11 added.

- **Sections 11-1-1 through 11-1-6** – this new chapter deals with transitioning the public nursing services currently provided by the Berlin VNA to another provider, or some combination of the Berlin VNA and another provider, once there is an ordinance through which those services will be authorized. The current method would remain intact and once the ordinance is adopted then, by operation of law and the expressed sunset provision in this proposed Charter amendment, the Berlin VNA provision would go away and there would no longer be any restriction on the manner that the service is provided.

Corporation Counsel stated that the next step is for the Town Council to schedule the Public Hearing. The Council will meet after that Public Hearing and decide what recommendations, if any, they want to send back to the Commission for their consideration. The Commission is not bound by what the Town Council wants them to change.

Councilor Veach inquired about the number of Berlin residents currently taking advantage of the services provided by the Berlin VNA. Town Manager Jayawickrema stated that approximately two-thirds of the patients are Berlin residents, but that number is constantly fluctuating.

Councilor Urrunaga inquired about the change to Section 2-8 and how the terms of Board of Education members are determined. Corporation Counsel stated that once the Board transitions to the statutory nominated-elected board each term would be four years. Councilor Paonessa added the terms would continue to remain staggered as to not elect a new Board every time.

Corporation Counsel added that the questions for the ballot would be formulated by the Charter Revision Commission. Mayor Kaczynski stated that having too many questions on the ballot could be an issue.

The Council discussed the suggested change to the Town Manager's residency stating that limiting residency to Berlin limits the pool of qualified applicants for the position.

Councilor Paonessa, speaking as Charter Revision Commission Chair, stated that voters need to be educated on the Charter revisions before the election.

Councilor Paonessa moved to set a Public Hearing on Tuesday, July 12, 2022 at 6:00 pm in the Town Council Chambers for the purpose of receiving both written and oral comments concerning the proposed revisions of the Berlin Charter.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy left the meeting at 8:27 p.m. stating he would return for Executive Session.

3. Topic re: Authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority from an end date of June 30, 2022, to a new end date of September 30, 2022. – Housing Authority

Town Manager Jayawickrema introduced this item stating that the requested extension would provide the Housing Authority more time to secure funding and tighten things up. There are five contingencies the Town is requiring the Housing Authority to have done within the additional timeframe.

Housing Authority Chair Joe Bajorski stated that financing is closing on July 25, 2022. Shortly after that they should be able to transfer title and execute the ground lease with the Town of Berlin. Providing this extension will allow the Housing Authority the time to wrap these items up and hopefully move forward with construction shortly thereafter.

Town Manager Jayawickrema stated that items required to formalize things would include the commitment letter, term sheets, and loan agreements.

Councilor Paonessa moved to authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority from an end date of June 30, 2022, to a new end date of September 30, 2022.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

4. **Topic re: Waive the Town's bidding procedures and approve issuing purchase orders for the 2022/23 fiscal year for the following vendors due to the Library's participation in Connecticut Library Consortium and in the Library Connection, Inc. as the best discounts have already been provided. This is in the best interest of the town.**
- **Supplies = \$2,800.00 Books = \$66,000.00 Baker and Taylor Co. For adult, child and teen books – Total \$68,800**
 - **Databases = \$675.00 Books = \$2,755.00 Supplies = \$570.00 Data Services = \$35,000.00 Audio/Visual = \$16,000.00 - Library Connection, Inc. – Total \$55,000**
 - **Data Services = \$13,500.00 Novus – Total \$13,500**
 - **Books = \$13,000.00 – Overdrive – Total \$13,000 - Berlin-Peck Memorial Library**

Berlin-Peck Memorial Library Director Kim McNally thanked the Mayor and Council members for attending the Juneteenth Celebration at the Library on June 18th adding that it was a fantastic event and 65 people came through during the day. This was the first time the Library celebrated this holiday.

Ms. McNally stated that the Library is looking to open purchase orders with four vendors: Baker and Taylor Co, Library Connection, Novus, and Overdrive. Prices can be secured because the Library is a member of two consortiums. The Connecticut Library Consortium is a statewide consortium with 800 members and the Library is allowed to take advantage of their contracts. Library Connection, Inc is a smaller consortium of 30 libraries which supports cataloging and IT needs.

Councilor Paonessa moved to waive the Town's bidding procedures and approve issuing purchase orders for the 2022/23 fiscal year for the following vendors due to the Library's participation in Connecticut Library Consortium and in the Library Connection, Inc. as the best discounts have already been provided. This is in the best interest of the town.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

5. **Topic re: Approve transfer excess funds to Elected Personnel Account \$11,000.00 / Worker's Compensation \$41.80 / Social Security \$841.50 From Non-Taxable Election Workers \$11,883.3.00 pending approval of Board of Finance. – Registrars of Voters**

Town Manager Jayawickrema stated that this is request from the Registrar of Voters to receive a stipend of \$5,500 each for the additional work performed during State required redistricting as well as for work performed on the website which has taken a good amount of their time. This is a one-time stipend being funded by money that was not used during the fiscal year as the Town only held one budget referendum. Mayor Kaczynski added that it was in line with other stipends given to Town employees.

Councilor Paonessa moved to approve the transfer excess funds to Elected Personnel Account \$11,000.00 / Worker's Compensation \$41.80 / Social Security \$841.50 From Non-Taxable Election Workers \$11,883.30 pending approval of Board of Finance.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

6. Topic re: Waive the bidding procedure and award a contract for GIS annual maintenance and departmental services for Fiscal Year 2022-2023 to New England Geo-Systems of Middletown, CT for an amount not to exceed \$30,000.00, as this is in the best interest of the Town. – Public Works

Public Works Director Mike Ahern stated that this is his department's annual request to continue using New England Geo-Systems to maintain the Town's mapping system. The breakdown of the \$30,000 is \$6,000 to maintain the information on the website, \$7,000 for parcel updates, and \$17,000 for general services.

Councilor Paonessa moved to waive the bidding procedure and award a contract for GIS annual maintenance and departmental services for Fiscal Year 2022-2023 to New England Geo-Systems of Middletown, CT for an amount not to exceed \$30,000.00, as this is in the best interest of the Town.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

7. Topic re: Authorize the Town Manager to sign and return the Commitment to Fund letter for replacing Glen Street Bridge No. 06955 to the Connecticut Department of Transportation to enter the Federal Local Bridge Program, as well as executing other related agreements (with Corporation Counsel review/approval), and to authorize the Town Manager and/or Staff to coordinate with the State's design team and to sign required forms and documents throughout the design and permitting process. – Public Works

Public Works Director Ahern stated that in December 2021 the Town Council approved a contract award for emergency repairs on the Glen Street Bridge which has now been completed. In April 2022, the Town Council authorized staff to apply to the Connecticut Department of Transportation's (DOT) Federal Local Bridge Program for a full replacement of this bridge. The program provides 80% reimbursement to municipalities for eligible bridge design and construction. The DOT has confirmed that this bridge does meet the criteria for the federal program and their on-call engineers can complete the design of the bridge replacement at no cost to the Town.

The Town will be able to withdraw from the program at the 30% and 70% design and cost estimation levels if it feels the project is too costly or for other reasons. DOT's engineers estimate the construction cost will total \$2.1 million. The Town would need to fund the total cost and then be reimbursed. The net cost to the Town after reimbursements is an estimated \$420,000.

Councilor Paonessa moved to authorize the Town Manager to sign and return the Commitment to Fund letter for replacing Glen Street Bridge No. 06955 to the Connecticut Department of Transportation to enter the Federal Local Bridge Program, as well as executing other related agreements (with Corporation Counsel review/approval), and to authorize the Town Manager and/or Staff to coordinate with the State's design team and to sign required forms and documents throughout the design and permitting process.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

- 8. Topic re: Utilize State of Connecticut Contract no. 20ITZ0021 and authorize Crown Castle Fiber of Cheshire, CT to provide and install 2 strands of Dark Fiber including a 20-year maintenance agreement from no. 1567 Berlin Turnpike (Sage Park/ Scalise Field Building) back to no. 238 and no. 240 Kensington Road in the amount of \$124,900 which includes a 10 percent project contingency. – Facilities**

Director of Facilities Doug Solek stated that the scoreboard replacement on Scalise Field at Sage Park was part of the State of Connecticut DEEP Grant awarded to the Town earlier this year. The scoreboard portion was previously approved with the fiber optic connectivity component needing approval for full functionality. Once the fiber service is on site there will be the opportunity for additional technology at the site and buildings within Sage Park.

Crown Castle Fiber's proposal includes all underground and above ground sitework at Sage Park along with the fiber pairs back to Kensington Road and a one-year maintenance agreement. After the first year the maintenance agreement cost is \$2,800 per year. Budgeting for the maintenance will be determined after the first year and could be shared between Departments 38 and 61.

Councilor Paonessa moved to utilize State of Connecticut Contract no. 20ITZ0021 and authorize Crown Castle Fiber of Cheshire, CT to provide and install 2 strands of Dark Fiber including a 20-year maintenance agreement from no. 1567 Berlin Turnpike (Sage Park/ Scalise Field Building) back to no. 238 and no. 240 Kensington Road in the amount of \$124,900 which includes a 10 percent project contingency.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

9. Topic re: Utilize sole source contractor Automated Building Systems of Glastonbury, CT and increase purchase orders as needed up to \$50,000 in Department 61 School Expenses, contractual services, and up to \$25,000 as needed in Department 38 Public Buildings contractual services for fiscal year 2022 and 2023 as this is in the best interest of the Town. – Facilities

Facilities Director Solek stated that this is the annual request for purchase orders for Automated Building Systems which provides energy management services to the Town and School buildings keeping the lights, heat and AC running, and monitors alarms for freezers and boilers, among other things. This annual maintenance agreement also allows for any repairs outside of the service agreement.

Councilor Paonessa moved to utilize sole source contractor Automated Building Systems of Glastonbury, CT and increase purchase orders as needed up to \$50,000 in Department 61 School Expenses, contractual services, and up to \$25,000 as needed in Department 38 Public Buildings contractual services for fiscal year 2022 and 2023 as this is in the best interest of the Town.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

10. Topic re: Utilize various State, National and Consortium purchasing contracts and approve purchase orders up to \$25,000 as needed in Department 38 Public Buildings and 61 School Expenses, contractual services accounts without exceeding the account balances during fiscal year 2023 for the following vendors. KONE, Johnson Controls, H.O. Penn, Daikin applied, Swan Associates, Security 101, Hussey Advantage, Stanley Access Technologies, Brightly Software (Dude Solutions), Carrier, Encore, Calvert Safe and Lock, Trane, Associated Security, Integrated Technical Systems, Clearwater Industries, BELFOR Restoration, Air Balancing Service Company, and Haz-Pros. – Facilities

Facilities Director Solek stated that the Facilities Department will utilize contractual services for projects, maintenance, and repairs of building infrastructure. These are core contractors for fire alarms, sprinklers, and HVAC maintenance and the magnitude of these services exceeds the current purchasing guidelines.

Councilor Paonessa moved to utilize various State, National and Consortium purchasing contracts and approve purchase orders up to \$25,000 as needed in Department 38 Public Buildings and 61 School Expenses, contractual services accounts without exceeding the account balances during fiscal year 2023 for the following vendors. KONE, Johnson Controls, H.O. Penn, Daikin applied, Swan Associates, Security 101, Hussey Advantage, Stanley Access Technologies, Brightly Software (Dude Solutions), Carrier, Encore, Calvert Safe and Lock, Trane, Associated Security, Integrated Technical Systems, Clearwater Industries, BELFOR Restoration, Air Balancing Service Company, and Haz-Pros.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

11. Topic re: Authorize the Town Manager to sign the easement agreement attached hereto to Eversource to enable the supply of electricity to the Steele Center @ Farmington Ave. transit-oriented development project, subject to review and approval of Corporation Counsel. – Economic Development

Economic Development Director Chris Edge stated that in July 2020 the Town Council authorized the Town Manager to grant an easement to Eversource to supply electricity to the Boulevard project and to the Steele Center at Farmington Ave. Subsequently, Eversource determined that an easement was not needed to supply the power to Steele Boulevard but that an easement would be required to supply power to the Steele Boulevard development. Part of the required easement area is on property owned by Newport Realty Group, but part of the final easement area is on property owned by the Town including a crossing of Steele Boulevard and a portion on 55 Steele Boulevard, still owned by the Town. The certification that Eversource requires from the Town requires that the Town Council approve the exact language of the easement.

Councilor Paonessa moved to authorize the Town Manager to sign the easement agreement attached hereto to Eversource to enable the supply of electricity to the Steele Center @ Farmington Ave. transit-oriented development project, subject to review and approval of Corporation Counsel.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

12. Topic re: Approve a modification to the tax abatement agreement for Newport Realty Group LLC related entities Newport 903-913 Farmington Ave, LLC, Newport 55 Steele Blvd LLC and 861 Farmington Avenue LLC for the Steele Center mixed-use development project based on the revised development plan approved by the Berlin Planning and Zoning Commission in May of 2022. The abatement schedule for the project will remain the same. The residential portion will be for 5 years of 80% in year 1, 70% in year 2, 60% in year 3, 50% in year 4, and 40% in year 5. The commercial portion will be for 10 years on the commercial of 70% for years 1 through 3, 60% for years 4 through 8, and 50% for years 9 and 10 per the town's tax abatement policy. – Economic Development

Economic Development Director Edge stated that in January 2021, the Town Council approved a tax abatement for Newport Realty Group LLC and its affiliated entities related to the construction of a mixed-use project at 861, 889, 903 and 913 Farmington Avenue based on a planned 99,400 square foot project that was to include 76 market rate apartments and 19,000 square feet of commercial and medical office space.

In May, Newport was approved for a modification of its site plan for the project at 10 Steele Boulevard from a 13,300 square foot two-story medical building to a 11,571 square foot, one and half story mixed-use building therefore Newport is requesting a modification to the tax abatement approval to be consistent with the current site plan.

Councilor Paonessa moved to approve a modification to the tax abatement agreement for Newport Realty Group LLC related entities Newport 903-913 Farmington Ave, LLC, Newport 55 Steele Blvd LLC and 861 Farmington Avenue LLC for the Steele Center mixed-use development project based on the revised development plan approved by the Berlin Planning and Zoning Commission in May of 2022. The abatement schedule for the project will remain the same. The residential portion will be for 5 years of 80% in year 1, 70% in year 2, 60% in year 3, 50% in year 4, and 40% in year 5. The commercial portion will be for 10 years on the commercial of 70% for years 1 through 3, 60% for years 4 through 8, and 50% for years 9 and 10 per the town's tax abatement policy.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

13. Topic re: Appropriate a \$128,205 STEAP grant for Kensington Sidewalks project, phase III to the STEAP Sidewalks account and to revenue account State & Federal Grants and to refer this matter to the Board of Finance and to use up to \$50,000 from the bonded road account for match and contingency for the project. – Economic Development

Economic Development Coordinator Jim Mahoney stated that the Town of Berlin applied for this grant in 2020 and the State approved \$128,205 for the Kensington Sidewalks Phase III project. The Town has now met all the municipal certification requirements for this grant and is preparing to go out to bid for the project in combination with a sidewalks project funded by a Community Connectivity Program grant.

Per the original Town Council action in 2020, this grant requires a local match. The planned source for the match is from the bonded road account. It is proposed that a \$15,000 match and a contingency of up to \$35,000 be allocated from this account.

Councilor Paonessa moved to appropriate a \$128,205 STEAP grant for Kensington Sidewalks project, phase III to the STEAP Sidewalks account and to revenue account State & Federal Grants and to refer this matter to the Board of Finance and to use up to \$50,000 from the bonded road account for match and contingency for the project.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

14. Topic re: Waive the town's bidding requirements and authorize the Town Manager to enter into a consulting contract with Yantic River Consultants, LLC in an amount not to exceed \$9,600 to be paid from the Farmington Avenue Development (non-grant) account, since this in the best interest of the Town, and to send the project to the Planning and Zoning Commission for a review pursuant to section 8-24 of the Connecticut General Statutes. – Economic Development

Economic Development Coordinator Mahoney stated that the State of Connecticut issued a request for applications for the Small Town Economic Assistance Program (STEAP). Based on the STEAP application guidelines, staff proposes that the Town apply for a grant to construct a park on the 0.29-acre Town parcel on the northeast side of Steele Boulevard.

The STEAP applications are due by August 15 and the program guidelines advise that projects should be "shovel ready". Therefore, staff proposes to retain Yantic River Consultants, LLC to advance the planning and design for the park by preparing plans and specifications to be completed by the time a grant application is filed. Yantic was the original design consultant for the project.

Councilor Paonessa moved to waive the town's bidding requirements and authorize the Town Manager to enter into a consulting contract with Yantic River Consultants, LLC in an amount not to exceed \$9,600 to be paid from the Farmington Avenue Development (non-grant) account, since this in the best interest of the Town, and to send the project to the Planning and Zoning Commission for a review pursuant to section 8-24 of the Connecticut General Statutes.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

15. Topic re: Update on Complaint 2021-001 the violation of the Ethics Policy and Code of Ethics. – Mayor

Moved to item #1a

J. TOWN MANAGER'S REPORT:

- The Board of Finance will be reviewing the financial statements of the Kensington Fire Department before coming up with recommendations for funding the repair of the Fire Department's parking lot.
- The Board of Finance will be sending a letter to the Town Council regarding their thoughts on the Community/Senior Center.
- A leash free area at Pistol Creek was reviewed by the Mayor, Parks and Recreation Commission Chair Donna Bovee, Conservation Commission member Mary Kathryn LaRose, cross-country coach Paul Griswold, and the Town Manager and they all agreed with the selection which will allow access to the walkway and also allow the cross-country team

ample area to gather. The Grounds Department will spray paint the area where the fence will be located, and the area will be placed on a map for the public and Town Council to view.

- The Town notification system is in its final stage of completion with the plan to have it functioning by the 4th of July weekend.
- Both Town pools are now open, and the Parks and Recreation summer camps are open with weeks one and two fully booked.

K. SPECIAL COMMITTEE REPORTS:

None

L. COUNCILORS' COMMUNICATION:

Councilor Paonessa thanked all that helped with the Charter Revision Commission. Also, the Juneteenth celebration at the Berlin-Peck Memorial Library was phenomenal and the Berlin Historical Society provided a lot of information and history.

Councilor Fazzino agreed that the Juneteenth celebration was a tremendous ceremony, and it was great to see different community organizations coming together. He also stated that there was discussion at the Kensington Village business owners' meeting regarding the possibility of moving the Christmas tree lighting ceremony from Saturday to Sunday. Mayor Kaczynski recalls that the request came up last year, but it was too close to the date of the event to change it. They will discuss the idea with the Fire Department as they run the event.

Councilor Veach stated that the Juneteenth event was very nice, and the Berlin Historical Society always does a nice job. Also, the Veterans did an event for Flag Day at the Legion which was attended by a large group of boy scouts.

M. ACCEPTANCE OF MINUTES:

June 7, 2022

Councilor Paonessa moved to accept the June 7, 2022 Town Council meeting minutes as presented.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

N. EXECUTIVE SESSION:

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

Councilor Paonessa 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 – Niro

Companies at 9:20 p.m. Invited in: Town Manager Jayawickrema and Corporation Counsel Donofrio.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

Councilor Luddy was unable to return for Executive Session.

Executive session ended at 9:35 p.m.

O. ADJOURNMENT:

Councilor Rosso moved to adjourn at 9:35 p.m.

Seconded by Councilor Veach.

Those voting in favor: Councilor Fazzino, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach, Mayor Kaczynski

Vote being 6-0 (MOTION CARRIED)

Submitted by,

Lisa J. Bush
Clerk of the Meeting