

Agenda Item No. 8
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: August 26, 2022

SUBJECT: Authorization for the Town Manager to Enter into Contract Amendments with Loureiro Engineering for Services Related to Completion of the Analysis of Brownfields Cleanup Alternatives for the 55 Steele Boulevard Project and for Additional General Consulting Services for the 55 Steele Boulevard Project

Summary of Agenda Item:

Loureiro Engineering provides environmental consulting services for the Town's 55 Steele Boulevard property. The next step in this project is the installation of an engineered control at the site. The Town received a brownfields grant for the 55 Steele Boulevard project from the Capitol Region Council of Governments (CRCOG) with funds provided by the U. S. Environmental Protection Agency. The CRCOG grant was originally to be used for a groundwater control system for the site, but subsequent testing determined that a groundwater control system is not needed. Therefore, staff requested and CRCOG approved a modification to the scope of the grant so that it can be used for the engineered control that will isolate contaminated soils on the site. One of the requirements of the CROG/EPA grant is that the Town prepare an analysis of brownfields clean up alternatives (ABCA) and conduct a public comment process. The change in the scope of the grant required that the ABCA be redone. The additional cost of this work is \$4,389 and the cost is to be charged to the EPA-CRCOG Envir Rem Grant account # 504.10.1017.0.5469.00000.

In addition, previous general consulting funding authorizations have been spent, therefore, staff requests an additional general consulting authorization for the 55 Steele Boulevard project of \$5,000 with the cost charged to the Municipal Brownfields grant for 889 Farmington Avenue, Municipal Brownfields Grant, account # 540.10.1017.0.53961.00000.

Action

Move to waive the Town's bidding process and to authorize the Town Manager to enter into two contract amendments with Loureiro Engineering. The first amendment of \$4,389 is for additional work on the 55 Steele Boulevard analysis of brownfields cleanup alternatives and will be charged to EPA-CRCOG Envir Rem Grant account. The second amendment is for \$5,000 for general consulting services related to 55 Steele Boulevard and will be charged to the Municipal Brownfields Grant account as this is in the best interest of the Town.

Attachments:

1. Sufficiency of funds.
2. Loureiro proposal.

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 25-Aug-22

Purchase Item or Contract: Engineering Serv. - 55 Steele Blvd.		Requested by: Jim Mahoney	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Engineering services - Brownfields analysis - 55 Steele Blvd.	\$4,389.00	\$4,389.00
	Amendment to Loureiro contract		\$0.00
			-
			-
			-
			-
TOTAL			\$4,389.00

Account No. 504.10.1017.0.53469.00000 EPA - CRCOG Env. Rem. Grant

Budgeted Amount.....	\$297,300.00	Available balance.....	\$296,500.00
Encumbrances to Date.....	\$800.00	Amount Needed for This Package.....	\$4,389.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$292,111.00

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



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 25-Aug-22

Purchase Item or Contract: Addl. Gen. consulting auth. - 55 Steele Blvd.		Requested by: Jim Mahoney	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Additional general consulting authorization	\$5,000.00	\$5,000.00
	55 Steele Blvd.		\$0.00
			-
			-
			-
			-
TOTAL			\$5,000.00

Account No. 540.10.1017.0.53961.00000 Municipal Brownfields Grant

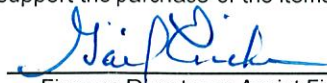
Budgeted Amount.....	\$516,381.27	Available balance.....	\$432,608.37
Encumbrances to Date.....	\$83,772.90	Amount Needed for This Package.....	\$5,000.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$427,608.37

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



August 23, 2022

Town of Berlin

Town Manager's Office, Room 1
240 Kensington Road
Berlin, Connecticut 06037

Attn: Mr. Jim Mahoney

RE: Proposal for ABCA Revisions and Additional General Consulting Support
Former Pioneer Precision Products - 889 Farmington Avenue

Dear Mr. Mahoney:

In response to your request, Loureiro Engineering Associates, Inc. ("Loureiro") is pleased to submit this proposal to the Town of Berlin ("Town") for additional general consulting services and revisions to the Analysis of Brownfield Cleanup Alternatives (ABCA) for the above referenced project. Revisions to the ABCA were recently completed at the request of the Town to support additional funding by the United States Environmental Protection Agency through the Capitol Region Council of Governments. The table below includes the time and materials (T&M) cost to revise the ABCA and provide public notice of the proposed remediation in the Hartford Courant.

Description	Cost Basis	Cost
Additional General Consulting Services	T&M	\$5,000
Revisions to ABCA	T&M	\$4,248
Newspaper Publication	T&M	\$ 141
Project Total	T&M	\$9,389

We look forward to the opportunity to continue working with you on this project. Should you have any questions concerning this request, please feel free to contact me at (860) 410-2904.

Sincerely,

LOUREIRO ENGINEERING ASSOCIATES, INC.

Kevin J. Bitjeman, L.E.P.
Senior Project Manager

Loureiro Engineering Associates, Inc.

100 Northwest Drive • Plainville, CT 06062 • 860.747.6181 • Fax 860.747.8822 • www.Loureiro.com

AN EMPLOYEE-OWNED COMPANY

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: August 30, 2022

SUBJECT: Statutory Opt-Outs for Accessory Apartments/Accessory Dwelling Units
Regulations Per C.G.S. §§ 8-2o(a) through 8-2o(d) and Dwelling Unit
Parking Limitations Per C.G.S. § 8-2(d)(9)

Summary of Agenda Item:

Connecticut General Statutes Section 8-2o(a) requires that municipalities that zone under the Zoning Enabling Act (§ 8-2) adopt new or amend existing regulations to allow accessory apartments/accessory dwelling units (ADUs) as of right on the same lot as single-family homes by January 1, 2023, unless they follow the opt-out procedure contained in § 8-2o(f) by said date. Thereafter, in § 8-2o(a) through § 8-2o(d), there are numerous provisions with which the zoning regulations must comply unless the municipality acts to opt-out. [A copy of § 8-2o is attached for your review.] Section 8-2o(f) requires that the following procedure must be complied with by the Planning and Zoning Commission to opt-out of said provisions:

1. Hold a public hearing on the proposed opt-out, subject to the standard notice and timeframes for such hearings;
2. Affirmatively decide by a two-thirds vote to opt out within the statutory time limit (generally within 65 days of the hearing's completion);
3. State in the record the reasons for its decision; and
4. Publish notice of the decision within 15 days in a newspaper that has substantial circulation in the municipality.

The statute also requires the opt-out by the zoning authority to be confirmed by a two-thirds vote of the Town Council in accordance with the same procedure.

In addition to the above, Section 8-2(d)(9) provides that zoning regulations "... shall not ... (9) Require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms, unless the municipality opts out in accordance with the provisions of Section 8-2p[.]" The opt-out procedure in Section 8-2p is the same as described above and must also be completed by January 1, 2023 to opt-out of the dwelling unit parking limitations. [A copy of § 8-2 is attached with § 8-2(d)(9) highlighted as well as a copy of § 8-2p].

At its August 4, 2022 regular meeting, the Planning and Zoning Commission held a public hearing on the proposed opt-out from the accessory apartments/accessory dwelling units (ADs)

regulations contained in § 8-2o(a) through § 8-2o(d) and a separate public hearing on the proposed opt-out from the dwelling unit parking limitations contained in § 8-2(d)(9). The Commission voted unanimously (5-0) to opt-out of each and stated the reasons for its decisions on the record. Notice of its decisions was published within the required timeframe.

Actions Needed:

- (1) Move to authorize the Town Manager to schedule and advertise for a Public Hearing and possible action on, including an opt-out from, the provisions of Connecticut General Statutes Sections 8-2o(a) through 8-2o(d) pertaining to accessory apartments or accessory dwelling units regulations, to be held Tuesday, October 4, 2022 at 7:00 PM. A copy of said statutory provisions will be posted with the Notice of Public Hearings on the Town Council's page on the Town website at <https://www.berlinct.gov>.
- (2) Move to authorize the Town Manager to schedule and advertise for a Public Hearing and possible action on, including an opt-out from, the provisions of Connecticut General Statutes Sections 8-2(d)(9) pertaining to dwelling unit parking limitations, to be held Tuesday, October 4, 2022 at 7:00 PM. A copy of said statutory provisions will be posted with the Notice of Public Hearings on Town Council's page on the Town website at <https://www.berlinct.gov>.

Attachments:

- (1) Connecticut General Statutes Section 8-2o;
- (2) Connecticut General Statutes Section 8-2; and
- (3) Connecticut General Statutes Section 8-2p.

Prepared By:

Jennifer N. Coppola, Esquire, Ciulla & Donofrio, LLP, Corporation Counsel

JNC by mkg

Sec. 8-2o. Zoning regulations re accessory apartments. Municipal opt-out; exception. (a) Any zoning regulations adopted pursuant to section 8-2 shall:

(1) Designate locations or zoning districts within the municipality in which accessory apartments are allowed, provided at least one accessory apartment shall be allowed as of right on each lot that contains a single-family dwelling and no such accessory apartment shall be required to be an affordable accessory apartment;

(2) Allow accessory apartments to be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling;

(3) Set a maximum net floor area for an accessory apartment of not less than thirty per cent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less, except that such regulations may allow a larger net floor area for such apartments;

(4) Require setbacks, lot size and building frontage less than or equal to that which is required for the principal dwelling, and require lot coverage greater than or equal to that which is required for the principal dwelling;

(5) Provide for height, landscaping and architectural design standards that do not exceed any such standards as they are applied to single-family dwellings in the municipality;

(6) Be prohibited from requiring (A) a passageway between any such accessory apartment and any such principal dwelling, (B) an exterior door for any such accessory apartment, except as required by the applicable building or fire code, (C) any more than one parking space for any such accessory apartment, or fees in lieu of parking otherwise allowed by section 8-2c, (D) a familial, marital or employment relationship between occupants of the principal dwelling and accessory apartment, (E) a minimum age for occupants of the accessory apartment, (F) separate billing of utilities otherwise connected to, or used by, the principal dwelling unit, or (G) periodic renewals for permits for such accessory apartments; and

(7) Be interpreted and enforced such that nothing in this section shall be in derogation of (A) applicable building code requirements, (B) the ability of a municipality to prohibit or limit the use of accessory apartments for short-term rentals or vacation stays, or (C) other requirements where a well or private sewerage system is being used, provided approval for any such accessory apartment shall not be unreasonably withheld.

(b) The as of right permit application and review process for approval of accessory apartments shall require that a decision on any such application be rendered not later than sixty-five days after receipt of such application by the applicable zoning commission, except that an applicant may consent to one or more extensions of not more than an additional sixty-five days or may withdraw such application.

(c) A municipality shall not (1) condition the approval of an accessory apartment on the correction of a nonconforming use, structure or lot, or (2) require the installation of fire sprinklers in an accessory apartment if such sprinklers are not required for the principal dwelling located on the same lot or otherwise required by the fire code.

(d) A municipality, special district, sewer or water authority shall not (1) consider an accessory apartment to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless such accessory apartment was constructed with a new single-family dwelling on the same lot, or (2) require the installation of a new or separate utility connection directly to an accessory apartment or impose a related connection fee or capacity charge.

(e) If a municipality fails to adopt new regulations or amend existing regulations by January 1, 2023, for the purpose of complying with the provisions of subsections (a) to (d), inclusive, of this section, and unless such municipality opts out of the provisions of said subsections in accordance with the provisions of subsection (f) of this section, any noncompliant existing regulation shall become null and void and such municipality shall approve or deny applications for accessory apartments in accordance with the requirements for regulations set forth in the provisions of subsections (a) to (d), inclusive, of this section until such municipality adopts or amends a regulation in compliance with said subsections. A municipality may not use or impose additional standards beyond those set forth in subsections (a) to (d), inclusive, of this section.

(f) Notwithstanding the provisions of subsections (a) to (d), inclusive, of this section, the zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds vote, may initiate the process by which such municipality opts out of the provisions of said subsections regarding allowance of accessory apartments, provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said subsections within the period of time permitted under section 8-7d, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may

complete the process by which such municipality opts out of the provisions of subsections (a) to (d), inclusive, of this section, except that, on and after January 1, 2023, no municipality may opt out of the provisions of said subsections.

(P.A. 21-29, S. 6.)

History: P.A. 21-29 effective January 1, 2022.

Sec. 8-2. Regulations. (a)(1) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality: (A) The height, number of stories and size of buildings and other structures; (B) the percentage of the area of the lot that may be occupied; (C) the size of yards, courts and other open spaces; (D) the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section 22a-93; and (E) the height, size, location, brightness and illumination of advertising signs and billboards, except as provided in subsection (f) of this section.

(2) Such zoning commission may divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of this chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All zoning regulations shall be uniform for each class or kind of buildings, structures or use of land throughout each district, but the regulations in one district may differ from those in another district.

(3) Such zoning regulations may provide that certain classes or kinds of buildings, structures or use of land are permitted only after obtaining a special permit or special exception from a zoning commission, planning commission, combined planning and zoning commission or zoning board of appeals, whichever commission or board the regulations may, notwithstanding any special act to the contrary, designate, subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values.

(b) Zoning regulations adopted pursuant to subsection (a) of this section shall:

(1) Be made in accordance with a comprehensive plan and in consideration of the plan of conservation and development adopted under section 8-23;

(2) Be designed to (A) lessen congestion in the streets; (B) secure safety from fire, panic, flood and other dangers; (C) promote health and the general welfare; (D) provide adequate light and air; (E) protect the state's historic, tribal, cultural and environmental resources; (F) facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; (G) consider the impact of permitted land uses on contiguous municipalities and on the planning region, as defined in section 4-124i, in which such municipality is located; (H) address significant disparities in housing needs and access to educational, occupational and other opportunities; (I) promote efficient review of proposals and applications; and (J) affirmatively further the purposes of the federal Fair Housing Act, 42 USC 3601 et seq., as amended from time to time;

(3) Be drafted with reasonable consideration as to the physical site characteristics of the district and its peculiar suitability for particular uses and with a view to encouraging the most appropriate use of land throughout a municipality;

(4) Provide for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a;

(5) Promote housing choice and economic diversity in housing, including housing for both low and moderate income households;

(6) Expressly allow the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to section 16a-26;

(7) Be made with reasonable consideration for the impact of such regulations on agriculture, as defined in subsection (q) of section 1-1;

(8) Provide that proper provisions be made for soil erosion and sediment control pursuant to section 22a-329;

(9) Be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies; and

(10) In any municipality that is contiguous to or on a navigable waterway draining to Long Island Sound, (A) be made with reasonable consideration for the restoration and protection of the ecosystem and habitat of Long Island Sound; (B) be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris on Long Island Sound; and (C) provide that such municipality's zoning commission consider the environmental impact on Long Island Sound coastal resources, as defined in section 22a-93, of any proposal for development.

(c) Zoning regulations adopted pursuant to subsection (a) of this section may:

(1) To the extent consistent with soil types, terrain and water, sewer and traffic infrastructure capacity for the community, provide for or require cluster development, as defined in section 8-18;

(2) Be made with reasonable consideration for the protection of historic factors;

(3) Require or promote (A) energy-efficient patterns of development; (B) the use of distributed generation or freestanding solar, wind and other renewable forms of energy; (C) combined heat and power; and (D) energy conservation;

(4) Provide for incentives for developers who use (A) solar and other renewable forms of energy; (B) combined heat and power; (C) water conservation, including demand offsets; and (D) energy conservation techniques, including, but not limited to, cluster development, higher density development and performance standards for roads, sidewalks and underground facilities in the subdivision;

(5) Provide for a municipal system for the creation of development rights and the permanent transfer of such development rights, which may include a system for the variance of density limits in connection with any such transfer;

(6) Provide for notice requirements in addition to those required by this chapter;

(7) Provide for conditions on operations to collect spring water or well water, as defined in section 21a-150, including the time, place and manner of such operations;

(8) Provide for floating zones, overlay zones and planned development districts;

(9) Require estimates of vehicle miles traveled and vehicle trips generated in lieu of, or in addition to, level of service traffic calculations to assess (A) the anticipated traffic impact of proposed developments; and (B) potential mitigation strategies such as reducing the amount of required parking for a development or requiring public sidewalks, crosswalks, bicycle paths, bicycle racks or bus shelters, including off-site; and

(10) In any municipality where a traprock ridge or an amphibolite ridge is located, (A) provide for development restrictions in ridgeline setback areas; and (B) restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (i) Emergency work necessary to protect life and property; (ii) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted pursuant to this section; and (iii) selective timbering, grazing of domesticated animals and passive recreation.

(d) Zoning regulations adopted pursuant to subsection (a) of this section shall not:

(1) Prohibit the operation of any family child care home or group child care home in a residential zone;

(2) (A) Prohibit the use of receptacles for the storage of items designated for recycling in accordance with section 22a-241b or require that such receptacles comply with

provisions for bulk or lot area, or similar provisions, except provisions for side yards, rear yards and front yards; or (B) unreasonably restrict access to or the size of such receptacles for businesses, given the nature of the business and the volume of items designated for recycling in accordance with section 22a-241b, that such business produces in its normal course of business, provided nothing in this section shall be construed to prohibit such regulations from requiring the screening or buffering of such receptacles for aesthetic reasons;

(3) Impose conditions and requirements on manufactured homes, including mobile manufactured homes, having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes, including mobile manufactured home parks, if those conditions and requirements are substantially different from conditions and requirements imposed on (A) single-family dwellings; (B) lots containing single-family dwellings; or (C) multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments;

(4) (A) Prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations; (B) require a special permit or special exception for any such continuance; (C) provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use; or (D) terminate or deem abandoned a nonconforming use, building or structure unless the property owner of such use, building or structure voluntarily discontinues such use, building or structure and such discontinuance is accompanied by an intent to not reestablish such use, building or structure. The demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure;

(5) Prohibit the installation, in accordance with the provisions of section 8-1bb, of temporary health care structures for use by mentally or physically impaired persons if such structures comply with the provisions of said section, unless the municipality opts out in accordance with the provisions of subsection (j) of said section;

(6) Prohibit the operation in a residential zone of any cottage food operation, as defined in section 21a-62b;

(7) Establish for any dwelling unit a minimum floor area that is greater than the minimum floor area set forth in the applicable building, housing or other code;

(8) Place a fixed numerical or percentage cap on the number of dwelling units that constitute multifamily housing over four units, middle housing or mixed-use development that may be permitted in the municipality;

(9) Require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms, unless the municipality opts out in accordance with the provisions of section 8-2p; or

(10) Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or (B) the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.

(e) Any city, town or borough which adopts the provisions of this chapter may, by vote of its legislative body, exempt municipal property from the regulations prescribed by the zoning commission of such city, town or borough, but unless it is so voted, municipal property shall be subject to such regulations.

(f) Any advertising sign or billboard that is not equipped with the ability to calibrate brightness or illumination shall be exempt from any municipal ordinance or regulation regulating such brightness or illumination that is adopted by a city, town or borough, pursuant to subsection (a) of this section, after the date of installation of such advertising sign or billboard.

(1949 Rev., S. 837; November, 1955, S. N10; 1959, P.A. 614, S. 2; 661; 1961, P.A. 569; 1963, P.A. 133; 1967, P.A. 801; P.A. 77-509, S. 1; P.A. 78-314, S. 1; P.A. 80-327, S. 1; P.A. 81-334, S. 2; P.A. 83-388, S. 6, 9; P.A. 84-263; P.A. 85-91, S. 2, 5; 85-279, S. 3; P.A. 87-215, S. 1, 7; 87-232; 87-474, S. 1; 87-490, S. 1; P.A. 88-105, S. 2; 88-203, S. 1; P.A. 89-277, S. 1; P.A. 91-170, S. 1; 91-392, S. 1; 91-395, S. 1, 11; P.A. 92-50; P.A. 93-385, S. 3; P.A. 95-239, S. 2; 95-335, S. 14, 26; P.A. 97-296, S. 2, 4; P.A. 98-105, S. 3; P.A. 10-87, S. 4; P.A. 11-124, S. 2; 11-188, S. 3; P.A. 15-227, S. 25; P.A. 17-39, S. 1; 17-155, S. 2; P.A. 18-28, S. 1, 2; 18-132, S. 1; P.A. 21-29, S. 4.)

History: 1959 acts required that regulations be uniform for use of land in district and authorized requirement of special permits or exceptions; 1961 act deleted provision authorizing reconstruction of nonconforming structure destroyed or damaged by fire or casualty provided cost be less than 50% of fair market value of property and reconstruction be commenced within six months; 1963 act allowed municipality to exempt municipal property from zoning regulations; 1967 act specified that special acts contrary to provision re special permits or special exceptions have no bearing; P.A. 77-509 allowed considerations of historic factors, sedimentation control and erosion in zoning regulations; P.A. 78-314 allowed regulations to encourage energy-efficient development, energy conservation and use of renewable forms of energy; P.A. 80-327

allowed consideration of water supply protection; P.A. 81-334 authorized regulations to provide for incentives for developers using passive solar energy techniques; P.A. 83-388 required provision be made for soil erosion and sediment control, effective July 1, 1985; P.A. 84-263 provided the regulations shall encourage the development of housing opportunities for all citizens of the municipality consistent with soil types, terrain and infrastructure capacity (Revisor's note: P.A. 84-263, which took effect on October 1, 1984, incorporated the amendment enacted by P.A. 83-388, but the Revisors are of the opinion that (1) this in no way changed the July 1, 1985, effective date of the 1983 act, and (2) the further amendment in the 1984 act took effect on October 1, 1984); P.A. 85-91 specified the date by which provision for soil erosion and sediment control is required; P.A. 85-279 made consideration of the protection of surface water and groundwater mandatory where before it had been discretionary; P.A. 87-215 authorized regulations to provide for additional notice requirements; P.A. 87-232 provided that no regulations shall prohibit the operation of any family day care home or group day care home in a residential zone; P.A. 87-474 clarified authority to regulate water-dependent uses; P.A. 87-490 inserted provisions concerning creation and transfer of development rights; P.A. 88-105 required zoning regulations to be made with reasonable consideration for their impact on agriculture; P.A. 88-203 added provisions re imposition of conditions and requirements on certain manufactured homes and developments to be occupied by certain manufactured homes; P.A. 89-277 added provision specifying that the regulations shall not provide for the termination of a nonconforming use solely as a result of nonuse without regard to intent; P.A. 91-170 designated existing language as Subsec. (a) and added Subsec. (b) re regulations in municipalities contiguous to Long Island Sound; P.A. 91-392 required regulations to encourage opportunities for multifamily dwellings for residents of municipality and planning region, to promote housing choice and economic diversity in housing and to encourage housing development consistent with the state housing plan and the state plan of conservation and development; P.A. 91-395 authorized adoption of regulations under this section to provide for cluster development; P.A. 92-50 amended Subsec. (a) to eliminate reference to adoption of regulations in accordance with the comprehensive plan and substituted consideration of the plan of development in lieu thereof; P.A. 93-385 amended Subsec. (a) by requiring that regulations be made in accordance with a comprehensive plan; P.A. 95-239 added Subsec. (c) re development restrictions in ridgeline setback areas (Revisor's note: Uppercase alphabetic Subdiv. indicators were replaced editorially by the Revisors with numeric indicators for consistency with customary statutory usage); P.A. 95-335 amended Subsec. (a) to change "plan of development" to "plan of conservation and development", effective July 1, 1995; P.A. 97-296 amended Subsec. (a) to allow regulations to provide for conditions on operations to collect spring or well water, effective July 8, 1997; P.A. 98-105 amended Subsec. (c) to provide for protection of amphibolite ridgelines; P.A. 10-87 amended Subsec. (a) by making technical changes and adding provision prohibiting regulations from

prohibiting use of receptacles for storage of items designated for recycling or requiring such receptacles to comply with provisions for bulk or lot area and prohibiting regulations from unreasonably restricting access to or size of such receptacles for businesses; P.A. 11-124 amended Subsec. (a) by replacing “housing plan” with “state's consolidated plan for housing and community development”; P.A. 11-188 amended Subsec. (a) by adding reference to Sec. 1-1(q) re definition of “agriculture”; pursuant to P.A. 15-227, “group day care home” and “family day care home” were changed editorially by the Revisors to “group child care home” and “family child care home”, respectively, in Subsec. (a), effective July 1, 2015; P.A. 17-39 amended Subsec. (a) to add provision re regulations not terminating or deeming abandoned nonconforming use, building or structure, effective July 1, 2017; P.A. 17-155 amended Subsec. (a) to add provision re town opt out and installation of temporary health care structures; P.A. 18-28 amended Subsec. (a) by adding provision re zoning commission may regulate brightness and illumination of advertising signs and billboards, and added Subsec. (d) exempting certain advertising signs or billboards from municipal ordinance or regulation re brightness or illumination when installed prior to adoption of ordinance or regulation, effective July 1, 2018; P.A. 18-132 amended Subsec. (a) by adding provision re regulations that require special permit or special exception for continuance, effective July 1, 2018; P.A. 21-29 substantially revised section, including by restructuring existing Subsec. (a) into new Subsecs. (a) to (e), moving provision re Long Island Sound from former Subsec. (b) to Subsec. (b)(10), moving provision re traprock ridge from former Subsec. (d) to Subsec. (c)(10), redesignating existing Subsec. (d) as Subsec. (f), in Subsec. (b)(2) adding Subpara. (E) re state's resources, Subpara. (G) re contiguous municipalities, Subpara. (H) re significant disparities, Subpara. (I) re efficient proposal and application review and Subpara. (J) re federal Fair Housing Act, deleting provisions re land overcrowding and undue population concentration, in Subsec. (b)(3) changing “character” to “physical site characteristics” and deleting reference to conserving building value, in Subsec. (b)(6) changing “encourage” to “expressly allow”, in Subsec. (c)(3)(B) adding “distributed generation or freestanding” and “wind”, in Subsec. (c)(4) deleting “passive solar energy techniques”, adding Subpara. (B) re combined heat and power, Subpara. (C) re water conservation and Subpara. (D) re energy conservation techniques, in Subsec. (c) adding Subdiv. (8) re floating and overlay zones and Subdiv. (9) re traffic impacts and mitigation strategies, in Subsec. (d)(3) adding “mobile manufactured homes” and “mobile manufactured home parks” and deleting provision re manufactured homes, in Subsec. (d) by adding Subdiv. (6) re cottage food operations, Subdiv. (7) re minimum floor area, Subdiv. (8) re cap on dwelling units, Subdiv. (9) re parking spaces and Subdiv. (10) re land use application denials and making technical changes.

Sec. 8-2p. Municipal opt-out re dwelling unit parking space limitations. The zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds vote, may initiate the process by which such municipality opts out of the provision of subdivision (9) of subsection (d) of section 8-2 regarding limitations on parking spaces for dwelling units, provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d on such proposed opt-out, (2) affirmatively decides to opt out of the provision of said subsection within the period of time permitted under section 8-7d, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may complete the process by which such municipality opts out of the provision of subsection (d) of section 8-2.

(P.A. 21-29, S. 5.)

TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: August 5, 2022

SUBJECT: Removal of Planning and Zoning Member

Summary of Agenda Item:

The Planning and Zoning Commission respectfully asks that the Council considers vacating the appointment of Jon-Michael O'Brien. Mr. O'Brien has been unable to attend their meetings for several years. The Charter does permit this: Section 3-11 (b) "The Council shall have the power to remove any member from any appointive board, commission or committee, as follows: (1) upon such a member's absence from three (3) consecutive meetings of the board, commission or committee, whether a regular or special meetings, without justifiable cause, (2) upon such a member's absence from thirty (30%) percent or more of meetings of the board, commission or committee, whether regular or special meetings, without justifiable cause during the twelve (12) month period commencing on February first (1st) of each calendar year, (3) for cause, after reasonable notice, and a hearing held at a regularly scheduled Council meeting, at which said member shall have an opportunity to be heard and may be accompanied by legal counsel."

Action Needed:

Move to vacate the appointment of Jon-Michael O'Brien on the Planning and Zoning Commission due to member's absence from meetings.

Attachments:

None

Prepared By: Kate Wall, Town Clerk



TO: The Honorable Mayor and Town Council

FROM: Arosha Jayawickrema, Town Manager

DATE: August 11, 2022

SUBJECT: Bid Waiver for Cott Systems, Inc.

Summary of Agenda Item:

The Town Clerk's Office uses Cott Systems, Inc. for their land records and dog licenses software. During the October 1, 2019 meeting, the Council approved a five-year contract with Cott Systems, Inc. for a yearly amount of \$10,800 with cloud support.

In May 2020, the Town Clerk asked the Council to approve increasing the number of licenses used in the office for their dog license program. The Council approved the one-time license fee and the increase of \$75.00 per month (total amount of \$900.00 per year) for the maintenance.

In fiscal year 20/21, the Town Clerk switched Auditors from an outside vendor to the audit being completed by Cott Systems. The outside vendor charged .50 cents per document compared to Cott Systems .485 cents per document. The audit this year will totally be done by Cott Systems. There has been an increase in the recording of land record documents. The Town Clerk is asking for \$2,400 for auditing.

The Town Clerk's Office also purchases supplies from Cott usually in the amount of \$150.00

Land Records software and Online Index Books	\$12,660 (yearly fee)
Dog License maintenance	\$ 900 (yearly fee)
Auditor	\$ 2,400 (approx. yearly fee)
Supplies	<u>\$ 150</u>

Total Amount \$16,110

Kate Wall, Town Clerk, also started incorporating old land record indexes into our software which can then be assessable to the public including Attorneys and Title Searchers. Initially new software was purchased for \$17,650 and with a monthly support fee of \$150.00. The first project was for the 1968-1971 land record indexes (both grantor and grantee).

The Town Clerk would now like to add the 1964-1967 land record indexes (both grantor and grantee) for a cost of \$7,035 plus \$5.00 per month for support.

The Town Clerk is suggesting that money from the Town Clerk's Fund be used to pay for the project and the support for fiscal year 2022/2023. In 2023/2024 the support will be included in the office's regular budget.

As funds permit, the Town Clerk would like to continue adding the land record indexes to the system.

The contract has been reviewed by Corporation Counsel.

Action Needed:

Move to waive the Town's bidding procedures to allow the Town Clerk's Office to continue to use Cott Systems, Inc. software for land records and dog licensing, provide maintenance, auditing services and supplies to the office for an amount not to exceed \$16,110 for fiscal year 2022/2023.

Move to waive the Town's bidding procedures and award a contract to Cott Systems, Inc. to host online index books for land records 1964-1967 in an amount not to exceed \$7,035.00 with support included in the above motion.

Attachments:

Cott Systems Proposal for Online Index Books

Prepared By: Kate Wall, Town Clerk

A handwritten signature in black ink, appearing to be 'KW' or 'K Wall', written over the printed name 'Kate Wall'.



Contract for

Hosted Online Index Books for Land Records 1964 – 1967

Berlin, Connecticut
Kate Wall, Town Clerk

August 18, 2022

ONLINE
INDEX
BOOKS



Cott Systems, Inc.
2800 Corporate Exchange Dr.
Columbus, OH 43231
(800) 234-2688 | cottsystems.com

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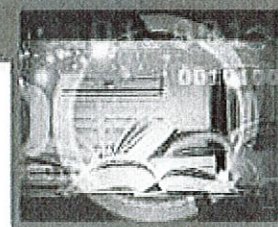
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SECTION 1:

Order Summary



1. **Online Index Books with Records.**
 - Land Records, 1964-1967.
2. **Total Index Volumes.** (2) loose leaf, typed.
3. **Total Record Volumes.** (16) loose leaf, 134 - 149.
4. **Index and Records Source.** Electronic .TIF images created by Adkins.
5. **GB of Images.** This project will yield approximately 1 GB worth of images.
6. **User Licenses.** Unlimited search, rights to use software for term of contract.
7. **Deployment.** Hosted deployment.
8. **RECORDhub eCommerce Gateway.** Includes adding Online Index Books to RECORDhub eCommerce Gateway.
9. **Implementation.** Project management and service installation are included.

Fees		\$7,035 and \$5 / month
Schedule of Payments	Invoice upon receipt of signed contract	\$3,520
	Invoice upon installation	\$3,515 ¹
	Invoice upon Go-Live Date (installation)	\$5 / month ²
¹ Cott will issue invoice upon completing the installation of software and images. ² The above monthly fee is in addition to current monthly system fee.		

TERM: Contract term effective through 2/1/2027 - current Online Index Books system term.

PLEASE NOTE: The pricing in this offer is valid through 9/20/2022. After this date, this offer will be priced at the current rate.

A Note Regarding COVID-19

Cott Systems adheres to all applicable local, state, and federal guidelines regarding COVID-19. Travel and on-site work by Cott team members may be impacted by COVID-19 related restrictions. As your project progresses, we will work with you to make any necessary adjustments to coordinate the successful completion of your project.

X Customer Acknowledgement: _____ Date: _____

Cott and Customer have executed this contract to be effective as of the date it is signed by Customer. Cott's **Master Agreement for Products and Services** also applies to the provision of services by Cott under this contract and the terms of such agreement are hereby incorporated by reference. The terms actually set forth in this contract will govern in the event of any conflict or inconsistency between its terms and the terms set forth in any other document between the parties.

The parties to this Master Agreement agree and understand that the continuation of this Master Agreement, and any Addendum(s) for the term period set forth, or any extension or renewal thereof, is dependent upon and subject to the appropriation, allocation or availability of funds for this purpose to the Customer. The parties to this Master Agreement also agree that in the event the Customer or that body responsible for the appropriation of said funds, in its sole discretion, determines that available funding for the payment of services is insufficient to continue said Master Agreement, the Customer may choose to terminate the Master Agreement set forth herein by giving Cott ninety (90) calendar days written notice of termination, and the Master Agreement shall terminate on the last day of the monthly term that occurs ninety (90) calendar days after Cott's receipt of the termination notice, without any further liability or obligation to Cott Systems. The Customer agrees to include, or cause to be included, the amounts payable under this Master Agreement on a yearly basis in the estimated budgets or requests for funds or appropriations for or by the Customer for the intended term of this Master Agreement and any Addendum(s).

Master Agreement for Products and Services 10/2/2019
(Date Signed)

Resolution3 Hosted Services Addendum 10/2/2019
(Date Signed)

RECORDhub Service Addendum 10/2/2019
(Date Signed)

Addendum for Online Index Services 9/2/2021
(Date Signed)

Berlin, Connecticut

(County, Parish, Town)

COTT SYSTEMS, INC.

CUSTOMER

Deborah A. Ball 8-18-2022
(Signature) (Date)

Deborah A. Ball
(Print Name)

Chief Executive Officer
(Print Title)

Jane E. Miller
(Witness)

(Signature) (Date)

(Print Name)

(Print Title)

(Witness)

Customer acknowledgement required on additional page(s).

Please digitally sign and initial; or print, sign, and initial original copy.

Once contract is signed, please fax or email the **entire** contract to Cott.

To: Cott Systems | ATTN: Finance Dept. | 1.866.540.1072 | contracts@cottsystems.com

SECTION 2:

Customer Support



Building a close relationship with our customers has been the key to our success. Cott Systems Customer Support is its own business unit that has board-level visibility and Key Performance Indicators (KPIs) to measure customer satisfaction levels, response/resolve rates, and answer times. Our analysts and programmers average seven years of industry experience, and are passionate about ensuring your experience is nothing less than excellent.

What you can expect from Cott Systems Customer Support

- ▶ A dedicated staff providing a customized level of service with a personal touch
- ▶ A support team grouped into areas of expertise working collaboratively to resolve issues
- ▶ Key Performance Indicators monitored at the executive level to ensure service requirements are met
- ▶ Random quality checks for each analyst to ensure that you are receiving the best service possible
- ▶ Management and analysts who meet weekly to review all open tickets
- ▶ A defined escalation procedure that includes bi-weekly review of accounts

Contacting Cott Systems Customer Support



1. CUSTOMER SUPPORT PORTAL

<https://cottsystems.microsoftcrmpportals.com/> – Customers can submit tickets, track support requests, and browse our knowledge base of information with how-to instructions.



2. TOLL-FREE HOTLINE

800-588- COTT – Customer Support is available Monday - Friday, 7am to 6pm EST, excluding holidays.
Voicemail – Customers have the option of leaving a voice mail message for the support team. Voicemail is checked hourly during regular business hours.

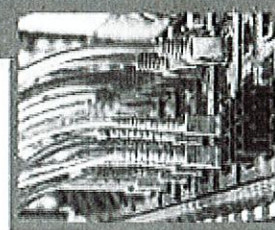


3. EMAIL

support@cottsystems.com – For less urgent issues, customers may email the support team. Email sent to this address is checked within one hour of receipt during regular business hours.

SECTION 3: Hardware Specifications

cott
systems



Work & Search Stations

Use one of the following supported browsers:

- Internet Explorer 11
- Microsoft Edge
- Google Chrome
- Mozilla Firefox

Broadband High-Speed Access

Andrew Pulcini

Town of Berlin | Generated 8/29/2022 @ 8:33 am by OnBoard2 - Powered by ClerkBase

Comm. for Persons
with Disabilities

Status

Name Andrew Pulcini
Application Date 8/28/2022
Expiration Date 8/28/2121
Status Pending

Board

Commission for Persons with
Disabilities

Vacancies

1

Status

Pending

Basic Information

Name
Andrew Pulcini

Contact Information

Address
162 Crater Lane
Berlin, CT 06037

Resident
Yes

Phone
8604161906

Email
apulc1@unh.newhaven.edu

Occupation

Employer
Student

Job Title
Student

Other Questions

Question #1

Number of years in Berlin

I have been a resident of Berlin for 17 years.

Question #2

Educational Background (optional)

I am currently at student at the University of New Haven where I study psychology with a concentration in forensics and a minor in communication. I also hold an Associates Degree in general studies from the Community College of Baltimore County at Essex.

Question #3

Current and Past Civic/Community Involvement

Currently I am involved with the Lion's Club of Berlin. In past years I have spent the summers volunteering at the John J. Nerden RTC Camp which is specifically for individuals of any age suffering from moderate to severe mental and physical disabilities.

Question #4

Tell us why you feel qualified for this appointment

Though I may be young I have experiential experience, along with educational background, in helping provide support for those with disabilities. I also feel that I can bring positive and new ideas to those commission which would only benefit the town and the population of people this commission looks to serve.

Question #5

Can you think of any reason that a conflict of interest could arise if you were appointed?

I cannot.

Question #6

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

I am unaffiliated.

RECEIVED FOR RECORD
BERLIN TOWN CLERK

2022 AUG 29 AM 8:37

Katrina Guevara
BERLIN, CT.

Political Party

What is your political party affiliation?

Unaffiliated

A. Pulcini
pg. 2

ANDREW PULCINI

162 Crater Lane Berlin CT, 06037

(860)416-1906

apulc1@unh.newhaven.edu

My goal is to become a child and family lawyer representing children and families who come from low-socioeconomic backgrounds or are a part of underrepresented populations. Possible career focuses include but are not limited to cases of guardianship, neglect or abuse, child advocacy, litigation, and pre/post-nuptial agreements.

EDUCATION

UNIVERSITY OF NEW HAVEN, WEST HAVEN, CT

Bachelor of Arts in Psychology & Minor in Communication (3.24 GPA/ 3.29)

AUGUST 2020-MAY 2023

Clubs & Extracurriculars: Psychology Club, Juvenile Justice Club, Legal Society, NCAA Athlete

Relevant Coursework: Law, Psychology & Mental Health Systems, Legal Psychology, Communication & Law

COMMUNITY COLLEGE OF BALTIMORE COUNTY AT ESSEX, ROSEDALE, MD

ASSOCIATES DEGREE IN ARTS

DECEMBER 2019 – JUNE 2020

Extracurriculars: NJCAA Athlete

RELEVANT EXPERIENCE

INTERN

Yale NHH- Pediatric Safety, Healing & Advocacy Program/ Present- December 2022

- Provide psychological analysis of children in distress
- Provide expertise and support in Yales' goal of implementing a child advocacy clinic
- Perform community outreach on topics having to do with improving overall well-being of children

ASSISTANT TEACHER

Educational Playcare of Farmington/ May 2022- August 2022

- Maintain a homeostatic environment
- Create assignments centered around well thought out learning targets
- Actively contribute to the development of children ages 1 to 3

SUBSTITUTE TEACHER

Newington Public Schools/ December 2020- May 2022

- Implement teaching plans for whole class instruction
- Work 1 to 1 with students who have an IEP or 504 Plan
- Understand the disability a student has, and use their strengths to help them complete quality work

COMMUNITY OUTREACH

VOLUNTEER

Berlin Lion's Club/ April 2022- Present

- Coordinate events geared towards civic outreach
- Maintaining park areas (i.e. painting benches, grass upkeep, etc.)
- Participating in events designed to improve the community



Please return application to:
Town Manager's Office • 240 Kensington Road • Berlin, CT 06037

TOWN OF BERLIN

Application for Appointment to Boards and Commissions

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

TOWN OF BERLIN
'22 JUL 13 AM 11:44

Please list your Board/Commission preference below:

1. MATTABASSETT DISTRICT 2

Name: ROBERT ARGAZZI

Telephone No.: 860-828-5673

Home Address: 100 SPIKEWOOD LANE
(Note: To apply, you must be a resident of Berlin)

Number of years in Berlin: 64

Email Address: PAUL ARGAZZI@SBCGLOBAL.NET

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

Party Affiliation: REPUBLICAN

YALE LAW SCHOOL
Educational Background (optional)

RETIRED
Present Employment (company/position)

RECEIVED FOR RECORD
BERLIN TOWN CLERK
2022 JUL 13 AM 11:54

Kathy G. Wall

BERLIN, CT.

Business Address

Current and Past Civic/Community Involvement:

NUMEROUS POSITIONS INCLUDING
STATE REP. & DEPUTY MAYOR

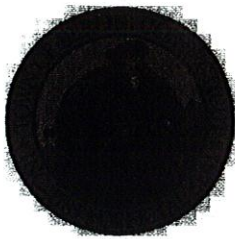
Tell us why you feel qualified for this appointment: EXPERIENCE, INTEREST,
PAST CONTRIBUTIONS TO DISTRICT

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

Signature: Robert Argazzi

Date: 7-10-2022

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



Please return application to:

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

TOWN OF BERLIN

Application for Appointment to Boards and Commissions

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

Please list your Board/Commission preference below:

1. Commission / MATTABASSETT DIST 2.

TOWN OF BERLIN
'22 AUG 12 AM 9:04

Name: LIAM THOMAS MITCHELL

Telephone No.: 860 818 5540

Home Address: 1005 KENSINGTON RD

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

Number of years in Berlin: 7 years

Now 1005 KENSINGTON RD 7 years
WORK 44 WASHINGTON AVE 2 years

Email Address: LIAMDEDINCO@GMAIL.COM

Are you a Registered Voter? 7 years

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

Party Affiliation: Republican ✓

Educational Background (optional)

SELF EMPLOYED HARDWARE CITY WELDING, DED TAX
Present Employment (company/position)

PRE ENG STEEL & MASONRY DLVRS EQ FIELD SERVICE & SUPPLY
Business Address 44 WASHINGTON AVE

Current and Past Civic/Community Involvement: COMMISSION, BERLIN WATER COM

Tell us why you feel qualified for this appointment: 4 years w/ Berlin Commission

AND SETTING 800 ACRES FABRICATION SYSTEMS

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

Signature: Liam J Mitchell

Date: 08/12/2022

RECEIVED FOR RECORD, BERLIN TOWN CLERK
Kathryn J. Wall
Date: 8-15-2022
Time: 9:11am

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



Please return application to:

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

TOWN OF BERLIN

Application for Appointment to Boards and Commissions

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

Please list your Board/Commission preference below:

1. Planning and Zoning Commission

2. Cemetery Commission

Name: Andra Lou Millerd

Telephone No.: 860-828-9722

Home Address: 1231 Orchard Road, Kensington

Number of years in Berlin: 66

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

Email Address: milleal@comcast.net

Are you a Registered Voter? Yes

Party Affiliation: Republican ✓

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

Berlin High School Graduate

Educational Background (optional)

Retired

Present Employment (company/position)

N/A

Business Address

Current and Past Civic/Community Involvement: Previously served on P&Z; currently serving as an alternate

on the Berlin Historic District Commission

Tell us why you feel qualified for this appointment: Being a live-long resident, I would love to get involved with the

caring and preservation of our town cemeteries and the development of the Town of Berlin.

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

Signature: Andra Lou Millerd

Date: 7-22-2022

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

Join Zoom Meeting

<https://berlinc-t-gov.zoom.us/j/83524143730?pwd=MC9yQTVBQ1lBMVlYczdyKy9Ja3RKdz09>

Meeting ID: 835 2414 3730

Passcode: 179878

Dial by your location

+1 929 205 6099 US (New York)

Town Council - Public Hearing - Proposed Charter Revisions

Meeting Minutes

Tuesday, July 12, 2022

Town Council Chambers

6:00 PM

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

ATTENDANCE:

Members Present: Mayor Kaczynski, Councilor Fazzino, Councilor Luddy, Councilor Paonessa, Councilor Rosso, Councilor Urrunaga, Councilor Veach

Members Absent:

None.

Staff Present:

Arosha Jayawickrema - Town Manager

Corporation Counsel – Jeffrey Donofrio

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

D. PUBLIC COMMENTS

Cindy Pavano, 57 Meeting House Rd.

Ms. Pavano said she used the VNA when her husband was ill and the staff was outstanding. Healthcare services are not that way, knowing people on their plan and they are short on staff. Most people do not know the VNA is here and learn about it when their own family needs home healthcare. Ms. Pavano urged to not end any VNA service and leave it like it is.

Gary McPhee, former resident and Board of Education member

Mr. McPhee said during his 9 years on the Board of Education he never knew about the politics of anyone on the board. Why try to fix something that works. Someone wants to control the Board of Education for their own political purposes vs. children's purposes. It could be used as a stepping stone to other political aspirations instead of really wanting to be on the board. State law says if you do this, you can't go back.

Jan Zagorski, 63 Grandview Ave.

Ms. Zagorski said if the charter revision passes, in 2025 we would change the number of years served and it puts 9 people on the Board of Education. The way it is done now there is a mentorship and learning curve and it seems to be working. You should vote on the qualities each person has vs. voting party line. By doing a petition it shows that you are invested in working with kids. The Board of Education should be about the kids. Our children need people who will make educational decisions that are best for them, not for the republican or democratic parties.

Angela Swanger, 171 Stockings Brook Rd.

Ms. Swanger said she sees no reason to select candidates from political parties and would like to see it removed from the charter revision list, as it would be an extra layer.

Julia Dennis, 115 Norton Rd.

Ms. Dennis said she attends Board of Education conferences and they ask how we can recruit stronger board members and highly qualified candidates. If this goes through, we can't go back. Others are jealous of Berlin's non-partisan board because their parties typically put forth the least qualified candidates. A solution that would solve the problem of not knowing who the candidates are would be posting on the town website about the candidates. Also, parents come out when they feel the schools are threatened, as they have in the past.

Richard Aroian, 65 Percival Ave.

Mr. Dixon said he served as the Board of Education President and wanted to serve the community. Adding the extra layer would be a detriment and one more hurdle to conquer. While not wanting to get a 140 petition signatures, it adds a bigger commitment than just being nominated by a committee. It limits the participation of our town government being approved by a committee. The 4-year term in 2027 is not a problem. It takes time to understand exactly what they are talking about when representing the school system, however everyone would be getting elected at once at and one party controls 6 seats. Mr. Dixon said it is about having control of who is on the board.

Tim Oakes, 631 Sprucebrook Rd.

Mr. Oakes said he is a current member of the Board of Education. Mr. Oakes cited Connecticut General Statutes Chapter 99, section 7-190 and section 441 regarding the Board of Finance in the town charter. The Town Council appointed the Charter Revision commissioners at the May 12 Town Council meeting. Sal Bordonaro who is a member on the Board of Finance, was improperly appointed to the 2022 Charter Revision commission. On May 18, they excluded Mr. Bordonaro as improper and the commission became only 4 members. That meeting should not have been recognized as a meeting because under statute it requires not fewer than 5 members. Mr. Bordonaro continued on the commission for the May 31 meeting and it was again 5 members, but net 4. At the June 4 meeting Mr. Bordonaro publicly announced that he is not eligible to be on the commission. As a Board of Finance member he can't hold another elected or appointed office, but would chair that meeting and the June 6 meeting. The new member was appointed by Town Council on June 7. Charles Paonessa replaced Sal Bordonaro. Given the meetings were improperly held, one could argue the commission is in violation of the statute by doing substantive work before a public hearing. Future meetings were conducted properly. Mr. Oakes said the Town Council should review and consider this timeline.

Gail Lemieux, 102 Wildermere Rd.

Ms. Lemieux said she ran for the Board of Education 20 years ago. Although she did not win, she was moved by the fact that it was a non-partisan board. The individuals were truly interested in the interests of the children. Quality education is our focus. There was a comment made that people don't know how to vote for Board of Education candidates. If an individual wants to vote based on party affiliation, party affiliation is public information. Assuming party affiliation determines someone's stance on a particular issue is somewhat naïve and Ms. Lemieux agrees that if it is not broken, there is no need to fix it. If we move forward with that, we can't go back.

Regarding the VNA, Ms. Lemieux said she had previously worked as a social worker doing home care visits and used the services for family members. Home care is a vital part of our continuum of care for residents. The Berlin VNA serves a vital role, but it is fiscally in a very difficult situation losing \$800k or so per year, over several years. Ms. Lemieux said she is concerned how an agency can survive without fiscal viability. Our VNA also serves New Britain, Cromwell and Southington and it is unknown if those towns are contributing to the VNA, or if that burden is strictly on the taxpayers of Berlin. Ms. Lemieux supports the change in the charter that will give the Town Manager and the Town Council the opportunity to create a creative solution to ensure residents have the important quality home care services in a fiscally responsible manner.

Ms. Lemieux said regarding the requirement for the Town Manager to live in town, we need to select the best candidate for the position regardless of where they live. A little boundary between work and personal life is a good thing.

Pamela Dennis, 201 Main St.

Ms. Dennis said she has almost 48 years of teaching at Berlin High School. Non-partisan has worked well and is concerned about keeping politics out of school to help students grow.

Alea Anderson, former Berlin resident and Berlin VNA Administrator

Ms. Anderson said she is here to speak on behalf of the staff, patients and citizens. There are valid reasons why the Berlin VNA should be changed, or even closed. The current deficit and financial losses combined with increased cost of living due to inflation is stressful for all citizens. Ms. Anderson said she has heard home care services can be provided by other local agencies, but they do not include medical services the VNA provides. The others provide private aides and homemakers with private pay. It is a different experience with the VNA vs. large corporate home care agencies. They have less time per patient and more patients to see. We make choices on the patient's best interest and not on financial gain. Other agencies do not provide daily wound care, they have the patient or caregiver do it and that leads to a higher risk of infection and complications. The VNA also sees patients for routine status checks for chronic illnesses, larger agencies do not take those patients. The second concern is the cost of running the VNA is too costly and removing it, or downsizing it will have a beneficial impact on the citizens, but the truth is the deficit is \$762k. Ms. Anderson provided the breakdown and the annual cost per taxpayer dollars is \$83 per year. For \$7 per month, you are contributing to the health of your community. The senior center, community center, library, Board of Education and Police Department all operate with expenses beyond their revenue. Why is the VNA the only one being scrutinized as a burden to the town for carrying a deficit? Other home care providers are in the same boat. Two Berlin school nurses are also under the VNA and would be impacted. The loss of choice is a great concern. There is always potential for a decrease in quality.

Chris Barlow, 15 Overhill Dr.

As a black family that moved to Berlin 3 year ago, we were fully aware that we were moving to a predominantly white town. Part of why we moved to Berlin was the school system, especially having a son with special needs. We noticed racial symbols connected to the school system in October of 2020. There was a blackface golliwog doll created by Berlin Upbeat that was displayed in front of Walgreens. Mr. Benigni had the display taken down, but it sent an unwelcoming feeling to residents. We were invited to join the newly formed Equity and Social Justice Advisory Committee, but that optimism didn't last because the committee was unilaterally dismantled on a partisan basis. Berlin is a predominately conservative town and making the board partisan will make it more so. The school system should strive for a safe environment for all students where sameness is emphasized. Censorship in schools is a concern with having a partisan board. A non-partisan board would also protect Berlin's heritage and allows all perspectives to be honored and celebrated.

Karrie Sassu, 69 Walden Court

Ms. Sassu said she is an educational psychologist, professor and mother of three children, one with special needs. Ms. Sassu would not run for Board of Education if it meant seeking endorsement of a political party. Board of Education decisions should be made independent of political influence and based on best interest of our children. Colleagues in other towns envy us for having the non-partisan Board of Education. It should be held as a point of pride and uniqueness in our community.

Peter Zarabozo, 158 Elwood Rd.

Mr. Zarabozo said he feels the same as the comments made by Mr. Aroian and supports the VNA. It will only cost the taxpayer \$83 per year and Ms. Anderson's comments are all accurate. Mr. Zarabozo asked if whoever wins gets the bulk of the Board of Education seats, will the remaining seats go to the other political party? Corporation Counsel Donofrio said the minority representation provision in the charter for the Board of Education tracks the state statutes and no more than 6 members can occupy those seats. It does not mean there has to be 6 members from one party. The top 9 vote getters will occupy those seats, but not more than 6 from the same political party. Mr. Zarabozo said the town voted this change down in 2016 and it seems disrespectful to reopen it. Most states have non-partisan Board of Educations, but Connecticut mandates having a partisan BOE. We should preserve the grandfathered partisan rule.

Aurora Corteville, 19 Timberwood Rd.

Ms. Corteville said she is a teacher and step-mom to 3 special needs children in the Berlin school system. It is really obvious that Berlin does not want this. They didn't want it last time, or this time. Ms. Corteville asked that the town not move forward with the recommendation to make the BOE partisan. It functions very well and the board listens to the people. We want to keep it that way.

Mr. Lomaglio, 78 Hickory Hill Rd.

Mr. Lomaglio said if the far right wants to take over the community, you start with the school board and that is what is happening in Berlin. In 2016, we had a vicious election with signs, newspaper articles and in the news. Do we want to repeat this? The far right believes in stopping "CRT's", which are not taught in the Berlin school system. It would be the biggest mistake to pass this. I served on the Board of Finance and the Republican Party, during re-nomination they said we don't want you because you did not comply with what we needed. I refused to listen to a party chair and that would happen with the Board of Education. Mr. Lomaglio asked the Mayor to make the right decision because he feels this will fail and divide the town.

Karen Pagliaro, 221 Still Meadow Lane

Ms. Pagliaro said she has issues with the charter revision process. One is having a council member vote for a family member. They should abstain from this vote and one council member did not. Second, the initial chair should not have been placed on the committee. He shared this information, but did not step down. The third item is as a member of the Charter Revision Committee, Charles Paonessa should abstain from voting on this as a Town Council member. Ethically we need to adhere to a higher standard. The fourth item is Berlin voted against the non-partisan BOE in 2017 and it is wrong to try and move this forward. We should continue as a non-partisan board.

Nikki Sambitsky, 947 Chamberlin Highway

Ms. Sambitsky said she is offended to be called a right-wing extremist, she is a conservative constitutionalist. Ms. Sambitsky said she is in favor of adding a partisan BOE to the ballot in November. As a parent it is one of the ways to potentially safeguard our children from

candidates with dangerous agendas. As a voter, I don't know which party these candidates are affiliated with. More transparency is needed for our candidates who run for the BOE. They are running for a board just like other candidates who run for other town positions. Those other candidates must declare what party they are affiliated with. The BOE should not be different. You do not have to pick a party affiliation if the BOE makes this change. You could still run as independent, as long as you gather the signatures. Berlin is one of two boards in the entire state that are still non-partisan. We have a former Democrat Town Mayor on the BOE, the only difference between having a non-partisan BOE is people of a certain political party can push your agenda anonymously. For those who say we already had a vote in 2016, times have changed and hearts and minds have changed, therefore it is time to vote on this issue again. Parents are seeking to be more involved in what is going on at the BOE and deserve to know party affiliation. We have members on the BOE who are pushing a dangerous agenda. When citizens know the party affiliation they can make smart decisions. One of the voter registrar's stated at the last meeting that voters call her frustrated asking for party affiliations of the BOE and she cannot tell them due to being non-partisan. It is time to let the people vote for a partisan Board of Education in Berlin.

Paul Argazzi, 339 Reservoir Rd.

Mr. Argazzi said he has been on two charter revision commissions, 1995 and 2016. We proposed going to a partisan BOE in 2016, but nobody was in favor. There were 5 questions and 3 passed, 2 did not pass. It was a fairly close vote, but it was settled. We can't keep bringing this issue back. I'm speaking to defend the charter. Charter changes should be rare and when really needed.

I'm against the provision that would allow a Board of Finance member to serve another board. That board is supposed to be completely independent. The first chairman appointed to the Charter Revision was also Chairman for the Board of Finance. He wanted to eliminate one of the budget referendums, but he makes the budget and wants it easier to pass.

There are pros and cons to the Town Manager living out of town. This issue was voted on twice and defeated twice. The public feels the Town Manager should be a tax payer and live in town. The proposal to eliminate capital leases from petition to referendum for bonding purposes, we should not get rid of that one. Also, for the closing polling places for referenda, the complaint is not enough people vote and it is expensive. Democracy costs a little bit of money. Also, I disagree with reducing the referendum from four weeks to three weeks. Lastly, I don't know how you can claim this Charter Revision Commission was done legally. There has to be at least 5 members of the Charter Revision commission. Five were appointed and one was ineligible.

Antoinette Pajor, 9 School St.

Ms. Pajor said the Berlin VNA topic has been an issue for quite awhile and I'm disappointed they are trying to take it away. Ms. Pajor said she was a social worker and worked with the Berlin VNA. It is a vital part of what this town is. We rely on this service. There has got to be another solution. The new Director said it isn't costing us more than \$7 a month to have this for

the taxpayer group. Ms. Pajor said we need to figure out a way to make this an economic possibility for this town.

Mary Katherine Larose, 26 Woodruff Lane

Ms. Larose said in past elections there were not enough people running on the ballot to fill the vacancies, then people could be appointed. Education is now at the forefront of everything and you have people who are very interested in running for the BOE. Ms. Larose said she ran for the BOE unsuccessfully, but knows what is good for kids and wanted to bring that expertise. I received the signatures and walked the streets doing everything I could, but received a low vote count. Three of the four that ran were already on the board. It is the right thing to do, if you have 166 out of 169 towns in the state of Connecticut that are partisan. It is time to face what we have to face and just do it.

Dan Thurston, 16 Conlin Way

Mr. Thurston said regarding the BOE, he thinks it is problematic when you have a committee that starts from scratch without carryover. You lose a chunk of time upfront in which you are learning the ropes. I also heard that people want to know more about their candidates. I can't agree more. We should want more people to come out to vote. There is a bit of stagnancy among voters in Berlin, going partisan does not address that problem. Educating voters on what candidates stand for is more of what we need to address. Putting together situations where people can meet the candidates. People want to know who is in charge of making decisions and what their stance is.

Matthew Tencza, 25 Ridgewood Lane (written letter read by Councilor Urrunaga)

Mr. Tencza said a significant amount of thought has gone into the charter revision recommendations. My experience with the BOE has been a rewarding experience and all of our decisions are based on what is best for the students. We have created a strong public school system and families want to move to Berlin. In other partisan communities the BOE meetings get bogged down with political agendas. By changing from a petitioning non-partisan to a party system will impact the decisions regarding education. I request the BOE revision to be removed and allow the BOE to do great work. The system has worked, keep it that way.

Mayor Kaczynski had Corporation Counsel Donofrio speak about the Charter Revision Commission concerns. Corporation Counsel Donofrio said his understanding is there are beliefs that meetings that occurred prior to Mr. Paonessa becoming Chairman of the Charter Revision Commission, which occurred on June 8 were not legal. He was appointed on June 7 and the next meeting was on June 8. I'm hearing a challenge to the legality of the meetings that Mr. Bordonaro participated in. That issue is for the Freedom of Information Commission. Under the Freedom of Information Act 1-206 B1, any complaint or appeal challenging the legality of a meeting needs to be filed within 30 days. I'm not aware of any complaint being filed and more than 30 days have elapsed. The Charter Revision commission has its own counsel, Attorney Steve Mednick from New Haven and he has done about 25 charters. His opinion was that the process was proper.

The Charter Revision commissions first action, first real vote was when they voted to send the draft report of the proposed charter revisions to the Town Council on June 15. On June 16 the Town Clerk transmitted the report to the Town Council. If a FOI complaint had been filed in a timely manner and the FOIC sustained the appeal and found those meetings to be illegal, there was no action to be voided at those meetings. The issue was raised, the proper action was taken and it was taken within a week of when it was raised.

Mayor Kaczynski said the town does not do anything without legal advice. Town Clerk Wall said there were questions about how the Board of Education would be seated. Corporation Counsel Donofrio said Attorney Mednick had written that section because in order to transition from a petition only Board of Education to a Board of Education that is nominated and elected in accordance with the Connecticut General Statutes. There needs to be a transition process, what is outlined in the draft of 2.8, is a transition that gets you to where the Charter Revision Commission indicated it wanted to get. You would have the same number of members, 9 members, but 5 elected for terms of 3-years and 4 elected for terms of 2- years for continuity. We needed to have it timed to not run afoul of the petition only process. That is why it begins in November of 2025. There are a few elections before then.

Mayor Kaczynski added that we are not looking to eliminate the VNA. When I took office 7 years ago, nobody knew we were losing \$1M a year. The budget was \$1M and it was costing us \$2M. Since then we have been trying to fix it desperately. The Board of Finance, Town Council and the Town Manager have tried and are still working on doing that. We are not going to eliminate the VNA, nor the school nurses. This just gives us a little more latitude if we take it out of the charter to work on fixes. Because it is very difficult within the charter to do much to it. We have hired consultants and Directors to look at this, but it is very difficult. That is not the goal at all to take it out of the charter and eliminate it. We are trying to fix what we are losing. Most towns have eliminated the VNA for this very reason. Also, keeping the Town Manager in town is another difficult issue. Over the years Town Managers were temporarily appointed, one lived in Meriden and we wanted to hire him, but we lost him because he would not move out of Meriden. It is very difficult to fill the Town Manager spot. We are very lucky to have Town Manager Jayawickrema and he has moved to town. In today's world it is very difficult to have them live in town and they would have to uproot their families to move here. All of this will go back to the voters. No matter what is decided, the voters have a say.

Councilor Fazzino said to listen to the people and thanked everyone for coming out and providing their diverse opinions. Education is the future of our community and not to be played games with. If it is truly exceptional, don't fix it. Mr. Urrunaga added that this is a really well working educational system.

Councilor Paonessa said he was asked to step in after the Town Council realized they made a mistake and Mr. Bordonaro wasn't eligible to be on the commission. There was no dark agenda, it was about looking at issues for the town. Nobody tried to deceive anybody the way meetings were run. The mistake was corrected at the next Town Council meeting. The changes you are looking at is not about promoting them, it is about giving people a choice. A number of

constituents have asked to look at the Board of Education again. We said okay, let the people decide. I'm one of the biggest VNA supporters, they do a wonderful job. Voters need to understand it costs between \$500k to \$1M to have this service. We need to give folks a choice, if they don't want to keep subsidizing it, or have faith in the Town Council to promote keeping it and adjusting it. An ordinance would give the Town Council the purview to make those changes. The way it is written in the charter now it is all or nothing, we can't make anything to help it. The other changes were to bring us up to date. The amounts of money required for Town Council approval from \$5k to \$25k would bring us more in line with Connecticut State Statutes. This is about choice for people to decide. People can still petition for the BOE and the terms would be staggered. It would go to 4-years to line up with the town elections. I hope everybody looks at it and makes up their own mind. It is not a dark agenda that someone is trying to push on people.

Mayor Kaczynski added that just about every town in Connecticut has gone partisan and there are many more school systems ranked higher than Berlin that are partisan Board of Education. If it goes forward to the voters for the election in November, the voters will decide. It is all in the voters hands.

Adjournment:

Mayor Kaczynski moved to adjourn the Charter Revision Public Hearing portion of the Town Council meeting at 7:41 p.m. (a short break was taken before the Town Council began their regular meeting).

Submitted by,
Alina Brown

Received on 7/20/2022
at 1:29:17 PM by Town Clerk
Kathryn J Wall

Join Zoom Meeting

<https://berlinct-gov.zoom.us/j/88615819251?pwd=d3BK YmZTSzdsc lVxQXJ6bndGOGpwdz09>

Meeting ID: 886 1581 9251

Passcode: 396631

+1 929 205 6099 US (New York)

**TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, July 26, 2022
Town Council Chambers
Remote Meeting
7:00 P.M.**

A. CALL TO ORDER:

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL:

Those in attendance were:

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

Also in attendance:

Town Manager Aroscha Jayawickrema
Corporation Counsel Jeffrey Donofrio

D. AUDIENCE OF CITIZENS:

Cornel Boudria, 115 Skinner Road – Mr. Boudria stated that he was present to speak against proposed Charter revisions to the Board of Education (BOE). He believes a partisan BOE is a bad idea and that the Town Council and public at large should vote no on the question as well. A partisan board would bring political agendas into the classrooms and the Town of Berlin voted down this revision six years ago. Introducing the same revision again is a sign of overreach and represents a solution in search of a problem instead of the other way around. Councilors should reject this revision and Berlin voters will remember in November who voted for this revision when they go to the polls.

Chris Edge speaking on behalf of Cathy Lapallo, 6 Kramer Drive – see attachment to these minutes.

Mary Kathryn LaRose, 26 Woodruff Lane – Ms. LaRose stated that she would like to speak about the proposed leash free area at Pistol Creek. She stated that she visited the area today to view the outlined area. As the leash free area at Bicentennial Park will no longer be usable as of July 31st she is asking that an extension be allowed to continue to use that park until the leash free area is complete at Pistol Creek.

Regarding the Board of Education (BOE) issue, six years ago the politicization of everything was changing and now six years later it is foolish to say that the BOE is non-partisan now just because they say they are. She believes that the majority of the State is in the right place having partisan BOEs and it would be beneficial for a potential applicant to have the backing of any party and believes it's time for Berlin to get on board.

Donna Bovee, 85 Steepleview Drive – Ms. Bovee stated that she was part of the group that walked the Pistol Creek area, and she believes that this is the best location for a leash free dog area. The size is limited due to the use by the cross-country teams as the group wanted to make sure they had the space the teams needed. The leash free area would be fenced in, adding she suggests it should be fenced on all sides to prevent dogs from running into the wetlands area.

Regarding the BOE issue, her children are grown but they had the benefit of a non-partisan BOE. If it becomes partisan politics are brought to every BOE meeting and that is what will be discussed, not the education of the children, or the betterment of the community with a better educational system. A non-partisan BOE has worked well, and she suggests it be kept non-partisan.

Marie Maselli, 269 Circlewood Drive – see attachment to these minutes for Ms. Maselli's comments.

Ms. Maselli also read written statements from **Tyler Day, Savage Hill Road** and **Susan Kwasniewski, 1111 Kensington Road** – see attachment to these minutes.

Betsy Piskorski, 249 Winesap Road – Ms. Piskorski stated that she lives next to Bicentennial Park which has “devolved” into a dog park. It was never meant to be a dog park and 95% of those visiting the park are dog owners and it is constant. There is an underground aquifer and the reason the easement was put on the park was because periodically the Town would look for space for sports fields. The easement should not be lifted. Residents should feel lucky that the Town is offering an alternative at Pistol Creek as other towns required residents to raise the funds themselves.

A parking lot at Bicentennial Park is not going to solve the problem but it will just bring more people to the area. It has been nice to recently see people with children and hikers visiting the park again. She asks the Council to just go through with the leash free area at Pistol Creek.

Peter Zarabozo, 158 Ellwood Road – Mr. Zarabozo stated that he supports a non-partisan BOE. The current BOE consists of four registered Democrats, three registered Republicans, and two unaffiliated members so there is not a majority of either party on the Board and that is an excellent

way to keep it. Although Berlin is only one of three town with a non-partisan BOE it is an anomaly as over two-thirds of US states have non-partisan BOEs.

Mr. Zarabozo then stated that at the conclusion of the July 12th Public Hearing Mayor Kaczynski stated that the goal is not to eliminate the VNA or remove the VNA from the Charter however when he looks at the proposed Charter changes the entire VNA section is eliminated. Mayor Kaczynski stated that was incorrect and the reason is to remove it from the Charter and make it an Ordinance. Mr. Zarabozo asked why then was the VNA verbiage removed from the proposed Charter revision and now it is being called a public nursing service. Mayor Kaczynski stated he did not see that language that the Charter Revision Commission (CRC) created but the Charter revision is going to be discussed this evening. Mayor Kaczynski stated that the Council will make recommendations to the CRC this evening and the CRC will make the final determination what will be made into questions that will go to the voters.

Mr. Zarabozo added that furthermore the revised Charter only states “it is the intent of this Charter that Public Nursing Services should be provided by the Town of Berlin as shall be set forth in the Code of Ordinances.” He added that the title of this section has been changed from Berlin VNA to Provision of Public Nursing Services stating that public nursing services is not synonymous with a visiting nurse association but a vague and broad term that encompasses a litany of nursing services such as a school nurse or immunization clinic, etc. Therefore, he is perplexed as if the goal is not to eliminate the VNA yet the proposed Charter eliminates all mention of it and eliminates any protection it has from being eliminated. Mr. Zarabozo asked Mayor Kaczynski if he would recommend an amendment to the verbiage of that section to specify that public nursing service is a visiting nurse association, if not will he stand by the stated goals and not vote to eliminate the VNA during his tenure as Mayor should it come to a vote.

Sam Lomaglio, 78 Hickory Hill Road – Mr. Lomaglio stated that he was under the assumption that the Council had the final say in any changes to the Charter or they could deny any recommended changes to the Charter.

Corporation Counsel Donofrio stated that the Council can send their recommendations to the CRC. The CRC can accept or reject some or all of those recommendations. Ultimately it is the questions determined by the CRC that go on the ballot.

Mr. Lomaglio added that he called several towns and spoke with BOE members. Many stated that their boards are getting very political now with constant bickering between parties and forgetting that they are supposed to be there for the students. The main argument on one side is that they feel like the parents do not have any rights which he does not agree with because there are other ways for parents to express their concerns.

Mr. Lomaglio does not believe the myth that the Berlin BOE is not listening to parents, and he does not believe the myth that certain people in town are stating that Critical Race Theory (CRT) is being taught in schools. Mr. Lomaglio confirmed with the Superintendent of Schools that CRT is not being taught in Berlin schools nor is it part of the Social Justice program. Unfortunately, there is a lot of false information being spread.

He added that he believes the partisan issue with the BOE began when the mask/no mask subject was brought up and many people did not understand that the masking requirement came from the executive powers of the Governor.

Karen Pagliaro, 221 Stillmeadow Lane – Ms. Pagliaro stated that, in response to a previous speaker, the Conservation Commission is not a board which tells the Council what to do but it is an advisory board. It can advise but it does not make decisions. The group votes on a matter and the majority rules, it is not just two members that make the decisions as previously stated. Ms. Pagliaro's opinion is that dogs should be leashed wherever they are.

Regarding the Charter revision she agrees that the clause requiring the Town Manager to live in Berlin should be removed. She added that she understands why the Town would want to bring the VNA forward as they have been losing money year after year especially when VNAs can bring in money for a town. However, changing to an ordinance will still require the Town to provide everything the VNA provides because without it the Town can be fined by the State and Federal government up to \$100,000 because there are regulations that the Town must follow.

Ms. Pagliaro stated that having a partisan BOE is ridiculous because our children matter more than politics. What we need is for our children to grow in an environment where they can learn and where they can be welcomed regardless of what they consider as their gender and that under our skin we are all the same.

She then stated that putting people on the Charter Revision Commission was flawed from the beginning with a Council member voting for her husband to be on the Commission when she should have abstained. Then the placement of Sal Bordonaro as the chair of the CRC when he should not have been placed on the Commission due to being a member of the Board of Finance. After Mr. Bordonaro left the CRC, he was replaced by Councilor Paonessa and now Councilors Veach and Paonessa will be voting. Ms. Pagliaro added that she called the State Ethics office to determine if the two council members should not be voting but was told the State office does not cover municipalities. They suggested that she refer to the Town's Code of Ethics, but Ms. Pagliaro stated she could not find that information on the Town's website. In closing Ms. Pagliaro stated that the two council members in question should abstain from voting on the Charter because even the appearance of being unethical is wrong.

Joanne Angelico-Stetson, 188 Stony Mill Lane – Ms. Angelico-Stetson stated that she is disappointed that the Town has to deal with another attempt to revise the Charter to include a politicized BOE. Ms. Stetson added that she was elected to serve on the BOE from 2014 to 2017 and she had no idea of the political associations of most of her fellow board members, it did not matter, and they did not care. She stated that they were not a board allegiant to a particular party, and they conducted themselves as such. As a non-partisan board they were focused and invested in understanding the challenges and needs associated with teaching and learning.

During the last Charter revision in 2016 she was a member of a political action committee formed by and consisting of democrats and republicans who successfully campaigned to keep the BOE non-partisan.

Under a non-partisan board the following are what continues to occur in the district: CAP scores at the high school level exceeded the State average, students outperformed State and national averages on SATs. Recently Hubbard Elementary School was recognized as one of the best elementary schools in the State based on performance and the number of students living in poverty. Willard Elementary reduced the achievement gap for students with intellectual disabilities. McGee has multiple staff members who are published and recipients of national awards, the District boasts administrators and teachers who have been recognized in the State and nationally. This is what is accomplished under a non-partisan BOE.

The challenges facing all BOEs are serious and numerous. The number of students with mental health issues are profound and troubling. Teachers are doing their best to challenge gifted and talented students without a special program.

Ms. Stetson added that she is very concerned with some current BOE members who while campaigning made it very clear that they were associated with a specific party. What she has seen with them so far is a lack of humanity and understanding which is why a BOE should not be politicized. She added that she hopes the BOE Charter revision will be rejected.

Justin Ligas, 132 Whispering Brook Drive – Mr. Ligas stated that he is a lifelong resident of Berlin, a graduate of Berlin schools, and the father of two young children, and he would like to comment on the proposed Charter changes to the BOE. With racist flyers distributed in Berlin neighborhoods and White Nationalist stickers placed on lampposts on Main Street last week, while tensions are already running high, making the BOE partisan is unnecessarily divisive. The spirit of disunity amongst this town has never been higher in his lifetime here. He sees no beneficial outcome that would come from this change. Mr. Ligas questioned how the political affiliation of the BOE could benefit the children's education and the colleges they will be able to attend, adding that it simply would not.

Twanette Price, 15 Overhill Drive – Ms. Price recounted how she and her husband were taking a walk in October of 2020 shortly after moving to Berlin and walked past a black-faced doll on Farmington Avenue. There was a sign alongside the doll that stated, "Join Berlin Upbeat", a long-established club with a motto of integrity, leadership, and service with hundreds of students as members. Ms. Price contacted the school district, and the offensive character was removed.

Ms. Price stated that a resident of the town is providing false information regarding the doll's origin. Ms. Price stated that it was in fact a racist character made by a student in Upbeat as the sign it holds asks students to join the club. She added that this was an opportunity for students to learn why this was a disgusting act and for the student to claim that she did not know is not an acceptable excuse, proper faculty oversight should have caught that, yet the concern is Critical Race Theory (CRT). No students are being taught CRT but as long as racist, misogynistic, homophobic, or other hateful rhetoric continues to exist in Berlin you will continue to hear their stories. Perspectives such as these creates a climate where certain people feel emboldened to cover the streets of this town with racist propaganda.

Ms. Price closed by stating that history that makes people uncomfortable or hurts their feelings is not CRT, but it is real history. Black history is real American history.

E. MAYOR'S UPDATE:

Mayor Kaczynski stated that the disturbing flyers that had been distributed in Berlin a few weeks ago had no connection to Berlin and had also been distributed in other Connecticut towns and other New England states. It appears unknown parties were randomly throwing them out of car windows. Police did investigate and attempted to obtain doorbell video footage.

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

G. CONSENT AGENDA:

1. Topic re: Approve a prorated refund of \$289.80 to be issued to Mr. John Klein. – Golf Course
2. Topic re: Approve a credit in the form of a season pass to be used for one season within the next two golf seasons. – Golf Course
3. Topic re: Approve and appropriate three-hundred twenty-five-dollar (\$325.00) donation from the Timberlin Lady Niners Golf Club for deposit into the Timberlin Golf Club account. These funds are to be used exclusively to purchase a tree in memory of deceased Lady Niner members. – Golf Course
4. Topic re: Accept the donations of \$565.00 and appropriate the funds to the Supplies Expenditure Account. – Police Department
5. Topic re: Transfer \$32,775, as detailed on the accompanying spreadsheet, to cover higher than budgeted expenditures in identified accounts, pending approval by the Board of Finance. – Finance
6. Topic re: Approve permission for consumption of alcoholic beverages (BYOB - beer and wine) and to charge a fee at Sage Park Pavilion for the Ektamandal - Patel family picnic for approximately 85 people of all ages on Sunday, August 28, 2022 from 9:00AM – 8:30PM pending approval by the Parks and Recreation Commission. A buffet meal will be served with games for entertainment. Tulip Insurance will be obtained. – Parks and Recreation

Councilor Luddy moved to accept Consent Agenda items #1-5 as presented.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to remove item #6 from the Consent Agenda and move it to Agenda item #1a.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

H. NEW BUSINESS:

1a. Item #6 moved from Consent Agenda

Topic re: Approve permission for consumption of alcoholic beverages (BYOB - beer and wine) and to charge a fee at Sage Park Pavilion for the Ektamandal - Patel family picnic for approximately 85 people of all ages on Monday, September 5, 2022 from 9:00AM – 8:30PM pending approval by the Parks and Recreation Commission. A buffet meal will be served with games for entertainment. Tulip Insurance will be obtained. – Parks and Recreation

Councilor Luddy moved to approve permission for consumption of alcoholic beverages (BYOB - beer and wine) and to charge a fee at Sage Park Pavilion for the Ektamandal - Patel family picnic for approximately 85 people of all ages on Monday, September 5, 2022 from 9:00AM – 8:30PM pending approval by the Parks and Recreation Commission. A buffet meal will be served with games for entertainment. Tulip Insurance will be obtained.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

1. Topic re: Designate the area at Pistol Creek, as noted on the attached map, as a leash-free area for dogs. – Town Manager

Town Manager Jayawickrema stated that on December 14, 2021 the Town Council passed a leash ordinance and the meadow area of Bicentennial Park was designated as an off-leash area until July 31, 2022 and another area in Town could be designated.

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 explored various locations at Pistol Creek. The motion today is to designate the area shown on the map provided as an off-leash area. The Town Manager added that the Animal Control officer has recommended having fencing on all four sides of the area.

Mayor Kaczynski stated that the Town Council has been discussing this issue for over two years and listened to input from Town residents on many occasions as well as to advice from the Conservation Commission. The item was sent to the Ordinance Committee who held several public hearings on the matter. Ultimately the Town's leash law was strengthened by the Town's new ordinance.

Many options were considered, and many other towns' parks were reviewed with just about everyone being fenced. When the dog bites in Town were reviewed all those situations occurred on private property with one occurring when a dog left its' property and bit someone on the sidewalk.

The new leash law ordinance required dogs to always be leashed except within a designated leash-free area which is being discussed this evening. Pistol Creek was determined to be the place to at least try out this leash-free area, adding that all four sides of the just-over one acre area should be fenced. The area chosen does not interfere with the cross-country teams and has parking lot access.

Signs will be posted, and enforcement will be stepped up to ensure that dogs are on-leash until they get into the gated area.

In checking with neighboring towns that currently have dog parks they have had no overriding issues and in researching back many years that dogs have been leash-free at Bicentennial Park there has not been one issue of a dog bite reported to the Police Department or Animal Control.

Councilor Luddy stated that he has always had dogs and has always leashed his dogs. He added that he is in favor of this leash-free area and having the parking lot already available at Pistol Creek may attract more people to want to renovate the former club house on the property. He believes this area will work out well and the Town should move forward with it.

Councilor Fazzino asked what the assessment will be for whether or not this location is working out. Mayor Kaczynski stated that once the fence is up and the leash-free area is being used regularly it can be reassessed, possibly in the Spring. Town Manager Jayawickrema stated that areas to be monitored would include traffic, compliance, trash, etc. Councilor Fazzino stated that his biggest concern is the overall impact on the surrounding neighborhood. Mayor Kaczynski stated that the Town will continue to take neighbor's comments at any Town Council meeting if concerns arise.

Councilor Rosso stated that he must oppose this location adding that the day he was at Pistol Creek touring the area he spoke with several residents who were concerned about people entering the park with their dogs already off-leash. He does not believe it is the Town's responsibility to provide a fenced in area for dogs to run wild.

Town Manager Jayawickrema stated that initially people will be given a warning if they allow their dogs off-leash before entering the leash-free area. There will be enforcement after a breaking in period.

Councilor Urrunaga inquired about the suggestion of creating the off-leash area behind the club house, away from the area where summer camps are held. Mayor Kaczynski stated that a number of areas were looked at that would require great expense to level out or were more remote. The proposed location would only require the cost of the fencing. He again stated that this location is not written in stone and changes can be made if necessary.

Mayor Kaczynski added that the idea of overriding a Town commission had been brought up and that is not something the Council would consider. Those commissions have the expertise to provide advice to the Council.

Councilor Luddy moved to designate the area at Pistol Creek, as noted on the attached map, as a leash-free area for dogs.

Seconded by Councilor Paonessa.

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

Those voting against: Councilor Fazzino, Councilor Rosso, Councilor Urrunaga.

Vote being 4-3 (MOTION CARRIED)

2. Topic re: Accept the draft report from the Charter Revision Commission or make recommendations to the commission on the proposed amendments by the Charter Revision Commission to the Town Charter. – Town Clerk

Town Manager Jayawickrema stated that the Town Council has 15 days from the Public Hearing held on July 12, 2022 to make recommendations to the Charter Revision Commission (CRC) on the proposed amendments to the Town Charter or if no changes are made it becomes the final draft.

Mayor Kaczynski asked Corporation Counsel Donofrio to address the proposed changes to the VNA. He added that the Town Council was unanimous in making the recommendation to the CRC to remove the VNA from the Charter and make it an ordinance.

Corporation Counsel Donofrio stated that from comments made at the Public Hearing and during tonight's Audience of Citizens it sounds like perhaps people are not reading the whole Charter because Section 8-17, where the VNA is currently situated, has been deleted except for Section 8-17-1. He added that you must go to pages 51 and 52 to see the new content and Section 11-1-2 from the CRC draft specifically says that it is the intent of this Charter that public nursing service should continue to be provided by the Berlin VNA in the manner as had been set forth in Section 8-17-1 through 8-17-5 of the Charter until the adoption of an ordinance as required by the Charter. The issue that is the existing language of the Charter does not provide the Town with any flexibility and since the Town does not currently have an alternative preferred method of providing the services required by law and by Section 8-17 of the Charter the CRC proposed to do this in a manner that continues with the status quo until such time as the Council adopts an ordinance to provide for an alternative method.

Mayor Kaczynski added that the goal is to make the VNA more fiscally responsible, not to eliminate it.

Mayor Kaczynski then addressed the Town Manager residency stating that finding a Town Manager in the last number of years has been very difficult. They are sought after and difficult to find, typically senior professional people with homes and children in school systems in neighboring towns and asking them to move to town in today's world does not make sense in a state as small as Connecticut.

Regarding the Board of Education, Mayor Kaczynski stated that the majority on the Town Council suggests adding the words "on the ballot" to Section 2-8. No other changes to this section are recommended and petitioning process would continue. The Mayor added that adding these three words would strengthen that there is no party affiliation on the ballot.

Mayor Kaczynski stated that so many other changes are suggested to the Charter, and he is worried that voters will not read the entire section before voting on it. He added that Council members came up with three items they felt were important to include in a combined question: the increase in Council approval of purchases from \$10,000 to \$25,000 in Section 3-8, removing the Fire Marshal from the Fire Department in Section 6-10 and changing the wording in Section 6-9 regarding the volunteer fire department to allow for future changes to the department if it comes to a point that people are no longer volunteering and it needs to be a paid department, and changes to Section 4-4-1

which would only prevent Board of Finance members from serving on the Board of Education or Town Council.

Councilor Urrunaga asked Mayor Kaczynski to confirm that the Town Council recommended changes to the Board of Education process he mentioned would therefore keep the Board non-partisan. Mayor Kaczynski confirmed that would be the case.

Corporation Counsel Donofrio clarified that Mayor Kaczynski was recommending rejecting the CRC proposed language in Section 2-8 and only adding the words “on the ballot” after “no party designation shall appear”.

Mayor Kaczynski stated that these are recommendations to the CRC, but that commission can ultimately do what they want.

Councilor Urrunaga stated that removing the VNA from the Charter and bringing it to an ordinance still means the Town is required to provide the service to the community. He would like to see the ordinance contain very detailed language for the VNA or he suggests keeping it in the Charter and changing wording from “should provide” to “may provide”. He understands that the Town has been taking on a debt load with the VNA and that is really the concern with what this Charter change is trying to correct.

Mayor Kaczynski stated that he does not believe that those changes suggested by Councilor Urrunaga do not give the Town the mechanism to change things with the VNA.

Councilor Paonessa stated that any changes would not happen until the Town has an ordinance in place.

Corporation Counsel stated that there are two ways to make a change to the VNA. One is to provide a specific alternative means to provide these public health nursing services. There is no other alternative yet from the Town on what the better alternative would be. The other option is to give the Town flexibility, when and if it discovers an alternative superior way of providing the same level of services, to move on it without going through another Charter revision. Therefore, this provision keeps the status quo intact unless and until such time an ordinance is adopted by the Council.

Corporation Counsel added that it was not lost on the CRC that a solution may not exist yet and with 169 towns in Connecticut doing things 169 different ways at some point this service may be legislated.

Town Manager Jayawickrema stated that the VNA is more complicated than just looking at the census and there is still a chance that the bottom line can be improved, and nothing may need to be done if it continues to improve and remain at a profitable level.

Councilor Urrunaga addressed the Board of Finance in Section 4-4-1 and stated to keep everything above board he appreciates members of the Board not being able to serve on any other board or commission as opposed to the change recommended by the CRC.

Mayor Kaczynski stated that from what he can see everything is above board as all meetings are available for the public to attend or view online. Councilor Urrunaga stated that perception is important, and the Board of Finance should be above reproach.

Mayor Kaczynski stated that he believes perception comes from social media these days and it is the Council's responsibility to correct the misperception that is out there. The Board of Finance has no more authority and power than anyone else and should not be treated differently than other elected boards.

Councilor Fazzino suggested that maybe the Town Council should have similar restrictions of serving on other boards as the Board of Finance currently does. Corporation Counsel stated that is addressed in Section 3-1 as the Town Council may not be a member of any other elected board.

Councilor Fazzino addressed Section 3-8 regarding collective bargaining and questioned what the Town Council's role would be. Corporation Counsel stated that typically there would be an Executive Session where labor counsel would address wage and benefit changes along with any language changes.

Councilor Fazzino addressed Section 6-11-4 regarding pensions and language added regarding Board of Finance approval in addition to Town Manager and Town Council approval. Corporation Counsel stated that all three must approve.

Councilor Fazzino stated that he feels comfortable with moving to one polling location for a referendum as it requires approval from both registrars. He wanted to address his support as this matter was brought up during the Audience of Citizens.

Councilor Fazzino is comfortable with the suggestions made by the Mayor and Councilor Urrunaga regarding the Board of Education election process.

Councilor Rosso stated he agrees with all the recommendations suggested.

The Town Council recommended the following to the Charter Revision Commission:

- a. VNA – Should be a question on the ballot – no change from what was presented by CRC (Section 8-17-1)
- b. Town Manager (residence requirement) – Should be a question on the ballot – no change from what was presented by CRC (Section 5-1)
- c. Board of Education – reject all edits made by the CRC - add language that candidates' names would be "on the ballot" – should be a question on the ballot (Section 2-8)
- d. Combined question #4 would include:
 - i. Bid Limit increase to \$25,000 – no change from what was presented by CRC (several sections)

- ii. Fire Marshal removed from Fire Department section – no change from what was presented by CRC (Section 6-10)
- iii. Fire Department could be amended by ordinance – no change from what was presented by CRC (Section 6-9)
- iv. Board of Finance members could serve on other boards and committees – no change from what was presented by CRC (Section 4-4-1)
- v. Collective bargaining must be presented to the Council – no change from what was presented by CRC (Section 3-8)
- vi. Pensions – no change from what was presented by CRC (Section 6-11-4)

Recommended that no other changes be made to the charter.

Councilor Luddy inquired if there were any Council members that were objecting to these recommendations. Corporation Counsel suggested if anything the removal of the Fire Marshal question could be removed. Mayor Kaczynski stated that it could be left in their recommendations to the CRC for now.

Councilor Luddy moved to make the above recommendations to the Commission on the proposed amendments by the Charter Revision Commission to the Town Charter.

Seconded by Councilor Urrunaga.

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

Abstain: Councilor Paonessa

Vote being 6-0-1 (MOTION CARRIED)

3. **Topic re: Waive the bidding process and to approve the purchase of the CrowdStrike Falcon Complete service from Omada Technologies of Portsmouth, New Hampshire on an ongoing basis with funding from the IT Computer Support Account for an amount of \$24,998.43, since this is in the best interest of the town. Also approve the supplementation of funds for the fiscal year 2022-23 for CrowdStrike Falcon Complete from the Business Continuity Hardware & Software Virtualization account for an amount of \$7000.00. – Information Technology**

Director of Information Technology Brian Freeman stated that the Town's cyber insurance company added several pre-requisites for client approval, one of them being an Endpoint Detection and Response solution. The Town currently only has an anti-virus program, which does not cover the Library or Police Department, and this software does not meet the insurance requirements.

After several months of evaluation and testing CrowdStrike Falcon Complete was determined to be the best product for the Town's needs, adding that it also provides 24/7 monitoring and remediation.

Mr. Freeman also spoke with the Chief Information Security Officer for the State of Connecticut as well as the Director of IT for the Town of Rocky Hill and both highly recommend Falcon Complete.

Councilor Luddy moved to waive the bidding process and to approve the purchase of the CrowdStrike Falcon Complete service from Omada Technologies of Portsmouth, New Hampshire on an ongoing basis with funding from the IT Computer Support Account for an amount of \$24,998.43, since this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to approve the supplementation of funds for the fiscal year 2022-23 for CrowdStrike Falcon Complete from the Business Continuity Hardware & Software Virtualization account for an amount of \$7000.00.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

4. Topic re: Utilize the Capitol Region of Governments (CROG) Request for Proposal to approve the purchase of the Exchange Online 365 from Novus Insight for an amount not to exceed \$19,034.00. – Information Technology

Director of Information Technology Freeman explained that the Town's cyber insurance company has added the requirement of multi-factor authentication for email systems. The Town and Library have met this requirement through the use of Office 365, however the Police Department is using an on-premises email server that does not support multi-factor authentication.

In researching options, the only solution that would work with the Town's existing Outlook software and allow multi-factor authentication to work on both mobile and web devices was Exchange Online 365. Another major advantage of Exchange Online is increased email storage and the ability to allow larger attachments to emails.

Councilor Luddy moved to utilize the Capitol Region of Governments (CROG) Request for Proposal to approve the purchase of the Exchange Online 365 from Novus Insight for an amount not to exceed \$19,034.00.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

5. Topic re: Approve the use of Town Forces and Equipment to assist American Legion Post 68 in re-grading a portion of their property located at 154 Porters Pass. - Public Works

Director of Public Works Mike Ahern stated that the Town had been contacted by the American Legion to request assistance with on-going drainage issues that have damaged their facility at 154 Porters Pass.

Public Works Staff met with several of the American Legion Board Members to offer advice to correct the issue of surface run-off generated from significant weather events have flooded their building. It was decided that creating a swale behind the American Legion property to divert the flow of water around the building was the best solution. The Town would supply two employees for two days along with an excavator for the project.

Councilor Luddy moved to approve the use of Town Forces and Equipment to assist American Legion Post 68 in re-grading a portion of their property located at 154 Porters Pass.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

6. **Topic re: Approve the purchase of one 2022 Ford Police Interceptor from MHQ of Middletown CT. utilizing State of Connecticut, Department of Administrative Services Contract # 12PSX0194 for amount not to exceed \$34,612 and approve the purchase of replacement equipment and the labor to outfit a new Police vehicle from MHQ of Middletown CT, Utilizing State of Connecticut, Department of Administrative Services Contract # 21PSX0083 for of \$5,555. – Municipal Garage**

Fleet Manager Jim Simons stated that a Police vehicle was involved in a single car accident on July 11, 2022 on Four Rod Road. The insurance company determined that the vehicle was a total loss. Mr. Simons located an available new vehicle from MHQ and obtained estimates to replace damaged equipment and the outfitting of the new vehicle.

Councilor Luddy moved to approve the purchase of one 2022 Ford Police Interceptor from MHQ of Middletown CT. utilizing State of Connecticut, Department of Administrative Services Contract # 12PSX0194 for amount not to exceed \$34,612.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to approve the purchase of replacement equipment and the labor to outfit a new Police vehicle from MHQ of Middletown CT, Utilizing State of Connecticut, Department of Administrative Services Contract # 21PSX0083 for of \$5,555.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

7. **Topic re: Approve the purchase of Goodyear and Bridgestone tires and related components using the State of Connecticut, Department of Administrative Services Contract # 18PSX00022 from Connecticut Tire, Sullivan Tire and DiPietro Tire, and also to waive the Town's purchasing requirements and purchase Michelin and "off brand" tires utilizing government pricing from these same three vendors, as this is in the Town's best interest. The total amount**

of expected tire transactions in fiscal year 2022/2023 is not to exceed \$35,000. – Municipal Garage

Fleet Manager Simons stated that this is the yearly request to purchase tires, wheels, and related items from local vendors. Tire manufacturers set the tire pricing/discounts for government agencies through either state or national purchasing agreements.

The three local vendors are: Connecticut Tire of Berlin which mainly stocks police tires, Sullivan Tire of Meriden which is a master distribution center, and DiPietro Tire of New Britain which stocks tires and off-road equipment. The selection of which vendor to use depends on who can supply the tires or service the quickest.

Councilor Luddy moved to approve the purchase of Goodyear and Bridgestone tires and related components using the State of Connecticut, Department of Administrative Services Contract # 18PSX00022 from Connecticut Tire, Sullivan Tire and DiPietro Tire, and also to waive the Town's purchasing requirements and purchase Michelin and "off brand" tires utilizing government pricing from these same three vendors, as this is in the Town's best interest. The total amount of expected tire transactions in fiscal year 2022/2023 is not to exceed \$35,000.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

8. Topic re: Approve the purchase of one 2023 Ford Transit van from Tasca Ford of Berlin CT. utilizing State of Connecticut, Department of Administrative Services Contract # 19PSX0121 for amount not to exceed \$42,566. – Municipal Garage

Fleet Manager Simons stated that funding was provided in the fall of 2021 to replace one of the Facilities department's vans. Due to supply chain issues the vehicle order bank was not opened until July of 2022.

Councilor Luddy moved to approve the purchase of one 2023 Ford Transit van from Tasca Ford of Berlin CT. utilizing State of Connecticut, Department of Administrative Services Contract # 19PSX0121 for amount not to exceed \$42,566.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

9. Topic re: Waive the bidding procedure and purchase chemicals from Harrell's in the amount not to exceed \$93,773.04 as this is in the best interest of the Town of Berlin. The chemical purchases are through the Early Order Programs of BASF, Syngenta, SePRO and Bayer Chemical Companies. – Golf Course

Acting Director of Golf Jerry Salvio stated this is the annual purchase of chemicals for Timberlin Golf Course. Brand name companies use the Early Order Program (EOP) to create additional sales and competition by offering large incentives. In many cases, the incentive offers are extended for the entire season. The rebate the Town will be receiving is \$13,444.

After the rebates and discounted total pricing from the brand name companies, the cost of brand name chemicals is, in many cases, less than the pricing of off-patent chemicals which generally contain lower grade inert or carrying compounds.

Councilor Luddy moved to waive the bidding procedure and purchase chemicals from Harrell's in the amount not to exceed \$93,773.04 as this is in the best interest of the Town of Berlin. The chemical purchases are through the Early Order Programs of BASF, Syngenta, SePRO and Bayer Chemical Companies.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

10. Topic re: Waive the town's bidding procedure to approve the purchase of additional chemicals from Winfield Solutions in an amount not to exceed \$17,000 as this is in the best interest of the town. – Golf Course

Acting Director of Golf Salvio stated that the golf course has reached the \$10,000 spending threshold with Winfield Solutions. Due to the increase in the cost of chemicals, the current drought conditions, and the increased disease pressure, they need to purchase additional chemicals.

Councilor Luddy moved to waive the town's bidding procedure to approve the purchase of additional chemicals from Winfield Solutions in an amount not to exceed \$17,000 as this is in the best interest of the town.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

11. Topic re: Approve a donation from Sustainable Engineering Solutions LLC, of Berlin, CT in the amount of four hours of HVAC commissioning services in lieu of building use of the Berlin High School Mechanical room for a retro-commissioning video backdrop. - Facilities

Director of Facilities Doug Solek stated that Sustainable Engineering Solutions, LLC of Berlin has done numerous commissioning and retro-commissioning projects for the Town of Berlin at the five schools and the Town Hall building as part of HVAC and IAQ projects.

Sustainable Engineering Solutions, LLC (SES) has requested the use of space within the Berlin High School mechanical room as a backdrop for a retro-commissioning promotional video, with the filming anticipated to take four hours. Berlin High School will not be referenced in the video.

As there is no established fee schedule for this building use request, SES has offered to donate four hours of their services in lieu of a rental fee. The video filming would be scheduled for the first week of August and the Contractor is current on their certificate of insurance.

Councilor Paonessa asked if the Town would need to provide any paid staff beyond regular hours. Mr. Solek stated the filming would be take place during the Town's normal working hours.

Councilor Luddy moved to approve a donation from Sustainable Engineering Solutions LLC, of Berlin, CT in the amount of four hours of HVAC commissioning services in lieu of building use of the Berlin High School Mechanical room for a retro -commissioning video backdrop.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

12. Topic re: Authorize the Town Manager to enter a contract with Friar Associates, an architect that is on the Town's on-call bid list, to prepare studies, conceptual plans and cost estimates related to the stabilization and reuse of the Ledge School, and to increase the authorized funding for this project to \$17,000, to be paid from the Townwide Professional Services account. – Economic Development/Facilities

Town Manager Jayawickrema stated that at the previous Town Council meeting, Council authorized the Town Manager to apply for a 2022 Transit Oriented Development (TOD) grant for renovation of the former Ledge School. The building dates from 1850 and has historical value for the Town. Applications are due by September 1, 2022.

Significant work needs to be done to determine the appropriate scope of the project and to estimate its cost. At the previous Town Council meeting the Council approved funding a feasibility study, not to exceed \$7,500.

Facilities Director Doug Solek stated that architects from the Town's on-call list were contacted, and Friar Associates would be able to provide architectural and consulting services for the project. Based on their proposal, staff recommends that Friar complete the scope items including the preparation information for the grant application and developing information that will assist in determining the future use of the building for a cost of \$17,000. Therefore, the previous funding authorization needs to be increased by \$9,500.

Town Manager Jayawickrema added that determining future use of the building requires knowing if the building can be saved or how much work it would need to make it usable.

Councilor Luddy moved to authorize the Town Manager to enter a contract with Friar Associates, an architect that is on the Town's on-call bid list, to prepare studies, conceptual plans and cost estimates related to the stabilization and reuse of the Ledge School, and to increase the authorized funding for this project to \$17,000, to be paid from the Townwide Professional Services account.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

13. Topic re: Authorize the Town Manager to execute subordination agreements with respect to the Town's mortgage related to a façade program grant that is recorded at Volume 773, page 226 of the Berlin Land Records, subject to the review and approval of Corporation Counsel. – Economic Development

Town Manager Jayawickrema stated that 848 Farmington Avenue LLC is in the process of obtaining financing from Thomaston Savings Bank for improvements done to its property at 848 Farmington Avenue and for improvements being done at the Steele Center project nearby. Thomaston Savings Bank is requesting subordination by the Town of its mortgage related to a façade program grant that is recorded at Volume 773, page 226 of the Berlin Land Records.

Councilor Luddy moved to authorize the Town Manager to execute subordination agreements with respect to the Town's mortgage related to a façade program grant that is recorded at Volume 773, page 226 of the Berlin Land Records, subject to the review and approval of Corporation Counsel.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

14. Topic re: Accept the section 8-24 report from the Planning and Zoning Commission and to authorize the Town Manager to submit a Small Town Economic Assistance Program Grant Application for the Steele Boulevard Park project and to authorize a \$100,000 match from the Farmington Avenue Development (non-grant) account. – Economic Development

Economic Development Coordinator Jim Mahoney stated that at a previous meeting, Town Council authorized the hiring of Yantic River Consultants to prepare project plans and specifications for Steele Boulevard Park and to refer the project to the Planning and Zoning Commission for a section 8-24 review per the Connecticut General statutes. The Planning and Zoning Commission provided a favorable recommendation.

In respect to the Small Town Economic Assistance Program Grant, they recommend a 20% Town match. To position the Town for receiving the grant, staff recommends a \$100,000 match with funds coming from the Farmington Avenue Development (non-grant) account.

Councilor Luddy moved to accept the section 8-24 report from the Planning and Zoning Commission and to authorize the Town Manager to submit a Small Town Economic Assistance Program Grant Application for the Steele Boulevard Park project and to authorize a \$100,000 match from the Farmington Avenue Development (non-grant) account.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

15. Topic re: Designate the Economic Development Department as the coordinator of Arts & Culture Programming and authorize the Town Manager to apply for a 2022 Department of Economic and Community Development Supporting Arts Grant Program. – Economic Development

Economic Development Director Chris Edge stated that the State of Connecticut issued a request for applications for the 2022 Department of Economic and Community Development Supporting Arts Grant Program. The Supporting Arts grant program provides general operating support to help Connecticut's arts organizations and municipal arts departments cover programmatic costs associated with their mission-related work.

A few steps need to be taken in order to apply including designating the Economic Development Department as the coordinator of Arts & Culture Programming for the Town of Berlin. An ad-hoc committee to assist is also being created with three artists, one business owner, and another town resident.

The second is for a line item to be “created” within the Economic Development FY22-23 budget for Arts & Culture. The funds will be moved from existing accounts, and no additional monies are being requested.

Events and ideas that are being looked at include a Sidewalk Chalk Day for the community and families on Farmington Avenue as well as moving the Farmer’s Market to Farmington Avenue and combining it with a Crafter’s Market to bring people to the area.

Councilor Veach stated she would be more than happy to supply a letter of support and added she currently serves on that caucus. She believes it is a great opportunity for the Town to take advantage of.

Councilor Luddy moved to designate the Economic Development Department as the coordinator of Arts & Culture Programming and authorize the Town Manager to apply for a 2022 Department of Economic and Community Development Supporting Arts Grant Program.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 16. Topic re: Approve the expenditure transfer of \$165,000 from the Part-time & Summer Help, Blue Collar Personnel, Overtime, Physical Therapist, Worker’s Compensation, Health Aides, Social Security and Occupational Therapist accounts to the Computer Equipment account in the Technology Department, all in the General Fund, to fund the Town Hall server upgrades, pending approval by the Board of Finance.**

Approve the expenditure transfer of \$30,341 from the Dispatchers account to the Computer Equipment account in the Police Department, all in the General Fund, to fund the Police Department server upgrades, pending approval by the Board of Finance.

Approve the expenditure transfer of \$150,000 from the Capital Equipment, Overtime, Health Aides, Worker’s Compensation, Blue Collar Personnel, Social Security, Nurses, Contractual Services and Operating Materials accounts to the Fire Alarm Upgrades account in the Schools Department, all in the General Fund, to fund upgrades to the Willard Elementary School fire alarm, pending approval by the Board of Finance.

Approve the expenditure transfer of \$150,000 from the Pension, Mid-Managers Personnel, Social Security, Data Services, Databases, Supplies, Equipment, Books, Audio/Video, Contractual Services, Postage, Operating Materials, Professional Services and Non-Taxable Election Workers accounts to the Carpeting account in the Library Department, all in the General Fund, to fund replacement of the Library carpeting, pending approval by the Board of Finance.

Approve the expenditure transfer of \$20,000 from the Part-time & Summer Help, Worker's Compensation, and Social Security accounts to the Vans account in the Senior Center Department, all in the General Fund, to fund the Town's share of a new Senior Center van, pending approval by the Board of Finance.

Approve the expenditure transfer of \$35,000 from the Auto Parts, Irrigation, Golf Pro Contr. Serv., Natural Gas, Pro Share of Cart Rev, Vehicle Fuel and Water & Sewer accounts to the Pickup Truck account in the Golf Course Department, all in the General Fund, to fund the purchase of a used pickup truck, pending approval by the Board of Finance.

Approve the expenditure transfer of \$50,000 from the Medical Services account to the Bridges account in the Golf Course Department, all in the General Fund, to fund the replacement of on-course bridges at Timberlin Golf Course, pending approval by the Board of Finance.

Approve the expenditure transfer of \$40,000 from the Equipment and Electricity accounts to the Tractor account in the Golf Course Department, all in the General Fund, to fund the purchase of a used Kubota Tractor at Timberlin Golf Course, pending approval by the Board of Finance.

Approve the expenditure transfer of \$165,000 from the Worker's Compensation, Overtime, Extra Duty Police Officer, Social Security, Professional Personnel, Police Personnel, Computer Equipment, Telephone, Computer Support, Organizational Fees, Telecomm-Statewide Info, Equipment Rental, Telephone and Snow and Ice Materials accounts to the Vehicles account in the Police Department, all in the General Fund, to fund the purchase of three (3) new police vehicles, pending approval by the Board of Finance.

Approve the expenditure transfer of \$35,000 from the Snow & Ice Materials and Stormwater Drainage Analysis accounts to the Vehicles account in the Police Department, all in the General Fund, to fund the purchase of a new unmarked police vehicle, pending approval by the Board of Finance.

Approve the expenditure transfer of \$150,000 from the Refuse Disposal, Vehicle Fuel and Traffic Lights/Signals accounts to the Fire Alarm Upgrades account in the Schools Department, all in the General Fund, to fund upgrades to the Griswold Elementary School fire alarm, pending approval by the Board of Finance.

Approve the expenditure transfer of \$35,000 from the Recreation Program Help and Lifeguards/Pool Worker accounts to the Vehicles account in the Townwide Department, all in the General Fund, to fund cost overages in the purchase of vehicles, pending approval by the Board of Finance.

Approve the expenditure transfer of \$80,000 from the Worker's Compensation, Extra Duty Police Officer, Professional Personnel, Clerical Personnel, Computer Support and Maintenance accounts to the Parking Lot Repaving account in the Public Works Department, all in the General Fund, to fund parking lot upgrades at the Kensington Fire Station, pending approval by the Board of Finance. – Finance Department

Finance Director Kevin Delaney stated that as part of the FY 2023 budget process the Board of Finance removed the capital requests and asked that the Town Manager come back at the end of FY 2022 if there were surplus funds available to fund the items.

Near the end of FY 2022 departments with large capital requests met to prioritize items that had previously been requested. This agenda item contains the items that remain as the highest priority items and includes server replacement at Town Hall and the Police Department, fire alarm upgrades at both Willard and Griswold schools that will complete the schools' fire alarm upgrades, replacement of the original carpet in the Library, funding the Town's 20% cost share of a new Senior Center van, the purchase of a used pick-up truck as well as a used Kubota Tractor for the golf course, replacement of on-course bridges at the golf course, purchasing three new police vehicles as well as a new unmarked police vehicle, funding cost overages in the Vehicle account, and fund parking lot upgrades at the Kensington Fire Station. These items total just over \$1.1 million and is a substantial investment with the idea being to target key areas of public safety and heavy utilization.

Mr. Delaney stated that when the audit is complete the intent is to return and consider some other items such as completing the purchase of the four fire vehicles, continuing the effort for funding of critical infrastructure public safety items.

Councilor Urrunaga inquired about funding repairs to the Demore, Dinda, Bittner Jr Memorial Pool. Mr. Delaney stated that the pool requires approximately \$200,000 in repairs. The Parks and Recreation Commission is looking more broadly at what the total cost would be for work on the building as well as around the pool, in addition to the pool repairs. So rather than requests funds for the repairs now and possibly come back for additional funds they are looking at the total project and determining their priorities.

Councilor Urrunaga inquired if the Town is assuming the Kensington Fire Department parking lot cost would be greater than \$80,000. Mr. Delaney stated that in light of current circumstances there is the possibility of it being more than that but probably not substantially higher. He added that the Board of Finance did look at the Fire Department's finances and determined they do have assets available to assist with any cost overages.

Councilor Luddy moved to approve the thirteen transfers in the amounts stated above from the accounts mentioned to the accounts mentioned.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

- 17. Topic re: Approve the appointment of Mr. Mike Ahern as the Temporary Town Manager during the absence of the Town Manager effective Wednesday, August 3, 2022, through Friday, August 12, 2022 until the Town Manager resumes managerial powers and duties. – Town Manager**

Town Manager Jayawickrema stated that Mike Ahern will be available in the absence of the Town Manager.

Councilor Luddy moved to approve the appointment of Mr. Mike Ahern as the Temporary Town Manager during the absence of the Town Manager effective Wednesday, August 3, 2022, through Friday, August 12, 2022 until the Town Manager resumes managerial powers and duties.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

I. APPOINTMENTS:

1. **Board of Ethics - Alternate – Vacancy** - Term would be until January 31, 2025. Can only be filled with a D or U.
2. **Cemetery Committee – Alternate – Vacancy** - Term would be until January 31, 2027. Can be filled with a D, R or U.
3. **Commission for Persons with Disabilities – Vacancy** - Term would be until January 31, 2025. Can be filled with a D, R or U.
4. **Conservation Commission - Alternate – Vacancy** - Term would be until January 31, 2026. Can be filled with an R or U.
5. **Constables – Vacancy** - Term would be until December 2023. Can only be filled with D or U (with no more than a bare majority to be from one political party (Section 8-6)).
6. **Constables – Vacancy** - Term would be until December 2023. Can only be filled with D or U (with no more than a bare majority to be from one political party (Section 8-6)).
7. **Constables – Vacancy** - Term would be until December 2023. Can only be filled with D or U (with no more than a bare majority to be from one political party (Section 8-6)).
8. **Historic District Commission – Vacancy** - New term would be until January 31, 2027. Can be filled with a D, R or U.
9. **Inland Wetlands & Water Courses Commission – Vacancy** – Term will be until January 31, 2024. Can be filled with a D or U.
10. **Mattabassett District** – Robert Argazzi (R) term expires on 9/1/2022. Reappointment or replacement term would be until September 1, 2025. Can be filled with a D, R or U.
11. **Parks and Recreation Commission – Vacancy** - New term would be until January 31, 2025. Can be filled with a D, R, or U.

12. Plainville Area Cable Television Advisory Council (PACTAC) – 2 Vacancies – New terms would expire on June 30, 2023. Can be filled with a D, R or U. There are only two members from Berlin for this board.

13. VNA – Vacancy - New term would be until January 31, 2025. Can be filled with a D, R or U.

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

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

16. Water Control Commission – Alternate - Vacancy - New term would be until January 31, 2024. Can only be filled with a D or U if both of the above are R.

17. Zoning Board of Appeals - Alternate – Vacancy – Term would be until January 31, 2024. Can be filled with D, R, or U.

No appointments were made.

J. TOWN MANAGER'S REPORT:

The Town Manager presented the Town Council with a report detailing highlights of all Town departments and requested that Council members review it and bring any questions to the Town Manager at the next meeting. He added that he will also provide a Town Manager review at that time. The report has been attached to these minutes.

The Town Manager stated that he is constantly impressed with the level of commitment, dedication, and professionalism employees bring to the Town adding that they deeply care about the residents and have worked very hard to provide good customer service and treat residents equally.

Councilor Rosso added that he is impressed with the work performed by Jim Simons at the Town Garage as noted in the report.

K. SPECIAL COMMITTEE REPORTS:

None

L. COUNCILORS' COMMUNICATION:

Mayor Kaczynski inquired about the letter sent by the Cemetery Committee to the Worthington Fire Department. Town Clerk Kate Wall stated that the Cemetery Committee has been doing a lot of work to clean up the Town cemeteries however the Worthington Fire Department has not responded to the Committee's multiple requests to clear debris from their adjoining property. A copy of the letter sent by the Cemetery Committee was given to Town Council members.

Mayor Kaczynski stated that the ballot box located outside of Town Hall should have a security camera. Town Clerk Kate Wall stated that a camera has been ordered and will be placed so it can record the car, license plate, and driver.

Councilor Rosso stated that the property on the corner of Main Street and Percival Avenue has become overgrown again. Mayor Kaczynski asked the Town Manager to look into the situation.

Mayor Kaczynski stated that he stopped at the Army band concert that was being held at Veteran's Park this evening. The Mayor thanked Peter Galgano, Charles Colaresi, and the Veteran's Commission for all the work they do.

M. ACCEPTANCE OF MINUTES:

July 12, 2022

Councilor Luddy moved to accept the Town Council Meeting Minutes of July 12, 2022.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

N. ADJOURNMENT:

Councilor Luddy moved to adjourn at 10:28 p.m.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall
Clerk of the Meeting