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Meeting ID: 824 4526 9771

Passcode: 964919

1-929-205-6099 (New York)

TOWN OF BERLIN  
TOWN COUNCIL MEETING  
Tuesday, September 20, 2022  
Town Council Chambers  
Remote Meeting  
7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. AUDIENCE OF CITIZENS

E. MAYOR'S UPDATE

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

G. CONSENT AGENDA:

1. Topic re: Approve the donation of radio equipment to task Force #51, estimated value of \$11,450, as this is in the town's best interest. – Fire Administrator
2. Topic re: Accept monetary donations totaling \$261.13 and deposit \$25.00 into the John Day donation fund for the libraries greatest need and deposit \$118.93 into the friends of the library credit card account to pay for a children's program and deposit \$117.20 into the friends of the library miscellaneous account for coffee supplies and a museum pass renewal. Also accept the donation of wicker baskets with an approximate value of \$200.00 to be used for various programs and books with a total approximate value of \$27.99 to be added to the appropriate department collections. – Berlin Peck Memorial Library
3. Topic re: Accept a donation of a maximum of 20 straw/hay bales, valued at approximately \$180 to be used for our Scarecrow building workshop. – Parks and Recreation
4. Topic re: Approve that the Berlin Lions Club be authorized to sell luminaries for their 3<sup>rd</sup> Annual Luminary Event, at a cost of 1 for \$10, 3 for \$20 at the Berlin High School home football games on October 21 and 28, 2022 at Sage Park. – Parks and Recreation

#### H. NEW BUSINESS:

1. Topic re: Approve the addition of two (2) full time police officer positions with funding available in the current Police budget bringing the total head count to 44 sworn officers, pending the approval of the Board of Finance - Police
2. Topic re: Call a Town Meeting at 6:45 p.m. on October 4, 2022, to approve a non-budgeted appropriation of \$550,000 from the FY23 General Fund Unassigned Fund Balance to the Fire Truck account in the Fire Truck Fund for the purchase of a new fire vehicle. Also call a Town Meeting at 6:45 p.m. on October 4, 2022, to approve non-budgeted appropriation of \$250,000 from the FY23 General Fund Unassigned Fund Balance to the Percival Soccer Field Improvements account in the Capital Non-Recurring Fund for field renovations. Also call a Town Meeting at 6:45 p.m. on October 4, 2022, to approve a non-budgeted appropriation of \$300,000 from the FY23 General Fund Unassigned Fund Balance to the Buildings & Renovations account in the Police Station Construction Fund for the development of detailed architectural plans of the police station renovations. – Finance
3. Topic re: Approve purchasing seventeen new computers from Winslow Technology Group of Waltham, MA for amount not to exceed \$20,553.00 using the state contract. – Berlin-Peck Memorial Library
4. Topic re: Award bid no. 2023-05 to M.A. & M. d/b/a Aresco Construction of Middletown, CT. for an amount not to exceed \$113,760 for the Counseling Suite Renovations at Catherine M. McGee School. – Facilities/Board of Education
5. Topic re: Authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority from an end date of September 30, 2022, to a new end date of December 31, 2022. – Housing Authority
6. Topic re: Approve the purchase of police server, storage and switch support renewal from Winslow Technology Group of Waltham, Massachusetts using state contract with a cost not to exceed \$40,000.00. – Information Technology
7. Topic re: Approve the purchase of IT infrastructure equipment, VMware licensing and professional services from Winslow Technology Group of Waltham, Massachusetts using state contract for \$127,840.00. Also purchase the required Microsoft licensing from the Black Rock Technology Group of Bridgeport, Connecticut for \$25,150.00 and to allocate \$12,000 for contingency for this project. – Information Technology
8. Topic re: Approve the attached resolution to authorize the Town Manager to apply for a \$394,278 supplemental municipal brownfields grant for the 889 Farmington Avenue and, if a grant is offered, to execute a grant proposal, grant agreement and other documents as necessary to secure and carry out the purposes of the grant and to appropriate the grant of up to the amount awarded to the Municipal Brownfields grant account for 889 Farmington Avenue. – Economic Development
9. Topic re: Authorize the use of Morton Salt for treated road salt utilizing the Capitol Region Council of Governments Contract #735 for snow and ice control through June 30, 2023. – Public Works



10. Topic re: Approve the purchase of three (3) 2022 Ford Utility Police Interceptors for the Police Department, utilizing the State of Connecticut, Department of Administrative Services Contract #12PSX0194 for an amount not to exceed \$115,087. – Municipal Garage
11. Topic re: Waive the Town's bidding procedure and approve issuing a purchase order in the amount not to exceed \$20,000 in fiscal year 2022-2023 for Atlantic Golf and Turf for seed and fertilizer, as this is in the best interest of the town. – Public Grounds
12. Topic re: Waive the Town of Berlin's Bidding Procedure and approve the purchase of an ABI Force zero turn vehicle, model z23slt with attachments for an amount not to exceed \$35,000 in FY 2022-2023 from ABI Attachments, as this is in the best interest of the town. – Public Grounds

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. **Commission for Persons with Disabilities – Vacancy** - Term would be until January 31, 2023. Can be filled with a D, R or U.
3. **Conservation Commission - Alternate – Vacancy** - Term would be until January 31, 2026. Can be filled with a D, R or U.
4. **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)).
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. **Historian – Vacancy** – Term would be until 1/31/2026. Can be filled with D, R, or U.
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. **Parks and Recreation Commission – Vacancy** - New term would be until January 31, 2025. Can be filled with a D, R, or U.

- 11. 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.
- 12. Planning and Zoning Commission - Vacancy** – Term will be until January 31, 2023. Can be filled with a D, R or U.
- 13. Planning and Zoning Commission - Vacancy** – Term will be until January 31, 2026. Can be filled with a D, R or U.
- 14. Planning and Zoning Commission – Alternate - Vacancy** – Term will be until January 31, 2026. Can be filled with a D, R or U.
- 15. VNA – Vacancy** - New term would be until January 31, 2025. Can be filled with a D, R or U.
- 16. Water Control Commission –Alternate - Vacancy** -New term would be until January 31, 2023. Can be filled with a D, R or U
- 17. Water Control Commission –Alternate - Vacancy** -New term would be until January 31, 2023. Can be filled with a D, R or U.
- 18. 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.
- 19. Zoning Board of Appeals - Alternate – Vacancy** – Term would be until January 31, 2024. Can be filled with D, R, or U.

J. TOWN MANAGER’S REPORT:

K. SPECIAL COMMITTEE REPORTS:

L. COUNCILORS’ COMMUNICATION:

M. ACCEPTANCE OF MINUTES: September 6, 2022

N. EXECUTIVE SESSION:

1. Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation – Rio Vista
2. Personnel Matters – Conn. General State Statute Sec. 1-200 (6) (A) concerning the appointment, employment, performance, evaluation of a public employee. – Town Manager

O. ADJOURNMENT



Consent

Agenda Item No.: 1  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** September 6, 2022  
**SUBJECT:** Donation of old radio equipment to Task force #51

**Summary of Agenda Item:**

Task Force 51 (TF51) is the fire department's primary mutual aid group. This group consists of the town of Wethersfield, Newington, Rocky Hill, Cromwell and Berlin. The group was formed back in the 1990's when Rocky Hill was having an arson problem at Century Hill Apartments. The group has been active ever since, in fact after 911 the state fire service task force was modeled after TF51 and has become the towns primary second alarm response.

TF51 radio equipment, which allows interoperability, is aging and nearing it end of life. The Town of Berlin has some old equipment that we are not currently using and would like to donate to TF51 for their use until they can secure funding to do a complete radio upgrade.

The equipment being donated consists of 8 pieces (repeaters, duplexer, voters and a power supply; it has a street value of about \$11,450.

The Fire Department feels that this is a better use of this equipment as it will continue to not only benefit Berlin but our sister towns, with whom we interact often.

Thank you for considering this donation of vital radio equipment.

**Action Needed:**

Move to approve the donation of radio equipment to task Force #51, estimated value of \$11,450, as this is in the town's best interest.

**Attachments:**

None

**Prepared By:**

James C. Simons, Fleet Manager

Consent

**Agenda Item No. 2**  
**Request for Town Council Action**

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 9, 2022

**SUBJECT:** Accept Library Donations

**SUMMARY:**

Accept donations to the Berlin-Peck Memorial Library

Category	Amount	Description	Purpose	Donor
Cash	25.00	John Day donation fund	for libraries greatest need	Anonymous
	118.93	FOL Credit Card Acct	for children's program	Friends of the Library
	117.20	FOL Misc. Acct	for coffee supplies and a museum pass renewal	Friends of the Library
	261.13			
Equip/Merch	200.00	Wicker baskets	to be used for various programs	Virginia Marcinowski
	27.99	Books	to be added to appropriate department collection	various patrons
	227.99			

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

**ACTION NEEDED:**

Move to accept monetary donations totaling \$261.13 and deposit \$25.00 into the John Day donation fund for the libraries greatest need and deposit \$118.93 into the friends of the library credit card account to pay for a children's program and deposit \$117.20 into the friends of the library miscellaneous account for coffee supplies and a museum pass renewal.

Move to accept the donation of wicker baskets with an approximate value of \$200.00 to be used for various programs and books with a total approximate value of \$27.99 to be added to the appropriate department collections.

**ATTACHMENTS:**

None

**PREPARED BY:**

Kimberly McNally, Director



*Consent*  
**Agenda Item No. 3**  
**Request for Town Council Action**

**TO:** The Honorable Mayor and Town Council

**FROM:** Aroscha Jayawickrema, Town Manager

**DATE:** September 12, 2022

**SUBJECT:** Request acceptance of a donation of a maximum of 20 straw/hay bales, valued at approximately \$180 to be used for our Scarecrow building workshop.

**SUMMARY:**

The Berlin Parks and Recreation Department requests acceptance of a donation of a maximum of 20 straw/hay bales, valued at approximately \$180 to be used for our scarecrow building workshop for the 2022 Scarecrow Festival. We will hold a workshop for a small fee and provide some basic supplies, burlap sacks and straw/hay. Peggy Loehr, painter, art teacher and Parks and Recreation employee will assist people in building their scarecrow. We have decided to have all scarecrows on display on the lower grass area at the entrance of Arthur B Powers Municipal complex. People will be able to vote on-line or at the Town Hall, Community Center or Library for their favorite.

**ACTION NEEDED:**

Move to accept a donation of a maximum of 20 straw/hay bales, valued at approximately \$180 to be used for our Scarecrow building workshop.

**ATTACHMENTS:**

None

**PREPARED BY:**

Debra Dennis Superintendent of Recreation

*DD*

Consent

**Agenda Item No. 4**  
**Request for Town Council Action**

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 12, 2022

**SUBJECT:** Approval to sell luminaries at Sage Park on October 21 and 28, 2022

**SUMMARY:**

The Berlin Parks and Recreation Commission at its meeting on Thursday, September 11, 2022 recommended that the Berlin Lions Club be authorized to sell luminaries for their 3<sup>rd</sup> Annual Luminary Event at Veteran's Park on Saturday, November 12<sup>th</sup>. They are looking to sell luminaries, at a cost of 1 for \$10 or 3 for \$20 at the Berlin High School home football games on October 21 and 28, 2022 at Sage Park. Berlin High School and Berlin High School Boosters Association are in favor of this. All proceeds from these sales will go towards local veterans.

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

**ACTION NEEDED:**

Move to approve that the Berlin Lions Club be authorized to sell luminaries for their 3<sup>rd</sup> Annual Luminary Event, at a cost of 1 for \$10, 3 for \$20 at the Berlin High School home football games on October 21 and 28, 2022 at Sage Park.

**ATTACHMENTS:**

None

**PREPARED BY:**


Jennifer Ochoa, Director, Community Recreation and Parks Services





**Agenda Item No. 1**  
**Request for Town Council Action**

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager 

**DATE:** September 14, 2022

**SUBJECT:** Request for additional police officer positions

**Summary of Agenda Item:**

Within the 2022/2023 budget, the Police Department had requested the addition of two (2) more police officer positions to be added to the Table of Organization. The request was made pursuant to prior discussions to increase the size of the police department; and to prepare the expansion of the police department's ability to increase the minimum manpower per shift from the longstanding 3 patrol officers to 4 patrol officers. This has been discussed and since my employment with the Town and its' police department, this has been a stated goal of direction to me from the elected police commissioners. This request was made last budget season, and was tabled at the time from consideration due to unavailability to get police academy seat entry. I am seeking approval at this time as this must be completed prior to beginning any testing and hiring processes, and to seek police academy seating for future anticipated academy openings. If approved, these positions will bring the authorized table of organization of sworn police personnel from 42 personnel to 44 personnel.

**Action Needed:**

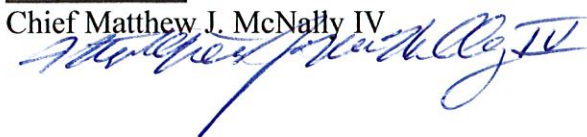
Move to approve the addition of two (2) full time police officer positions with funding available in the current Police budget bringing the total head count to 44 sworn officers, pending the approval of the Board of Finance.

**Attachments:**

Certification of Sufficiency of Funds as provided by Finance Director Kevin Delaney  
Original written request from Chief McNally

**Prepared By:**

Chief Matthew J. McNally IV



**Town of Berlin**  
**Funding Two Additional Police Officers (target from 42 to 44) Mid-Year FY2023**  
**September 9, 2022**

	<u>Annual Cost</u> <u>New Officer</u>	<u>FY23</u> <u>New Officer*</u>	
Wages	\$71,555.76	\$41,740.86	<b>Non-budgeted cost (2 officers)</b> <b>\$124,836.22</b>
Worker's Comp	\$3,377.43	\$1,970.17	
Social Security	\$5,474.02	\$3,193.18	<u>Identified FY23 savings in PD actuals v budget</u>
Pension	\$8,586.69	\$5,008.90	Wages
Ins. Life, Disab	\$2,654.92	\$3,505.00	SS
Physicals	\$500.00	\$500.00	Pension
Health Ins (PPO Family)	\$30,732.00	\$0.00	Total
Uniforms	\$800.00	\$6,500.00	
TOTAL	<u>\$123,680.82</u>	<u>\$62,418.11</u>	

\* assumes 12/1/2022 hire date (7 mos of cost)

**FY24 new budgeted cost \$247,361.64**

(\$1,393.19)





## Berlin Police Department

240 KENSINGTON ROAD  
BERLIN, CONN. 06037-2647  
Phone (860) 828-7080  
Fax (860) 828-7590  
policechief@berlinpd.org



**Matthew J. McNally IV**  
**Chief of Police**

Date: September 14<sup>th</sup>, 2022

To: Town Council Members

Re: Request for Placement of the "Addition of Two Police Officer Positions" on the Agenda

I am requesting the placement of this request as an agenda item to request approval from the Berlin Town Council for the funding of two additional full-time police officer positions to the Berlin Police Department. If approved, these positions will bring the authorized table of organization of sworn police personnel from 42 personnel to 44 personnel.

This request is made pursuant to prior discussions to increase the size of the police department; and to prepare the expansion of the police department's ability to increase the minimum manpower per shift from the longstanding 3 patrol officers to 4 patrol officers. This has been discussed and since my employment with the Town and its police department, this has been a stated goal of direction to me from the elected police commissioners. This request was made last budget season, and was tabled at the time from consideration due to unavailability to get police academy seat entry. I am seeking approval at this time as this must be completed prior to beginning any testing and hiring processes, and to seek police academy seating for future anticipated academy openings.

Thank you for your consideration.

Chief Matthew J. McNally IV



**TO: The Honorable Mayor and Town Council**

**FROM: Arosha Jayawickrema, Town Manager**

**DATE: September 12, 2022**

**SUBJECT: Town Meeting to Appropriate \$1,100,000 of FY23 General Fund Unassigned Fund Balance to Fund Capital Items**

**Summary of Agenda Item:**

Over the past several months, the Town Council has been asked to consider three projects – Percival Soccer Field renovations, Police Station renovations and a new Highway Wash Bay – with some level of funding undefined. As each of these projects were bid and staff engaged with consultants, more refined cost estimates are now available. Based on current cost estimates and the projected General Fund Unassigned Fund Balance after the FY22 audit is complete, this motion is to appropriate \$1.1 million of the Unassigned Fund Balance for these projects and the purchase of new fire vehicle.

The 6/30/2022 General Fund Unassigned Fund Balance is projected to be \$13.1 million or \$2.4 million above the 11% Town Policy floor. If this motion is approved, the General Fund Unassigned Fund Balance will remain above the 11% floor.

**The specific projects/acquisitions requested are:**

Purchase new fire vehicle (#4 of 4 in FD strategic plan)	\$ 550,000
Percival soccer field renovations (supplemental funding)	\$ 250,000
Police Station detailed drawings	\$ 300,000

**Total funding for each request (including this motion):**

	<u>Fire Vehicle</u>	<u>Percival</u>	<u>Police Station</u>
Current funding	\$0	\$193,774	\$16,167
Requested funding	\$ 550,000	\$250,000	\$300,000
FEMA reimbursement	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
TOTAL	\$ 550,000	\$443,774	\$316,167

**Action Needed:**

Move to call a Town Meeting at 6:45 p.m. on October 4, 2022, to approve a non-budgeted appropriation of \$550,000 from the FY23 General Fund Unassigned Fund Balance to the Fire Truck account in the Fire Truck Fund for the purchase of a new fire vehicle.

Move to call a Town Meeting at 6:45 p.m. on October 4, 2022, to approve non-budgeted appropriation of \$250,000 from the FY23 General Fund Unassigned Fund Balance to the Percival Soccer Field Improvements account in the Capital Non-Recurring Fund for field renovations.



Move to call a Town Meeting at 6:45 p.m. on October 4, 2022, to approve a non-budgeted appropriation of \$300,000 from the FY23 General Fund Unassigned Fund Balance to the Buildings & Renovations account in the Police Station Construction Fund for the development of detailed architectural plans of the police station renovations.

**Attachments:**

None

**Prepared By:**

Kevin Delaney, Finance Director 

Agenda Item No. 3  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** September 9, 2022  
**SUBJECT:** Opening purchase order for new library computers

**Summary of Agenda Item:**

The Berlin Peck Library has seventeen computers between the adult and children's departments that are used by the patrons daily. These computers have been in use since between 2011-2016. We upgraded the SSD memory cards in 2019 to extend the life of the machines. During COVID we only kept four computers available to comply with social distancing requirements. Now that we are in full operational mode we are having problems the computers, including slow processing, glitches, and issues with printing. It is time to upgrade. Our equipment budget for 2022/2023 was approved to include \$24,928.00 for new computers. We would like to open a purchase order with Winslow Technology Group for \$20,553.00 for seventeen new computers. Our IT department has provided the best price possible through a special Labor Day discount sale and using state contract #C000000711509 CT EMC NASPO.

**Action Needed:**

Move to approve purchasing seventeen new computers from Winslow Technology Group of Waltham, MA for amount not to exceed \$20,553.00 using the state contract.

**Attachments:**

Certification of Sufficiency of Funds

**Prepared By:**

Kimberly McNally, Library Director





# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 9-Sep-22

Purchase Item or Contract: Library		Requested by: Kim McNally	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	New computers for Library patrons in Children's & Adult's sections	\$20,553.00	\$20,553.00
			-
			-
			-
			-
TOTAL			\$20,553.00

Account No. 001.25.2544.0.53208.00000

Budgeted Amount..... \$31,628.00

Available balance..... \$30,228.00

Encumbrances to Date..... \$1,373.41

Amount Needed for This Package..... \$20,553.00

Expenditures to Date..... \$26.59

Available Balance After Purchase..... \$9,675.00

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



**TO: The Honorable Mayor and Town Council**

**FROM: Arosha Jayawickrema, Town Manager**

**DATE: September 13, 2022**

**SUBJECT: Award of Bid no. 2023-05 for Counseling Suite Renovations at Catherine M. McGee School**

**Summary of Agenda Item:**

The Board of Education has identified the need for additional space at McGee Middle School for social workers and school psychologists. It was determined that an existing classroom could be repurposed to create a counseling suite for students and school staff through the support of the ARP ESSER II funds. The suite will consist of private offices for one-on-one counseling sessions and ample space for group sessions. The CSDE has approved funding for this project on August 31, 2021. Plans and specifications were developed, and the project was publicly bid as project no. 2023-05. Six bids were received with the low bid of \$94,800 received from M.A. & M d/b/a Aresco Construction Company of Middletown, CT. A scope review was conducted with the apparent low bidder and all parties agree to move forward. Funding is available in the Board of Education Accounts 00715.61.20.3250.2068.40.7000.00 and 00711.51.20.2071.2073.40.7000.00. A 20 percent project contingency is being requested bringing the total project cost to an amount not to exceed \$113,760.

**Action Needed:**

Move to award bid no. 2023-05 to M.A. & M. d/b/a Aresco Construction of Middletown, CT. for an amount not to exceed \$113,760 for the Counseling Suite Renovations at Catherine M. McGee School.

**Attachments:**

Bid Results

Architect Bid Award Recommendation Letter

**Prepared By:**

Douglas Solek, Director of Facilities  
Ashley Dorsey, Director of Finance BOE  
Jeff Cugno, Director of Operations BOE

[illegible]

September 12, 2022

VIA EMAIL

Mr. Jeffrey Cugno  
Director of Business Operations  
Berlin Public Schools  
238 Kensington Road  
Berlin, CT 06037

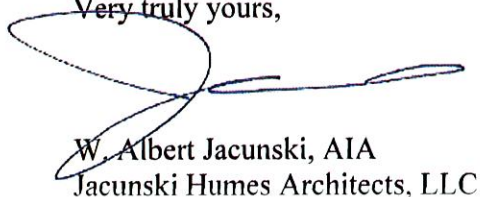
Re: Counseling Suite Renovations  
Catherine McGee Middle School  
899 Norton Road  
Berlin, CT  
JH2215

Dear Mr. Cugno:

Following review of the September 1, 2022 bids received for the McGee Middle School counseling suite renovations project and today's site meeting, I can without reservations recommend Aresco Construction Company as the General Contractor for this undertaking. I have worked with Aresco Construction Company on numerous successful renovations projects.

If you have any further questions or comments, please do not hesitate to contact me.

Very truly yours,



W. Albert Jacunski, AIA  
Jacunski Humes Architects, LLC

C: Douglas Solek, via email

GJCUGN001



Agenda Item No. 5  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 13, 2022

**SUBJECT:** Option Agreement for Development of K of C, 143 Percival Avenue, for Affordable Senior Housing

**Summary of Agenda Item:**

The Berlin Housing Authority is continuing to pursue funding to move forward with affordable senior housing at 143 Percival Avenue. To provide additional time for the Housing Authority to secure funding commitments, the Authority requests that the option period for purchase of the property be extended from an end date of September 30, 2022, to a new end date of December 31, 2022.

**Action Needed:**

Move to authorize the Town Manager to extend the option agreement between the Town and the Berlin Housing Authority from an end date of September 30, 2022, to a new end date of December 31, 2022.

**Attachments:**

**Prepared By:**

Jim Mahoney, Economic Development Coordinator

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 20, 2022

**SUBJECT:** Police Server, Storage and Switch Support Renewal

**Summary of Agenda Item:**

The police department's support contract for the servers, switches and storage needs to be renewed. This equipment hosts everything in the police network such as Computer Aided Dispatch, Mobile Data Terminals, Records Management System, and the email server to name a few.

The IT Director has worked with Dell and our Dell Partner, Winslow Technologies, to get the best pricing for this contract. The provided quote is under state contract pricing (State Contract# C000000711509 CT EMC NASPO). Dell's policy is to give the best pricing to our listed vendor, who is Winslow Technologies, so there is no way we could get better pricing from Dell direct or from another vendor.

The total cost for the three-year support renewal on this equipment is \$38,944.42. This includes "Mission Critical" 4-hour response on the most critical equipment. Funding will come from the Police Capital Items account 500.15.1532.0.54000.01000.

**Action Needed:**

- Move to approve the purchase of police server, storage and switch support renewal from Winslow Technology Group of Waltham, Massachusetts using state contract with a cost not to exceed \$40,000.00

**Attachments:**

WTG Quote

Sufficiency of Funds

**Prepared By:** Brian Freeman, Information Technology Director





# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 7-Sep-22

Purchase Item or Contract: Police Computer support renewals		Requested by: Brian Freeman	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Renewal of support contract for servers, switches and storage	\$40,000.00	\$40,000.00
	(not to exceed \$40,000)		\$0.00
			-
			-
			-
			-
TOTAL			\$40,000.00

Account No. 500.15.1532.0.54000.01000 Computer Equipment

Budgeted Amount.....	\$42,566.88	Available balance.....	\$42,266.90
Encumbrances to Date.....	\$0.00	Amount Needed for This Package.....	\$40,000.00
Expenditures to Date.....	\$299.98	Available Balance After Purchase.....	\$2,266.90

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





303 Wyman St. Ste 210, Waltham, MA 02451-1253  
t. (781) 471-5021 f. (617) 507-6427

# QUOTE

**Number** WTGQ43834-01  
**Date** Aug 29, 2022  
**Expiration** 9/30/2022

## Sold To

**Police Department - Berlin, CT**  
Oscar Espinoza  
240 Kensington Road  
Berlin, CT 06037  
United States

**Phone** 860-828-7170  
**Fax**

## Ship To

**Police Department - Berlin, CT**  
Oscar Espinoza  
240 Kensington Road  
Berlin, CT 06037  
United States

**Phone** 860-828-7170  
**Fax**

## Account Executive

**Jessica Romeo**  
**978-758-1913**  
jromeo@winslowtg.com

Line	Service Tag	Qty	Description	Unit Amt	Ext. Amt	New Contract Dates	
						Start Date	End Date
1			<b>3 Year Support Renewal - PowerEdge R640</b>			-	
2	8SXXLR2	1	ProSupport and 4Hr Mission Critical Reinstall	\$3,587.38	\$3,587.38	9/14/2021	8/18/2025
3	8SWZHQ2	1	ProSupport and 4Hr Mission Critical Reinstall	\$3,587.40	\$3,587.40	9/14/2021	8/18/2025
4	8SXYHQ2	1	ProSupport and 4Hr Mission Critical Reinstall	\$3,587.38	\$3,587.38	9/14/2021	8/18/2025
5	8SY0JQ2	1	ProSupport and Next Business Day Onsite Service Reinstall	\$2,152.44	\$2,152.44	9/14/2021	8/18/2025
6			<b>Switches S4128</b>			-	
7	6JFLXC2	1	ProSupport:7x24 HW/SW Tech Support and Assistance	\$2,838.62	\$2,838.62	9/15/2021	8/18/2025
8	6JFLXC2	1	ProSupport:Next Business Day Onsite Service After Problem Diagnosis	\$1,901.04	\$1,901.04	9/15/2021	8/18/2025
9	7JFLXC2	1	ProSupport:7x24 HW/SW Tech Support and Assistance	\$2,838.62	\$2,838.62	9/15/2021	8/18/2025
10	7JFLXC2	1	ProSupport:Next Business Day Onsite Service After Problem Diagnosis	\$1,901.04	\$1,901.04	9/15/2021	8/18/2025
11			<b>PowerEdge R330</b>			-	
12	7CQVLR2	1	ProSupport Next Business Day Onsite Service After Problem Diagnosis	\$324.75	\$324.75	9/13/2021	8/25/2025
13	7CQVLR2	1	ProSupport: 7x24 HW / SW Tech Support and Assistance	\$324.75	\$324.75	9/13/2021	8/25/2025
14			<b>Support Renewal - SCv3020 to EOS</b>			-	
15	CSFZHQ2	1	ProSupport Plus Mission Critical: 4-Hour 7x24 Onsite Service with Emergency Dispatch	\$4,954.00	\$4,954.00	9/17/2021	8/14/2025
16	CSFZHQ2	1	ProSupport Plus Mission Critical: 7x24 HW/SW Technical Support and Assistance	\$4,959.00	\$4,959.00	9/17/2021	8/14/2025

Line	Service Tag	Qty	Description	Unit Amt	Ext. Amt	New Contract Dates	
						Start Date	End Date
17	CSFZHQ2	1	ProSupport for Software: 7X24 Total Feature Bundle	\$5,988.00	\$5,988.00	9/17/2021	- 8/14/2025

**\*\*Notes:**

State Contract# C000000711509 CT EMC NASPO

**SubTotal:** \$38,944.42

**Shipping:** \$0.00

**\*Total:** **\$38,944.42**

**\*Plus Applicable Taxes**

Subject to manufacturer return policies, hardware, accessories, peripherals, and parts may be returned within 30 days from the date on the invoice for a credit or a refund of the purchase price paid, less any applicable restocking fees. Please note, software is not eligible for returns, credits, or refunds.

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 20, 2022

**SUBJECT:** Town IT Infrastructure Upgrade

**Summary of Agenda Item:**

The Town's servers were purchased in 2013 and are in dire need of replacement. The general lifespan of server equipment is 5 to 7 years. Our current system would be close to a decade old when the new equipment would arrive and go into service. The Town's servers, switches and storage supports just about every computer function that occurs in Town. If they were to fail, mostly all computer activity throughout the Town would cease, including Finance, Payroll, Assessors, Tax Collection, etc. Even basic internet connectivity is handled by this system. As equipment reaches this age, vendors no longer support it, and parts are impossible to get.

We have worked with Dell and our Dell Partner to develop a replacement solution that is expected to carry the Town through at least the next 6 years. This system what is called "hyperconverged", meaning that the servers, switching, and storage are all part of a single solution as opposed to purchasing separate devices for each function. This system is called VxRail and is completely supported by a single team at Dell so there are no issues with one team or vendor claiming an issue is caused by something they don't support. The quote from Winslow, our Dell partner, includes a 5-year warranty on all of the equipment, 3 years of VMware support and Professional Services to install and configure the equipment. It also includes assistance with migration from our old servers and knowledge transfer to our IT team to hand-off the remainder of the migration as a cost saving measure.

We also need Microsoft Server licensing to allow us to legally install an operating system on these servers. The price for this licensing is set by Microsoft regardless of the vendor. We have usually purchased our licensing from the Black Rock Technology Group of Bridgeport, Connecticut and they have been found to be a good vendor to work with.

This equipment, VMware support and professional services will be purchased through Winslow Technology Group using State contract #C000000711509 CT EMC NASPO.

The cost of the Microsoft licensing is quoted as being \$25,150.00

The total cost from the Winslow Technology Group and Microsoft licensing will not exceed \$165,000. Funding will come from the Information Technology Capital Items account 500.05.0503.0.54000.00000.

**Action Needed:**

- Move to approve the purchase of IT infrastructure equipment, VMware licensing and professional services from Winslow Technology Group of Waltham, Massachusetts using state contract for \$127,840.00.



- Move to purchase the required Microsoft licensing from the Black Rock Technology Group of Bridgeport, Connecticut for \$25,150.00
- Move to allocate \$12,000 for contingency for this project.

**Attachments:**

WTG Quote

BRTG Quote

Sufficiency of Funds

**Prepared By:** Brian Freeman, Information Technology Director

A handwritten signature in blue ink, appearing to be 'B. Freeman', is written over the printed name.



# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 6-Sep-22

Purchase Item or Contract: Infrastructure Upgrade		Requested by: Brian Freeman	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Infrastructure equip., VMware licensing, professional services, Microsoft	\$165,000.00	\$165,000.00
	licensing (Total not to exceed \$165,000)		
			-
			-
			-
			-
TOTAL			\$165,000.00

Account No. 500.05.0503.0.54000.00000 Capital Items

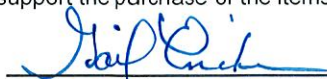
Budgeted Amount.....	\$165,000.00	Available balance.....	\$165,000.00
Encumbrances to Date.....	\$0.00	Amount Needed for This Package.....	\$165,000.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$0.00

Is a budget change needed? ☐ Yes ☒ No

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

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

or:

  
Finance Director or Assist.Finance Director

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

\_\_\_\_\_  
Finance Director or Assist.Finance Director



**Black Rock Technology Group**  
211 State Street  
Suite 203  
Bridgeport, Connecticut 06604  
United States  
<http://www.brtg.com>  
(P) 203-916-7200  
(F) 203-916-7205

## Quotation (Open)

<b>Date</b> Sep 01, 2021 09:39 AM EDT	<b>Expiration Date</b> 09/30/2022
---	--------------------------------------

**Modified Date**  
Aug 26, 2022 11:32 AM EDT

**Quote #**  
102487 - rev 1 of 1

**Description**  
Windows Server DataCenter 2022

**SalesRep**  
Davis, Chris  
(P) 203-916-7202  
(F) 203-916-7205

**Customer Contact**  
Freeman, Brian  
(P) 860-828-7095  
[bfreeman@town.berlin.ct.us](mailto:bfreeman@town.berlin.ct.us)

### Customer

Town of Berlin (TO3322)  
Freeman, Brian  
240 Kensington Rd  
Berlin, CT 06037  
United States  
(P) 860-828-7000

### Bill To

Town of Berlin  
Freeman, Brian  
240 Kensington Rd  
Berlin, CT 06037  
United States  
(P) 860-828-7000  
[bsagan@town.berlin.ct.us](mailto:bsagan@town.berlin.ct.us)

### Ship To

Town of Berlin  
Freeman, Brian  
240 Kensington Rd  
Berlin, CT 06037  
United States  
(P) 860-828-7000  
[bsagan@town.berlin.ct.us](mailto:bsagan@town.berlin.ct.us)

**Customer PO:**

**Terms:**  
Undefined

**Ship Via:**  
UPS Ground

**Special Instructions:**

**Carrier Account #:**

#	Image	Description	Part #	Qty	Unit Price	Total
1		Windows Server 2022 Datacenter - 16 Core (NCE COM BAS PER 1TM)	WINSRVDCTR2022	4	\$5,750.00	\$23,000.00
2		Windows Server 2022 - 1 User CAL (NCE COM BAS PER 1TM)	WINSRVCALUSR22	50	\$43.00	\$2,150.00

Perpetual Licenses

<b>Subtotal:</b>	<b>\$25,150.00</b>
Tax (.0000%):	\$0.00
Shipping:	\$0.00
<b>Total:</b>	<b>\$25,150.00</b>

Thank you for the Opportunity to quote. Please let us know if there are any questions or modifications needed for this quote, or if you need a quote for another project. Have a Great Day!





# WINSLOW

Technology Group

303 Wyman St. Ste 210, Waltham, MA 02451-1253  
t. (781) 471-5021 f. (617) 507-6427

# QUOTE

**Number** WTGQ35017-07

**Date** 9/8/2022

**Expiration** 9/30/2022

## Sold To

**Town of Berlin, CT**  
Brian Freeman  
240 Kensington  
Berlin, CT 06037

## Ship To

**Town of Berlin, CT**  
Brian Freeman  
240 Kensington  
Berlin, CT 06037

## Account Executive

**Katy Ward**  
508-733-9535  
kward@winslowtg.com

**Phone** 860 828 7000  
**Fax**

**Phone** 860 828 7000  
**Fax**

Budgetary Proposal

Line	Qty	Description	Unit Amount	Ext. Amount
1		Dell EMC VxRail S570	\$89,495.00	\$89,495.00
2		(4) VxRail S570 14x3.5"		
3		(4) S570 Branding		
4		(4) PSNT Info		
5		(4) VxRail E560/PV570/S570 Hardware		
6		(4) VxRail Software 4.7.520 Factory Install		
7		(4) No Transformational License Agreement		
8		(4) Chassis with up to 12 x 3.5" HDDs on BP 4 x 3.5" HDDs on MP and 2 x 3.5" HDDs Flexbay 1 and 2CPU Configuration		
9		(4) VxRail P/V/S 570 Bezel		
10		(4) Intel Xeon Silver 4215R 3.2G 8C/16T 9.6GT/s 11 M Cache Turbo HT (130W) DDR4-2400		
11		(4) No Additional Processor		
12		(4) 3200MT/s RDIMMs		
13		(24) 32GB RDIMM 3200MT/s Dual Rank 16Gb BASE		
14		(12) 4TB 7.2K RPM NLSAS 12Gbps 512n 3.5in Hot-plug Hard Drive		
15		(4) 1.6TB SSD SAS Mix Use 12Gbps 512 2.5in Flex Bay AG Drive 3.5 HYB CARR 3 DWPD		
16		(4) Intel X710 Quad Port 10GbE SFP+ rNDC		
17		(4) Trusted Platform Module 2.0		
18		(4) ReadyRails Sliding Rails With Cable Management Arm		
19		(4) Dual Hot-plug Redundant Power Supply (1+1) 1100W		

Line	Qty	Description	Unit Amount	Ext. Amount
20		(8) Power Cord - C13 3M 125V 15A (North America Guam North Marianas Philippines Samoa Vietnam)		
21		(4) VxRail VMware vSAN Advanced 5 Years		
22		(4) VxRail HCI System Software Hybrid A		
23		(12) VxRail Hyper Converged OS Capacity Drive 4.0TB HDD		
24		(4) Dell Hardware Limited Warranty 1 Year		
25		(4) ProSupport Mission Critical 4-Hour 7x24 On-Site Service with Emergency Dispatch 4 Years Extended		
26		(4) ProSupport Mission Critical 4-Hour 7x24 On-Site Service with Emergency Dispatch 1 Year		
27		(4) ProSupport 7x24 HW Tech Support and Assistance 5 Years		
28		(4) Dell Limited Hardware Warranty Extended Year(s)		
29		(4) Thank you choosing Dell ProSupport. For tech support visit <a href="http://www.dell.com/support">//www.dell.com/support</a> or call 1-800- 945-3355		
30		(4) 5 Years ProSupport With Mission Critical Software Support		
31		(4) ProSupport Mission Critical		
32		(4) PowerEdge R740 CE CCC BIS Marking		
33		(4) HCIA RecoverPoint for VMWare for 1 node VT		
34		(4) VxRail S570 Shipping		
35		(4) PowerEdge R740 Shipping Material		
36		(4) Riser Config 1 4 x8 slots		
37		(4) PowerEdge R740/R740XD Motherboard		
38		(4) Blank for 1CPU Configuration		
39		(4) Blank for 1CPU Configuration		
40		(4) 1U Pipe Low Profile Heatsink		
41		(4) Performance Optimized		
42		(4) No RAID for S570		
43		(4) HBA330 Controller 12Gbps Mini card		
44		(4) BOSS controller card + with 2 M.2 Sticks 240G (RAID 1) LP		
45		(4) iDRAC9 Enterprise		
46		(4) iDRAC Group Manager Disabled		
47		(4) iDRAC Legacy Password		
48		(4) DHCP with Zero Touch Configuration		

Line	Qty	Description	Unit Amount	Ext. Amount
49		(4) IDSDM and Combo Card Reader		
50		(4) Redundant SD Cards Enabled		
51		(4) 64GB microSDHC/SDXC Card		
52		(4) 64GB microSDHC/SDXC Card		
53		(4) 6 Performance Fans for R740/740XD		
54		(4) No Quick Sync		
55		(4) UEFI BIOS Boot Mode with GPT Partition		
56		(4) No Energy Star		
57		(4) No Systems Documentation No OpenManage DVD Kit		
58		(4) VxRail S570 Luggage Tag		
59		(4) US Order		
60		(4) VxRail Small Form Factor Pluggable Cable Kit		
61		Dell EMC S5212 Switches	\$17,750.00	\$17,750.00
62		(2) Dell EMC S5212F-ON Switch, 12x 25GbE SFP28, 3x 100GbE QSFP28 ports, IO to PSU air, 2x PSU, OS10		
63		(2) VLT Tech Sheet Document		
64		(2) Dell EMC S52XX-ON Series User Guide		
65		(2) OS10 Enterprise, S5212F-ON		
66		Dell NW Dual Tray, 4-post, S5212F-ON		
67		(2) Dell NW Dual Tray, 4-post, S5212F-ON		
68		(2) 1 Year ProSupport OS10 Enterprise Software Support-Maintenance		
69		(2) Dell Hardware Limited Warranty 1 Year		
70		(2) ProSupport:Next Business Day Onsite Service After Problem Diagnosis, 1 Year		
71		(2) ProSupport:Next Business Day Onsite Service After Problem Diagnosis, 4 Years Extended		
72		(2) ProSupport:7x24 HW/SW Technical Support and Assistance, 5 Years		
73		(2) Dell Limited Hardware Warranty Extended Year(s)		
74		(2) Thank you choosing Dell ProSupport. For tech support, visit <a href="http://www.dell.com/support">//www.dell.com/support</a> or call 1-800- 945-3355		
75		(2) Info 3rd Party Software Warranty provided by Vendor		
76		(2) On-Site Installation Declined		
77		(2) Dell Networking Cable, 100GbE QSFP28 to QSFP28, Passive Copper Direct Attach Cable, 0.5 Meter		



Line	Qty	Description	Unit Amount	Ext. Amount
78		(10) Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 3 Meter		
79		(2) Power Cord, 125V, 15A, 10 Feet, NEMA 5-15/C13		
80		(2) Power Cord, 125V, 15A, 10 Feet, NEMA 5-15/C13		
81				
82		<b>VMware</b>		
83	4	VMware vSphere Standard	\$2,273.75	\$9,095.00
84	4	VMware vSphere 7 Standard 1 CPU (max 32 cores/CPU socket) 5YR VMware SNS		
85	4	ProSupport for Software VMware vSphere Standard 1 CPU 5 Years		
86	4	ProSupport for Software VMware Contract 5 Years		
87				
88		<b>Winslow Technology Group - Professional Services</b>		
89	1	WTG Professional Services	\$11,500.00	\$11,500.00
90		<ul style="list-style-type: none"> <li>- VxRail 4 Node Installation &amp; Configuration</li> <li>o New vCenter Deployment</li> <li>- Top of Rack Switch Installation &amp; Deployment</li> <li>o Uplinking Switches to Existing Network</li> <li>- Migration Kick Off</li> <li>o 2 VMs and knowledge transfer, then hand-off to customer</li> </ul>		

**\*\*Notes:**  
C000000711509 CT EMC NASPO

**\*Total: \$127,840.00**

*\*Plus Applicable Taxes*

*Subject to manufacturer return policies, hardware, accessories, peripherals, and parts may be returned within 30 days from the date on the invoice for a credit or a refund of the purchase price paid, less any applicable restocking fees. Please note, software is not eligible for returns, credits, or refunds.*

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 13, 2022

**SUBJECT:** Authorization for the Town Manager to Apply for and Enter Into Brownfields Grant Agreements Related to the 889 Farmington Avenue Property and to Appropriate the Grant, if Offered

**Summary of Agenda Item:**

The Municipal Brownfields grants for the project 889 Farmington Avenue/55 Steele Boulevard project total \$788,557. Pursuant to the Municipal Brownfields grant program policies of the Connecticut Department of Economic and Community Development, the Town may request supplemental brownfields grant funding for the project of 50% of the original grant amount (\$394,278).

The Town recently bid the engineered control work at 889 Farmington Avenue that is to be funded by the Municipal Brownfields grant and by a brownfields grant from the Capitol Region Council of Governments. The existing funds are insufficient to allow awarding of the contract for this work. We received 2 bids for the engineered control project. The low bidder is B&W Paving at \$860,000. We have vetted B&W and would like to award them the bid subject to securing the needed funds.

The bids for the project are greater than the Town consultant's bid estimate of \$638,000 (note: the estimate did not include dewatering that the low bidder bid at \$75,000). The reasons that we believe that the project bid is higher than the estimate include.

- The complications of the job due to the coordination between the Town's contractor and the developer's contractor that will install sub liner improvements including utilities, footings, and foundations.
- The late in the calendar year bid and aggressive project time schedule.
- The general unfavorable bidding climate and rising price structure.
- The limited number of contractors with the expertise to do the work.

The Town had a reasonable bidding period of over 30 days, and we received few requests for information, so we believe that the bid period was adequate and that the bidding package was complete. Four contractors acquired plans for the bid but only 2 of these contractors submitted bids.

The existing sources of funding for this project are the DECD Municipal Brownfields Grant and a CRCOG/EPA brownfields grant. Based on staff analysis there is \$292,111 unencumbered in the CRCOG grant account for the project and \$427,608 in the DECD brownfields grant account for a total of \$719,719 unencumbered and available to fund the bid award. We project that to



award the bid we will need \$1,032,000 (the low bid amount of \$860,000 plus a 20% contingency \$172,000). In addition, we expect added environmental consulting and construction administration costs of about \$100,000. Therefore, we expect to need about \$1,132,000 for the engineered control project and other grant related work already under contract. Since we have \$719,719 in unencumbered funds, the projected funding shortfall is \$412,281.

A supplemental Municipal Brownfields grant for the project of \$394,278 will bridge part of the projected funding gap and the additional \$18,003 would be taken from the Farmington Avenue Development (non-grant) account.

A primary reason that the Town is requesting this supplemental grant is to continue to completion its public/private partnership with the State of Connecticut and Newport Realty Group for the Steele Center redevelopment project. The Town has completed Steele Boulevard. The private sector portion of the Steele Center development project is comprised of 1 commercial building, 1 residential building and 2 mixed-use buildings totaling approximately 99,000 square feet including 80 market-rate apartments, plus and the renovation of the 2,800 square foot building at 861 Farmington Avenue. Newport completed the 861 Farmington Avenue renovation, and that building is fully occupied. In August, a certificate of occupancy was granted for 9 Steele Boulevard and residential tenants are starting to move in. 9 Steele Boulevard will have 16 upper levels apartments and first floor commercial space. A lease has been signed with a restaurant (Hop Haus) that will be the anchor first floor tenant. Given the lack of demand for medical space, Newport reimagined its plan for 10 Steele Boulevard, and it has now received approval for a revised site plan for smaller first floor plus a limited second floor with 4 apartments. Newport expects to submit a building permit application for the 10 Steele Boulevard building soon and to start construction in the autumn. As required to advance the 55 Steele project, Newport prepared its site plans detailing all subterranean work including utilities, footings, and foundations. Newport has applied for a foundation and site plan building permit for this 55 Steele Boulevard work and is prepared to go forward with its work in coordination with the Town's engineered control contractor. Newport will be doing this site work before it takes title to the property because the Town agreed to construct the engineered control before transferring title. Newport's work will be done pursuant to a license agreement that has been executed by the parties.

**Actions Needed:**

Move to approve the attached resolution to authorize the Town Manager to apply for a \$394,278 supplemental municipal brownfields grant for the 889 Farmington Avenue and, if a grant is offered, to execute a grant proposal, grant agreement and other documents as necessary to secure and carry out the purposes of the grant and to appropriate the grant of up to the amount awarded to the Municipal Brownfields grant account for 889 Farmington Avenue.

**Attachments:**

1. Brownfields Grant resolution

**Prepared By:**

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



DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT  
STATE OF CONNECTICUT  
(AN EQUAL OPPORTUNITY EMPLOYER)  
**CERTIFIED RESOLUTION OF THE GOVERNING BODY**

I, \_\_\_\_\_, \_\_\_\_\_, certify that below is a true and correct copy of a  
(Name of Official) (Title of Official)

resolution duly adopted by \_\_\_\_\_  
(Name of the Applicant)

at a meeting of its \_\_\_\_\_  
(Governing Body)

duly convened on \_\_\_\_\_ and which has not been rescinded or modified in  
(Meeting Date)

any way whatsoever and is at present in full force and effect.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature and Title of Official)

SEAL

**WHEREAS**, pursuant to Connecticut General Statutes ("C.G.S.") Sec. 32-763 (for Brownfield Grant) the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the Town of Berlin make an application to the State for a supplemental grant of \$394,278 in order to undertake the 889 Farmington Avenue Municipal Brownfields Project per the Town's Grant Application and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BERLIN TOWN COUNCIL

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Connecticut General Statutes ("C.G.S.") Sec. 32-763 (for Brownfield Grants),
2. That the filing of an application for State financial assistance by THE TOWN OF BERLIN in an amount not to exceed \$ 394,278 is hereby approved and that Arosha Jayawickrema, Town Manager, is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of THE TOWN OF BERLIN.

**Agenda Item No. 9**  
**Request for Town Council Action**

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 8, 2022

**SUBJECT:** Contract Award for Treated Salt Purchase Fiscal Year 2022-2023

**SUMMARY:**

The Highway Department's use of treated road salt de-icing materials has proven successful over the past winters. These products adhere to the roadways much more consistently and evenly, reducing "scatter", proving it safer for the environment, and results in cleaner streets in the spring, thus reducing our street sweeping disposal.

The Capital Region Council of Governments (CRCOG) bid #735 for treated salt accepted bids from companies for a contract term of July 1, 2022 - June 30, 2023. Towns are to select a vendor appropriate for their region to provide reasonable services. We therefore recommend Morton Salt provide the treated salt for the duration of the contract. We will be committing an annual quantity of material (2,000 tons at \$94.47/ton). As in the past, we are obligated to purchase at least 50% of the annual estimated quantity of material and are requesting an initial purchase order in the amount of \$94,470.00 with Council granting authority to purchase additional quantities, based upon need, through June 30, 2023. Funds are available in the Highway Department's budget, Account #001.20.2037.0.53217.00000 (Snow and Ice Removal).

**ACTION NEEDED:**

Move to authorize the use of Morton Salt for treated road salt utilizing the Capitol Region Council of Governments Contract #735 for snow and ice control through June 30, 2023.

**ATTACHMENTS:**

- 1) Sufficiency of Funds
- 2) Bid #735- Treated Road Salt Bid Sheet

**PREPARED BY:**

James P. Horbal, Deputy Director of Public Works





# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 6-Sep-22

Purchase Item or Contract: Purchase of treated salt		Requested by: Jim Horbal	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	1,000 tons treated salt	\$94,470.00	\$94,470.00
			\$0.00
			-
			-
			-
			-
TOTAL			\$94,470.00

Account No. 001.20.2037.0.53217.00000 Snow and Ice Materials

Budgeted Amount.....	\$175,000.00	Available balance.....	\$169,900.00
Encumbrances to Date.....	\$5,100.00	Amount Needed for This Package.....	\$94,470.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$75,430.00

Is a budget change needed? ☐ Yes ☒ No

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

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

Finance Director or Assist.Finance Director

or:

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

Finance Director or Assist.Finance Director



# Need Help?

Contact Kim Bona (mailto:kbona@crcog.org) for assistance or (860) 724-4292

Search for a Bid

^ TREATED ROAD SALT

## Treated Road Salt Bid, Bid #735

Contract Period: 7/1/22 - 6/30/23

### Excel Bid Table

TRS Excel BidTab (Excel File) ([https://crcog.org/wp-content/uploads/2022/06/735-Results\\_Treated-Road-Salt-BidTable.xlsx](https://crcog.org/wp-content/uploads/2022/06/735-Results_Treated-Road-Salt-BidTable.xlsx))

### .Zip File of All Submission Materials

TRS BidTab All Submission Files (.zip file) (<https://crcog.org/wp-content/uploads/2022/06/735-Treated-Road-Salt-735-.zip>)

TRS Town Submissions ([https://crcog.org/wp-content/uploads/2022/06/Individual-Town-Qtys\\_TRS\\_22-23.pdf](https://crcog.org/wp-content/uploads/2022/06/Individual-Town-Qtys_TRS_22-23.pdf))

### Other Bid Documentation

Company Information (<https://crcog.org/wp-content/uploads/2022/06/735-Treated-Road-Salt-Company-Information.xlsx>)

735 Q and A's ([https://crcog.org/wp-content/uploads/2022/06/QandA.735\\_TRS.pdf](https://crcog.org/wp-content/uploads/2022/06/QandA.735_TRS.pdf))

CRPC Road Salt Region Map (<https://crcog.org/wp-content/uploads/2020/07/CRPC-Road-Salt-Region-Map-1.pdf>)

TRS Bid Specifications, Terms and Conditions (<https://crcog.org/wp-content/uploads/2022/06/735-Treated-Road-Salt-BidSpecs-Template.pdf>)

Agenda Item No.: 10  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** September 6, 2022  
**SUBJECT:** Purchase of Three (3) 2022 Ford Utility Police Interceptor Vehicles for the Police Department, utilizing the State of Connecticut, Department of Administrative Services Contract # 12PSX0194

**Summary of Agenda Item:**

Within the 2022/2023 fiscal year budget, funding was requested to replace three police vehicles. Funding was finally approved in July of 2022. MHQ of Marlborough, MA currently holds the contract with the Connecticut Department of Administrative Services (Contract #12PSX0194).

From this contract Jim Simons, Fleet Manager would like to purchase (3) 2022 Ford Police Utility Interceptors for a price of \$34,863 each, for a total expenditure of \$104,587.

Adding a 10 percent contingency would bring the requested amount to \$115,087.

Funding is located in the following account #:

- CNR Police Vehicles: 500.15.1532.0.54000.00004 for the balance \$115,087

**Action Needed:**

Move to approve the purchase of three (3) 2022 Ford Utility Police Interceptors for the Police Department, utilizing the State of Connecticut, Department of Administrative Services Contract #12PSX0194 for an amount not to exceed \$115,087.

**Attachments:**

Certification of Sufficiency of Funds

**Prepared By:**

James C. Simons, Fleet Manager



# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 13-Sep-22

Purchase Item or Contract: Ford Police Utility Interceptors		Requested by: Jim Simons	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Three 2022 Ford Police Utility Interceptors	\$115,087.00	\$115,087.00
	(not to exceed \$115,087)		\$0.00
			-
			-
			-
			-
TOTAL			\$115,087.00

Account No. 500.15.1532.0.54000.00004 Police Vehicles

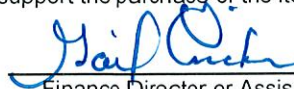
Budgeted Amount.....	\$239,546.17	Available balance.....	\$235,550.89
Encumbrances to Date.....	\$3,995.28	Amount Needed for This Package.....	\$115,087.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$120,463.89

Is a budget change needed? ☐ Yes ☒ No

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

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

or:

  
Finance Director or Assist.Finance Director

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

\_\_\_\_\_  
Finance Director or Assist.Finance Director



Agenda Item No. 11  
Request for Town Council Action

**TO:** The Honorable Mayor and Town Council  
**FROM:** Arosha Jayawickrema, Town Manager  
**DATE:** September 7, 2022  
**SUBJECT:** Waive the Bidding Process for Atlantic Turf and Golf for Fiscal Year 2022-2023

**SUMMARY:**

The Berlin Parks and Grounds Department is requesting permission to waive the bidding process to cumulatively spend up to \$20,000 with the vendor: Atlantic Turf and Golf for the fiscal year 2022-2023. This vendor has great prices, most products in stock and is in line with the fertilization, over seeding, topdressing program in place by the Parks and Grounds Department. Their seed is A list certified; their fertilizer has little to no fillers in it while also offering a wide range of organic fertilizer, which is more beneficial and safer for children and playing fields. They also offer a seven percent early order program saving hundreds of thousands. The funds are available in the fertilizer and seed account 001.25.2545.0.53243.00000.

**ACTION:**

Move to waive the Town's bidding procedure and approve issuing a purchase order in the amount not to exceed \$20,000 in fiscal year 2022-2023 for Atlantic Golf and Turf for seed and fertilizer, as this is in the best interest of the town.

**ATTACHMENTS:**

Sufficiency of Funds

**PREPARED BY:**

Steven T. Wood, Superintendent of Parks and Grounds



# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 7-Sep-22

Purchase Item or Contract: Purchases from Atlantic Turf and Golf		Requested by: Steve Wood	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Purchases from Atlantic Turf and Golf (not to exceed \$20,000)	\$20,000.00	\$20,000.00
			\$0.00
			-
			-
			-
			-
TOTAL			\$20,000.00

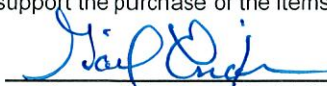
Account No. 001.25.2545.0.53243.00000 Fertilizer, Seed, Chemicals

Budgeted Amount.....	\$29,000.00	Available balance.....	\$24,000.00
Encumbrances to Date.....	\$3,023.38	Amount Needed for This Package.....	\$20,000.00
Expenditures to Date.....	\$1,976.62	Available Balance After Purchase.....	\$4,000.00

Is a budget change needed? ☐ Yes ☒ No

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

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

  
Finance Director or Assist.Finance Director

or:

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

\_\_\_\_\_  
Finance Director or Assist.Finance Director

**TO:** The Honorable Mayor and Town Council

**FROM:** Arosha Jayawickrema, Town Manager

**DATE:** September 7, 2022

**SUBJECT:** Waive the Bidding Process for ABI Force, zero turn vehicle, model z23slt.

**Summary of Agenda Item:**

The Town of Berlin Parks & Grounds Department is requesting permission to waive the bidding process to spend up \$35,000 on an ABI Force, zero turn vehicle, model z23slt. Exclusive functions include: zero-turn laser grading, hydraulic control of interchangeable front, mid and rear mount attachments, stand on access and visibility, exclusive vibraflex & profile blade field conditioning technologies with positive depth control, exclusive responsive variable force (RVF) technology. This will be used to maintain 13 baseball and softball fields daily. The funds are available in the Equipment Account 001.25.2545.0.53218.00000. The Berlin Parks & Grounds Department is looking to purchase it through ABI Attachments seeing they are the sole source provider of this piece of equipment. There is no other like item or product available for purchase that would serve the same purpose or function, and there is only one retail price for the ABI force, zero turn vehicle, models z23sl or z23slt.

**Action Needed:**

Move to waive the Town of Berlin's Bidding Procedure and approve the purchase of an ABI Force zero turn vehicle, model z23slt with attachments for an amount not to exceed \$35,000 in FY 2022-2023 from ABI Attachments, as this is in the best interest of the town.

**Attachments:**

Sufficiency of funds

ABI Attachments Sole Source Letter

ABI Force Quote

**Prepared By:**

Steven Wood, Superintendent Parks and Grounds





ABI Attachments, Inc.  
520 S Byrkit Ave  
Mishawaka, IN 46544

877-788-7253  
[www.ABIattachments.com](http://www.ABIattachments.com)

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## SOLE SOURCE LETTER

1/1/2021

To Whom It May Concern,

This letter is to confirm that the ABI Force, zero turn vehicle, models z23sl or z23slt, referenced in the included quotation, is a sole-source product offered exclusively by ABI Attachments, Inc in your region. No other company offers a similar or competing product. This product must be purchased directly from ABI Attachments, Inc. at the address listed above. There are no agents or dealers authorized to represent this product in your region.

Competition is precluded by the existence of proprietary product capability and trade secret manufacturing processes and techniques which enable the ABI Force, stand-on zero turn vehicle's purpose and function (models z23sl or z23slt). Exclusive functions include: Zero-Turn Laser Grading, Hydraulic Control Of Interchangeable Front, Mid, and Rear Mount Attachments, Stand-on Access & Visibility, Exclusive VibraFlex & Profile Blade Field Conditioning Technologies With Positive Depth Control, Exclusive Responsive Variable Force (RVF) Technology. These and other proprietary facets of the ABI Force are additionally protected under U.S. patent law by the following U.S. patents: US9,332,687, US9,883,621, US10,149,440, US10,287,744, & US10,287,745.

There is no other like item or product available for purchase that would serve the same purpose or function, and there is only one retail price for the ABI Force, zero turn vehicle, models z23sl or z23slt. If you desire additional information, please don't hesitate to contact me at (574) 850-8708 at any time or visit our website at [www.ABIattachments.com](http://www.ABIattachments.com). Thank you for your interest in our products.

Sincerely,

A handwritten signature in black ink, reading 'Jim Catalano', written over a horizontal line.

Jim Catalano

Sr. Vice President  
ABI Attachments, Inc.



# TOWN OF BERLIN

## CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE 7-Sep-22

Purchase Item or Contract: ABI Force zero turn vehicle		Requested by: Steve Wood	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	ABI Force zero turn vehicle (not to exceed \$35,000)	\$35,000.00	\$35,000.00
			\$0.00
			-
			-
			-
			-
TOTAL			\$35,000.00

Account No. 001.25.2545.0.53208.00000 Equipment

Budgeted Amount.....	\$35,000.00	Available balance.....	\$35,000.00
Encumbrances to Date.....	\$0.00	Amount Needed for This Package.....	\$35,000.00
Expenditures to Date.....	\$0.00	Available Balance After Purchase.....	\$0.00

Is a budget change needed? ☐ Yes ☒ No

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

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

or:

  
Finance Director or Assist.Finance Director

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

\_\_\_\_\_  
Finance Director or Assist.Finance Director



ABI Attachments, Inc.  
520 S Byrkit St.  
Mishawaka IN 46544  
United States  
877-788-7253  
www.ABIattachments.com

Quote #QO395730

ID #: 438144 Steve Wood  
Quote Date: 8/25/2022

**Bill To**

Town of Berlin  
Steve Wood  
860-250-2821  
15 Town Farm Ln  
Berlin CT 06037  
United States

**Ship To**

Town of Berlin  
Steve Wood  
860-250-2821  
15 Town Farm Ln  
Berlin CT 06037  
United States

**Quote Details**

Expires - End Of Month Quoted  
Terms -  
Quoted By - Cory Stoneburner

**Notes:**

Quantity	Items	Weight	Price	Amount
1	<b>10-99144 ABI Force z23slt "Laser Ready" w/Tweels</b> ABI Force zero-turn vehicle (ZTV) - Model z23slt "Laser Ready": The patented ABI Force is a new class of outdoor work vehicle. This industry-first commercial-grade zero-turn vehicle, when optionally equipped, is built for world-class ballfield maintenance and renovation, turf care and installation, and precision laser grading work. The drivetrain features a powerful and fuel-efficient commercial-grade 23 hp (747cc) Kohler Command PRO EFI engine (eliminates carburetor), 2-stage cyclonic canister air filter (protects engine), and a commercial hydrostatic drive system that directly couples the drive pumps to the engine (eliminates belts). This machine additionally enables fingertip hydraulic command of the patented spring mid-mount pitch-&-lift system and rear-mount swivel-lift system. Both mid and rear systems are ready to be configured with a range of optional ABI designed attachments to meet specific requirements (multifunction rake included). The advanced hydraulics system additionally enables complete automated control of mid-mount attachments for zero-turn laser grading and grooming. Just add optional laser electronics and mounts! Ensure consistent world-class results with the z23slt speed-lock and depth-lock features. The z23slt is built upon a rugged tubular steel frame with removable, easy access service panels, large 24" Tweel rear tires, and 13" front air-filled casters. Commercial 24-Month Limited Chassis Warranty and 36-Month Unlimited Hour Engine Warranty   (Customer assembly & uncrating required - Required attachments sold separately - EPA & CARB Compliant) Laser System Note: Electronic machine control, laser receiver, mounts, laser transmitter, and tripod sold separately. (Laser system additionally requires items: 10-90403, 10-10424, & 10-10422 plus ground-engaging attachments.)	1,500	\$27,999.00	\$27,999.00
1	<b>10-90165 VibraFlex 5' Infield Drag (Model 3800)</b> The Vibraflex Infield Drag, model 3800, is an innovative attachment that prepares recreational level baseball and softball infields with four rows of evenly staggered U-pins that groom any infield material. Unlike conventional nail boards, VibraFlex pins are easy to replace, and ABI's technology positively controls ground-engagement depth regardless of material moisture or compaction. Change out pins based upon application and desired results. 60" wide   3/4" spacing   Includes 1/4" and 3/8" pins   1/4" pins are preinstalled. MODEL 3800	75	\$799.00	\$799.00
1	<b>10-90253 Set of 2 Profile Blades for Infield Rascal &amp; ABI Force, w/Hardware</b> Profile Blades de-compact the infield and warning track surfaces and eliminate vegetation at the root level without up-ending the infield's profile during light renovation work. (5.5' Wide)	35	\$449.00	\$449.00
1	<b>10-99137 6' Rigid Drag Mat w/ Level Bar (For z23s pivot-lift)</b> The Rigid Drag Mat with leveling bar is an all-purpose attachment to level, smooth, and finish. This drag-mat is 6' wide and 1.5' long and is designed to float material from high areas into low areas WITHOUT following small contours of the ground. This drag-mat is custom designed to mount to the ABI Force z23s articulating hydraulic lift system. It also includes an adjustment linkage to set desired results. (Customer Assembly Required)	61	\$549.00	\$549.00

<b>Subtotal</b>	<b>\$29,796.00</b>
Shipping Cost	\$845.00
Tax Total (%)	\$0.00
<b>Total</b>	<b>\$30,641.00</b>

**Freight Carrier:** SAIA - Confirmation #: BG507846222 (Not A Tracking #)

**Freight Accessorials Ordered:** - Residential with Notify - - Liftgate - - Limited Access -

**Customer Support:** Phone Support 877-788-7253, Mon-Fri, 9am-5pm EST or [ABIsupport.com](mailto:ABIsupport.com) for product manuals, parts, and self-help.

**Return Policy:** Product(s) sold with limited product warranty, standard return policy (shown here), and (when eligible) a conditional AttachMatch money-back guarantee. Review Details: <https://www.abiattachments.com/abi-company/policies/return-policy/> ABI's Standard 30-Day Return Policy: ABI will consider a refund on returns initiated within thirty (30) days of delivery of UNUSED products. ABI encourages customers to use caution when placing an order, as once shipped, the item may only be returned or exchanged if ABI expressly consents. Refunds are for the product's purchase price only: shipping and handling charges are not refundable. The customer is responsible for all shipping expenses associated with the transaction; these expenses include those incurred to deliver the product to the customer by ABI and shipping expenses incurred to return the product to ABI from the customer. If the product(s) has been used or otherwise reduced in resale value, up to a twenty-five percent (25%) restocking fee may be applied to items returned. If the customer utilized financing or otherwise has not paid ABI monies sufficient enough to cover the aforementioned expenses, the customer will be asked to pay these expenses before a return will be issued. When the purchaser receives the product(s), please keep the shipping pallet and packing material, as it will be required to return the product. Refunds are not made until all products are returned to ABI's possession. The customer shall not be responsible for damage caused by the shipping company delivering the product, provided such damage is noted on the delivery receipt at the time of delivery, or the shipment is refused. Applicable warranties cover defects in material and workmanship. ABI retains the exclusive and sole right to determine if an item is eligible for a return, exchange, or cancellation once shipped. ABI must approve in writing to obtain a return, refund, or exchange.



QO395730





ABI Attachments, Inc.  
520 S Byrkit St.  
Mishawaka IN 46544  
United States  
877-788-7253  
www.ABIattachments.com

Quote #QO395730

ID #: 438144 Steve Wood

Quote Date: 8/25/2022

**Critical Delivery Responsibilities:**

If your order is not a parcel being shipped via UPS or FedEx, please consider the following to avoid additional charges. **Critical Inspection Process:** Upon delivery, you will need to thoroughly inspect your purchase for any damages or shortages. ABI nor the carrier will be responsible for damages or shortages if they are not indicated on the delivery document the driver asks you to sign. **Unloading The Truck:** Most ABI equipment requires the assistance of a forklift, tractor with front-end loader, or a lift gate to offload. We have already discussed an offloading plan with you and ordered the freight accessorials listed above at your direction. If this offloading plan is not clear to you, please contact us immediately. **Terminal Or Customer Pick Up:** If selected, the carrier or ABI will contact you with additional instructions when the unit is available for pickup.

Thank you for your purchase. All payments must be received in US dollars. Payment in full before shipment is required unless otherwise approved for financing through one of our partners or approved for corporate/government terms with ABI. If state and local sales or use taxes are not included in your quote or sales order, you may still be responsible for paying taxes on this purchase. Please consult with your tax advisor or the Department of Revenue for any tax liabilities. All orders sold by ABI Attachments, Inc. Orders subject to management approval. Product(s) sold with the condition of stated limited warranties, standard return policy, and (when applicable) conditional money-back guarantee. Return Policy: [abiattachments.com/policy/return/](http://abiattachments.com/policy/return/) By you placing this order, whether ABI does or does not deliver this order as expected, ABI shall not be liable in any event for incidental or consequential or other special damages under any theory of strict liability or negligence or expenses of any kind, including, but not limited to, personal injury, damage to property, cost of equipment rentals, loss of profit, loss of time, loss of wages, or cost of hiring services to perform tasks normally performed by this product. If sold in Alabama: Seller has collected the simplified sellers use tax on taxable transactions delivered into Alabama, and the tax will be remitted on the customer's behalf to the Alabama Department of Revenue. The seller's program account number is SSU-R010220629.



QO395730



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 SEP 13 PM 3:32

Please list your Board/Commission preference below:

1. Town Historian

2. \_\_\_\_\_

Name: Sarah Caliandri

Telephone No.: 8608284435

Home Address: 19 Butternut Ln Kensington  
(Note: To apply, you must be a resident of Berlin)

Number of years in Berlin: 74

Email Address: scaliandri@comcast.net

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

Party Affiliation: Republican ✓

B.S.N. M.S. University of CT  
Educational Background (optional)

Retired

Present Employment (company/position)

Business Address

Current and Past Civic/Community Involvement: VNA board 1987-88 Berlin Historical Society member, active since 2004, board member since 2008 President 2017-present.

Tell us why you feel qualified for this appointment: I have had a lifelong love for Berlin History & have been actively researching it for nearly 20 years

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

Signature: Sarah M. Caliandri

Date: 9/13/2022

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

Plan + Zoning

## 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 Millard

Telephone No.: 860-828-9722

Home Address: 1231 Orchard Road, Kensington  
(Note: To apply, you must be a resident of Berlin)

Number of years in Berlin: 66

Email Address: milleal@comcast.net

Are you a Registered Voter? Yes

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

Party Affiliation: Republican ✓

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 preservaion of our town cemetaries and the develpment 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 Millard

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.



Plan + Zoning



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 SEP 15 AM 10:53

Please list your Board/Commission preference below:

1. Planning and Zoning

2. \_\_\_\_\_

Name: Nikki Sambitsky

Telephone No.: (860) 307-9549

Home Address: 947 Chamberlain Hwy, Berlin CT 06037  
(Note: To apply, you must be a resident of Berlin)

Number of years in Berlin: 13

Email Address: nsambitsku@gmail.com

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

Party Affiliation: Republican ✓

BA in Journalism CCSU. MFA Creative Writing Stonecoast-University of Southern Maine  
Educational Background (optional)

Self employed writer

Present Employment (company/position)

Same as home address

Business Address

Current and Past Civic/Community Involvement: BRTC-currently, For 2 years I have been working with a local civic  
volunteer group for election integrity in the state of CT.

RECEIVED FOR RECORD  
BERLIN TOWN CLERK  
2022 SEP 15 AM 11:32  
Kathy G. Hall  
BERLIN, CT

Tell us why you feel qualified for this appointment: I feel qualified for this appointment because I care about what our town

looks like and what businesses or housing goes in it. I care that the town's history is also preserved and that this remains a place that families want to live in.

Can you think of any reason that a conflict of interest could arise if you were appointed? None

Signature: Nikki A. Sambitsky

Date: 9/15/2022

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://berlinct-gov.zoom.us/j/87908576010?pwd=V3R1OE9SdFZteURhUWNETThFc0V1QT09>

Meeting ID: 879 0857 6010

Passcode: 199393

+1 929 205 6099 US (New York)

**TOWN OF BERLIN  
TOWN COUNCIL MEETING  
Tuesday, September 6, 2022  
Town Council Chambers  
Remote Meeting  
7:00 P.M.**

**A. CALL TO ORDER:**

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

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL:**

Those in attendance were:

Councilor Jack Fazzino  
Mayor Mark Kaczynski  
Councilor Brenden Luddy  
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:**

*Steven Wilson, 111 Metacomet Drive* – Mr. Wilson, Chair of the Berlin Police Commission, stated that previously the Town Council combined one of the Police Department's 401ks into the other 401k and that was a greatly appreciated interim step toward an overall review of the benefits for the Police Department.

The Department is in a difficult place with hiring and retention. Berlin is also at a strong disadvantage with some neighboring departments as they have raised their pay rates and broadened eligibility with their Defined Benefit Pension Plans.



The Police Commission held a series of meetings since the 401k change regarding changes to the Defined Benefit Plan benefits for the department, but that discussion has hit a roadblock. Negotiations for the Police contract open in January, but this topic should not wait until that time, or the department is going to struggle as there is a staffing problem and the Defined Benefit Plan would help keep current officers and bring new officers in. Mr. Wilson would like to see these discussions continue.

Mr. Wilson added that Chief McNally received a letter from the Town asking him to acknowledge that the Human Resources Department has final say on hiring police officers. Mr. Wilson asked the Chief to hold off on signing as it is his understanding that the Police Commission has sole authority per the Town Charter to hire, fire, and discipline Berlin police officers.

**John Flynn, 103 Hartland Terrace** – Mr. Flynn, Police Union President, stated that a Terms Agreement was brought to the Town Council in May with the understanding that it would be voted on and signed so the Police Department could move forward and build their Defined Benefit Plan. Members of the Police Union have become frustrated, and members are looking to move to other departments. Mr. Flynn added that talks need to continue for the better of the Police Department and the Union.

**Ryan Zelek, 107 Crystal Falls Way** – Mr. Zelek, Police Commission Member, stated that he has been a member of the Commission for 11 years and this year he has seen the most members leave the department for neighboring towns. Thousands of dollars have been spent on training officers who then move on to other departments. Anything that can be done to get discussion of the pension plan started again would be beneficial.

E. **MAYOR'S UPDATE:**

**Police Department New Hires** - Regarding Mr. Wilson's statement during Audience of Citizens, Councilor Veach asked if a letter was sent to Chief McNally. Chief McNally stated that he received an email from the Town Manager regarding the last hire which requested he put together an explanation of why the department went to 43 officers when they were only budgeted for 42 and included a reminder that the final letter of hiring would be through the Human Resources Department. It was the Chief's understanding that only the Police Commission has that authority via the Town Charter. Chief McNally added that as the Department is losing two officers, they will only be at 41, not 43 as stated in the email. It was his understanding upon being hired that the Department needed to be expanded.

Town Manager Jayawickrema explained that during the budget process the Town Council and Board of Finance (BOF) stated that the two Police officers requested were not put in the budget because there were no openings in the Police Academy but when there were openings the Chief was to come back to the Council and BOF for the positions to be funded but that did not happen.

In the past the Town's Human Resources Director made the offer letter which had a system of checks and balances built into it to make sure the position was funded and contained appropriate language regarding benefits. This process did not happen with the latest position therefore the Town



Manager sent the email to the Chief stating that in order to get the new position funded an agenda item must be submitted to the Town Council.

Mayor Kaczynski stated that it is correct that the Police Commission has the authority to hire new officers, they just do not have the authority to fund the position and it appears there was a disconnect in the process.

Chief McNally stated now he has a concern about the conditional offers of hire as there are processes that must be done before someone is hired and those conditional offers have always come from his department. He wanted to confirm that that process has not changed. The Town Manager stated that the final letter of hire has always come from Human Resources, and that does not affect what is done during the conditional offer process. Chief McNally has requested the process be put in writing.

Mayor Kaczynski stated that the request for funding of additional officers, over the 42 that were budgeted, needs to come from the Police Commission/Police Chief. Town Clerk Kate Wall offered to work with the Chief and Commission to create an agenda item when needed.

Corporation Counsel Donofrio added that the process is not just in the Town's Charter but is in Connecticut General Statutes as there must be an appropriation for funding positions. He stated that he has seen that the Finance Departments in other towns have a stamp that states the position is funded.

**Police Department Pension Plan** - Mayor Kaczynski stated that regarding the Pension Plan, his goal is to get that done by the end of October. In July there was a difference of opinion with the actuarial payables. He added that an agreement cannot be signed by the Town until the Town knows what it is going to cost therefore that needs to be figured out.

The Town Manager stated that a draft agreement from the ad hoc committee was given to the officers by the Police Union and it was not agreeable to them. The Union then presented a different term sheet to the Town but as a new Labor Counsel came on board in August, they need to review that new term sheet. The Town is scheduled to meet with Labor Counsel on Thursday and after that a meeting will be held with Labor Counsel, actuaries, and Town officials to understand what the Town would be committing to. After that, a meeting will be scheduled with Union officials.

Mayor Kaczynski stated that a new pension plan will be created it is just taking a little longer than planned.

**Police Department Renovations** – Town Manager Jayawickrema stated that the Public Building Commission will be sending Town Council a request to put the project out to bid.

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

**G. CONSENT AGENDA:**

1. **Topic re: Approve the request of NB Youth Museum at Hungerford Park to waive permit fees for a shed permit. The total amount of the fees to be waived is approximately \$230.00. – Building**
2. **Topic re: Approve the request of the St Gabriel's Church to waive all fees associated with permitting of the siding replacement. Fee waiver not to exceed \$495.00. - Building**
3. **Topic re: Approve the donation of a round of golf for four and two carts to be used for The Boosters Friends of Berlin High School Boy's Golf Team fundraising dinner and raffle. The fundraising dinner and raffle are planned for September 9, 2022. Total value of the donation is \$220. – Golf Course**
4. **Topic re: Approve the donation of a round of golf for four and two carts to be used for the Berlin High School Class of 2023 All-Night Grad Party fundraising event. The first fundraising event is planned for September 30, 2022. Total value of the donation is \$220. – Golf Course**
5. **Topic re: Approve that Proshanto John Rozario be authorized to sell soft ice cream from their ice cream truck, Alicia Ice Cream at Sage Park (when concession is not in use) for the remainder of 2022. – Park and Recreation**
6. **Topic re: Approve permission for consumption of alcoholic beverages (BYOB) – beer and wine at Timberlin Park Pavilion for a Retirement/Anniversary Picnic requested by Paul Boutin on Saturday, September 10, 2022 from 1:00 PM to 6:00 PM. For approximately 25 adults with ages ranging from 28-70. Food will be served buffet style with no entertainment. Tulip Insurance will be obtained if permission is granted. – Parks and Recreation**
7. **Topic re: Approve accepting a \$100 donation from Paul M. Doroghazi, MD. to replace a trash barrel that was damaged at Ragged Mountain. – Parks and Grounds**
8. **Topic re: Accept monetary donations totaling \$6,252.97 and deposit \$5,350.00 into the John Day donation fund for the libraries greatest need and deposit \$118.94 into the friends of the library credit card account to pay for a children's program and deposit \$682.77 into the friends of the library miscellaneous account for children's programs and program supplies and deposit \$101.26 into the media lab account.**

**Accept the donation of books with a total approximate value of \$29.99 to be added to the appropriate department collections. – Library**

9. **Topic re: Accept donations to the Berlin Animal Control Donation Account for \$ 375.00 for Animal Care and supplies valued at \$80.00. – Animal Control**

Councilor Luddy moved to remove Consent Agenda Item #1 and make it a separate motion.

Seconded by Councilor Paonessa.



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

Abstain: Councilor Veach

Vote being 6-0-1 (MOTION CARRIED)

Councilor Luddy moved to approved Consent Agenda Items #2-9 as presented.

Seconded by Councilor Paonessa.

Vote being 7-0 (MOTION CARRIED)

Councilor Luddy moved to approve the request of NB Youth Museum at Hungerford Park to waive permit fees for a shed permit. The total amount of the fees to be waived is approximately \$230.00.

Seconded by Councilor Paonessa.

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

Abstain: Councilor Veach

Vote being 6-0-1 (MOTION CARRIED)

#### **H. NEW BUSINESS:**

- 1. Topic re: Approve the appointment of a new Republican Town Council member to fill the unexpired term of Brenden Luddy effective immediately through November 2023.**

#### **Vote to elect a new Deputy Mayor. – Town Clerk**

Councilor Luddy stated that he was given the opportunity to acquire equity in the company he has been employed with for many years. He thanked the town residents that voted for him, and he appreciates the time he has had to serve the residents of Berlin.

Mayor Kaczynski then read the following Proclamation:

TOWN OF BERLIN  
Town Council  
**PROCLAMATION**  
BE IT HEREBY KNOWN TO ALL THAT:  
**The Town of Berlin hereby recognizes Deputy Mayor Brenden Luddy**



Brenden has served with distinction on the Berlin Town Council from November 2013 until present. Brenden has also served as the Deputy Mayor from November 2015 until present.

While on the Council, Brenden served on the Budget Committee, the Ordinance Committee, the Audit Committee, the Technology Committee, the Playing Fields Committee, the Meeting House Committee, the Fire Strategic Committee, the Physical Services Committee, the Community Conversations Committee, and the Calendar Committee.

In recognition of his service to the Town of Berlin and the many contributions he made to improve the quality of life in our community, the Town Council hereby salutes Brenden Luddy and extends best wishes to him for many years of health and happiness in his future endeavors.

Dated this 6<sup>th</sup> day of September 2022.

Mark H. Kaczynski, Mayor

Councilor Veach presented Councilor Luddy with an Official Citation from the State of Connecticut General Assembly thanking him for his service to the Town of Berlin since 2013 and wishing him the best of luck.

Councilor Paonessa thanked Councilor Luddy for his wisdom and research throughout the years, adding that he dedicated a lot of time to the Town, and he will be missed.

Councilor Urrunaga stated that it is extremely evident the love that Councilor Luddy has for the Town of Berlin and the care he has put into the job he has done adding that it has inspired him as a relatively new Council member.

Councilor Fazzino stated that he has always admired Councilor Luddy's service to the Town and he has always admired the practical perspective he has brought to the Town Council. He thanked Councilor Luddy for being a tremendous Deputy Mayor and congratulated him on his next adventure.

Councilor Rosso stated that he is happy for Councilor Luddy and his family, but their gain is the Town's loss adding that he has worked with Councilor Luddy on the Playing Fields Committee since 2014. He wished him all the best and stated, "although we can replace the position, we can't replace Brenden."

Councilor Paonessa nominated Sandra Coppola to fill the unexpired term of Councilor Brenden Luddy effective immediately through November 2023.

Seconded by Councilor Veach.

Mayor Kaczynski stated that Ms. Coppola has been a member of the Planning and Zoning Commission and has worked for many years in the healthcare industry.

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

Vote being 6-0 (MOTION CARRIED)

Councilor Coppola was then sworn into office by Town Clerk Kate Wall.

Mayor Kaczynski nominated Councilor Paonessa to serve as Deputy Mayor.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**2. Topic re: Following questions be submitted to the electors at the November 8, 2022 election:**

**Shall the Charter Section 8-17 be amended to provide the Town with the option to provide public nursing services via Ordinance, as provided in proposed new Chapter 11 of the Charter?**

**Shall the Charter Section 5-1 be amended to remove the requirement that the Town Manager reside in Berlin during her/his tenure of office?**

**Shall the words “on the ballot” be added to the second sentence of Section 2-8 of the Charter regarding the Board of Education, so that the new second sentence of 2-8 shall read *No party designation shall appear on the ballot in connection with the names of candidates for said Board?***

**Shall the following revisions be made: (a) Sections 3-8 and 5-5: increase the bid threshold to \$25,000; (b) remove the Fire Marshal from Section 6-9 and place into new Section 6-10; (c) Section 6-9: substitute the words “*or as otherwise provided by this Charter or by Ordinance;*” (d) Section 4-4-1: revise the prohibition for Board of Finance member service on other boards and commissions; (e) Section 3-8: require all collective bargaining agreements to be presented to the Council for approval, consistent with applicable Connecticut law; and (f) Section 6-11-4: require the Board of Finance and Council to include the annual actuarially determined contribution in the annual General Fund budget?**

**Authorize the preparation and printing of explanatory text by the Town Clerk approved by Corporation Counsel. – Town Clerk**

Town Manager Jayawickrema introduced this item by stating that at the last Town Council meeting the Council sent revisions back to the Charter Revision Commission. The questions were then drafted and are now being returned to the Town Council for review and acceptance.

Mayor Kaczynski stated that these questions seem to cover the items agreed to by the Town Council as well as the Charter Revision Commission as to the changes that both were looking to accomplish within the Town Charter. The four questions cover the most important items to get on the ballot in November keeping them short and simple.



Mayor Kaczynski added that the VNA will stay in the Charter until it can be changed via ordinance if the question passes in November. The objective is to give the Town latitude to change some things to help make the VNA more fiscally responsible, not eliminate it.

The other questions pertain to removing the residency restriction for the Town Manager therefore providing for a larger pool of applicants, adding wording regarding Board of Education names on the ballot, and a combined question as stated above.

Councilor Fazzino provided minor suggestions regarding question #4. The first pertains to clarifying to the public what is meant by “bid threshold”. The second refers to adding wording to subsection “c” to show how the final phrasing will read in the Charter, and the third refers to subsection “f” changing the wording to “determined pension contribution”.

Corporation Counsel Donofrio stated regarding question #4 he does not have a problem changing the wording to “increase the bid threshold for purchases to \$25,000”. He added that he does not have any issues with the other suggested edits.

Town Clerk Wall was concerned with adding the additional wording to question #4, subsection “c” and how it will affect the presentation on the ballot.

Mayor Kaczynski added that educating the voters about the questions ahead of time is important. Corporation Counsel added that after the questions are accepted tonight for placement on the ballot, there is a period where no public funds can be expended to advocate for or against the passage of the questions. He stated that First Amendment rights allow Council members to express their opinions, but Town email accounts cannot be used to express those opinions as the Town pays for that email account. However, Town email can be used to notify voters of the upcoming election and the questions on the ballot. In the same regard an individual can spend their own funds up to \$1,000 to advocate for or against the questions.

Town Clerk Wall added that the Town will be advertising the proposed changes to the Charter in the newspaper and explanatory text will be sent with absentee ballots and will also be available at polling locations, as well as published on the Town’s website.

Councilor Paonessa moved that the following questions be submitted to the electors at the November 8, 2022 election:

Shall the Charter Section 8-17 be amended to provide the Town with the option to provide public nursing services via Ordinance, as provided in proposed new Chapter 11 of the Charter?

Shall the Charter Section 5-1 be amended to remove the requirement that the Town Manager reside in Berlin during her/his tenure of office?

Shall the words “on the ballot” be added to the second sentence of Section 2-8 of the Charter regarding the Board of Education, so that the new second sentence of 2-8 shall read *No party designation shall appear on the ballot in connection with the names of candidates for said Board?*



Shall the following revisions be made: (a) Sections 3-8 and 5-5: increase the bid threshold **for purchases** to \$25,000; (b) remove the Fire Marshal from Section 6-9 and place into new Section 6-10; (c) Section 6-9: substitute the words “*or as otherwise provided by this Charter or by Ordinance;*” (d) Section 4-4-1: revise the prohibition for Board of Finance member service on other boards and commissions; (e) Section 3-8: require all collective bargaining agreements to be presented to the Council for approval, consistent with applicable Connecticut law; and (f) Section 6-11-4: require the Board of Finance and Council to include the annual actuarially determined **pension** contribution in the annual General Fund budget?

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved to authorize the preparation and printing of explanatory text by the Town Clerk approved by Corporation Counsel.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

### **3. Topic re: Update on Ordinance to Regulate Short Term Rentals. – Town Manager**

Town Manager Jayawickrema stated that in June the Ordinance Committee met to discuss potential content for an ordinance to regulate short term rental use.

The Ordinance Committee directed that Corporation Counsel and the Town Manager meet with Town officials to discuss the matter and to obtain their input. A meeting was held with the Police Chief, Town Planner, Building Official, and Sanitarian.

Based upon that discussion it is the recommendation of Town officials and the Town Manager that Council does not pursue passage of an ordinance addressing short term rentals at this time as the incident the precipitated the discussion appears to be isolated and there are other enforcement mechanisms available to address these concerns should a similar event occur in the future.

Corporation Counsel Jennifer Coppola stated that she contacted the Assistant State’s Attorney in charge of the housing session for Berlin’s area to discuss potential enforcement mechanisms. They are looking more broadly at the issue of raves being held in residential areas and potentially perusing a nuisance claim through the housing session as these events have been occurring throughout the State.

Regarding the subject property, the Town Planner did issue a cease-and-desist order to the property owners.

NO ACTION NEEDED

**4. Topic re: Update on Percival Soccer Field – Parks and Recreation/Public Grounds**

Superintendent of Parks and Grounds Steve Wood stated that the Town has been working with Linden Landscaping on the plan and design for the renovation of Percival Soccer Field. The current field is sinking on one side and needs overall repair.

A feasibility study was conducted by Linden Landscaping, and it was determined to be more beneficial to push the project off to 2023 and go out to bid in January. This will allow for more flexibility with construction companies to fit the project into their schedules and allow ample lead time for construction materials.

In making this decision it was discussed with Berlin Youth Soccer, the primary user of the field, as well as the Parks and Recreation Commission and all were in support of moving the project to late summer of 2023.

Director of Community, Recreation, and Park Services Jen Ochoa stated that moving the project to 2023 was discussed with the Finance Director and Town Manager. Currently the Town has \$193,774 in the Percival Soccer Field project account and Finance recommends appropriating \$250,000 of General Fund Unassigned Fund Balance to close the gap between the estimated cost of \$433,000 and the current funding level to avoid future bonding.

If Town Council agrees with this funding strategy the motion for the non-budgeted appropriation will be added to an upcoming Town Council agenda.

NO ACTION NEEDED

**5. Topic re: Approve and authorize the Town Manager to enter into a contract with the Home Care and School Health Care Workers of Berlin, Unit #20 from July 1, 2021 through June 30, 2024. – Human Resources**

Human Resources Director Paula Carabetta stated that notable changes to the Home Care and School Health Care Works Contract include language clean up to vacation and sick time, updates regarding vacation time for new hires, increase for uniform allowance, change from 28 to 30 hours a week for part time employees to receive insurance benefits, and a 2.25% salary increase for 2021, 2022, and 2023.

Town Manager Jayawickrema stated that the salary increase is in line with other union contracts.

Councilor Paonessa moved to approve and authorize the Town Manager to enter into a contract with the Home Care and School Health Care Workers of Berlin, Unit #20 from July 1, 2021 through June 30, 2024.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**6. Topic re: Receive additional construction funds of up to \$45,000 from the YMCA into Other Receipts and appropriate to School Modifications- YMCA Daycare.**



**Utilize State of Connecticut DAS Contract No.19PSX0136 and authorize Cornerstone Fence of Meriden, CT to install outdoor fencing for YMCA daycare play areas at Hubbard and McGee Schools at a cost of up to \$20,000 pending local review and approval.**

**Approve an increase of the construction contract with LINK General Contracting of Tariffville, CT by \$15,600 to an amount not to exceed \$361,440. – Facilities/Board of Education**

Director of Facilities Doug Solek stated that the YMCA Daycare facility project at Hubbard and McGee Schools is almost complete. As the project evolved some unforeseen items, changes, and late items have come forward such as fencing of the play area required by the State and additional abatement.

The Hubbard facility should be occupied this week and McGee should be finished during the month of September.

The YMCA will be issuing additional payments to the Town of Berlin up to \$45,000 for the additional abatement, fencing, and change order work outside of the plans and specifications.

Councilor Paonessa moved to receive additional construction funds of up to \$45,000 from the YMCA into Other Receipts and appropriate to School Modifications- YMCA Daycare.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved to utilize State of Connecticut DAS Contract No.19PSX0136 and authorize Cornerstone Fence of Meriden, CT to install outdoor fencing for YMCA daycare play areas at Hubbard and McGee Schools at a cost of up to \$20,000 pending local review and approval.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved to approve an increase of the construction contract with LINK General Contracting of Tariffville, CT by \$15,600 to an amount not to exceed \$361,440.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**7. Topic re: Discussion about applying for a Round 2 Connecticut Community Challenge Grant. – Economic Development**

Town Manager Jayawickrema introduced this item stating that the Town had applied during Round One of the grant process, but the project did not meet the minimum equity requirements.

Economic Development Coordinator Jim Mahoney stated that the Town has been looking to identify additional equity funds such as projects that are underway and located near the center of town. As the YMCA moves its daycare facilities to Hubbard and McGee Schools the Board of Education is



moving its' Transition Academy to the YMCA building on Main Street, they hope to use the equity that the YMCA is investing in the school's daycare facilities as the equity contribution as well as the equity contributions the YMCA has already made to their building at 362 Main Street.

The YMCA building on Main Street is very close to Newport Center therefore they will be looking to characterize everything as one TOD center area reinforcement project. Mr. Mahoney is working with Jeff Cugno from the Board of Education and John Benigni at the YMCA as well as the Berlin Land Trust, Newport Center, and the Kensington Fire Department. The application is due on October 7<sup>th</sup> and staff will return to Town Council with a more defined project scope and to ask for authorization to apply for the grant.

NO ACTION NEEDED

8. **Topic re: 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. – Economic Development**

Economic Development Coordinator Jim Mahoney stated that the Capitol Region Council of Governments (CRCOG) grant was originally to be used for a groundwater control system for the 55 Steele Boulevard site, but subsequent testing determined that system was not necessary.

Therefore, staff requested and CRCOG approved a modification to the scope of the grant so that it can be used for the engineered control liner that will isolate contaminated soils on the site. One of the requirements of the grant is that the Town prepare an analysis of brownfields clean up alternatives, which had been done before but must be redone. The cost of this work is \$4,389 and will be charged to the EPA-CRCOG grant account.

In addition, previous general consulting funding authorizations have been spent therefore staff requests an additional \$5,000 with the cost being charged to the Municipal Brownfields grant account.

Councilor Paonessa moved 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.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

9. **Topic re: 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>.**

**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>. – Corporation Counsel/Planning & Zoning**

Corporation Counsel Jennifer Coppola stated that this agenda item pertains to opt-outs from Statutory requirements concerning regulations for accessory apartments or dwelling units, as well as parking limitations. The opt-outs are required at the Planning and Zoning Commission level as well as the Legislative body level therefore this item comes before the Town Council.

A public hearing is required, and it is necessary that each body state on the record the reasons for their action should they decide to opt-out. At the August 4, 2022 Public Hearing the Planning and Zoning Commission acted to opt-out of each and stated reasons for its decision on the record. This item now comes to the Town Council.

Corporation Counsel provide the Town Council with copies of the Statutes in order to see what the particular requirements are in regard to the accessory apartments or accessory dwelling units, as well as dwelling unit parking limitations. Tonight's agenda item is simply to set the public hearings.

Councilor Paonessa moved 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>.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved 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>.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)



**10. Topic re: Vacate the appointment of Jon-Michael O'Brien on the Planning and Zoning Commission due to member's absence from meetings. – Town Clerk**

Town Manager Jayawickrema stated that this item is a request from the Planning and Zoning Commission to remove Jon-Michael O'Brien from the Commission due to Mr. O'Brien's absence from meetings for several years.

The Charter allows the Town Council the authority to remove a Commission member as the criteria for removal has been met.

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

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

**11. Topic re: 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 and also 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. – Town Clerk**

Town Manager Jayawickrema stated that this request from the Town Clerk is for a bid waiver to use Cott Systems, Inc, a sole source provider. Town Clerk Kate Wall stated that this item comes before Town Council every year as the amount exceeds the \$10,000 bid threshold. Her office will also be putting older land record indexes and images online through an ongoing project.

Councilor Paonessa moved 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.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Councilor Paonessa moved 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.

Seconded by Councilor Veach.

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.

Councilor Paonessa placed in nomination the name of Andra Lou Millerd (R) of 1231 Orchard Road for appointment to the Cemetery Committee - Alternate.

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

Vote being 7-0 in favor of Andra Lou Millerd (R) to serve on the Cemetery Committee as Alternate. Term ending January 31, 2027.

3. **Commission for Persons with Disabilities – Vacancy** - Term would be until January 31, 2025. Can be filled with a D, R or U.

Councilor Paonessa placed in nomination the name of Andrew Pulcini (U) of 162 Crater Lane for appointment to the Commission for Persons with Disabilities.

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

Vote being 7-0 in favor of Andrew Pulcini (U) to serve on the Commission for Persons with Disabilities. Term ending January 31, 2025.

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.

Councilor Paonessa placed in nomination the name of Liam Mitchell (R) of 1005 Kensington Road for appointment to the Mattabassett District.

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

Vote being 7-0 in favor of Liam Mitchell (R) to serve on the Mattabassett District. Term ending September 1, 2025.

- 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. Planning and Zoning Commission – Alternate - Vacancy** – Term will be until January 31, 2026. Can be filled with a D, R or U.

- 14. VNA – Vacancy** - New term would be until January 31, 2025. 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, 2023. Can be filled with a D, R or U

- 17. 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.

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

**J. TOWN MANAGER’S REPORT:**

- An RFP has been issued for the Golf Pro at Timberlin as the current Pro’s contract is up in December. Results of the RFP are due October 4<sup>th</sup>. Changes have been made to the contract as the current contract had the Pro managing staff, golf carts, maintenance, etc. and those functions will now be handled by Town staff.



- Tree removal at the Berlin Fair grounds, recommended by the Police Department and the Lions Club, is almost complete with new trees being planted in the Spring by the Lions Club. The trees were located near the drop-off area.
- The leash free area at Pistol Creek is now open. After meeting with the Police Department, it was decided that there will be a transition period for enforcement of the leash ordinance as an education process.
- Specifications for the Police Department renovations are needed before submitting the project to bid. The project is currently in the conceptual design phase.
- The Housing Authority believes they have the funding for the Senior Housing Project. The Town has requested loan documents from them before transferring property. The Town Manager will have additional information at a future Town Council meeting.
- The Town Hall picnic will be held on Friday September 9<sup>th</sup> from 11am to 1pm at the Italian Club if any Town Council members would like to attend.
- Corporation Counsel Donofrio has been working on the opioid settlement with the State and the Town has received its first payment. There are criteria as to how the money can be used and currently the Town Manager is looking to include the Board of Education, the Health District, Social Services, and the Police Department in the discussion.
- A joint meeting of Town Council, the Board of Finance, the Board of Education is going to be scheduled in September. The purpose of the meeting is to set parameters to understand where the Board of Finance would like the Town and Board of Education to go regarding the budget process.
- The Planning and Zoning Commission would like to schedule an educational session in October or possibly November with Town Council regarding cannabis. Corporation Counsel Jennifer Coppola stated that the Planning and Zoning Commission voted to extend the moratorium on cannabis usage until May 31, 2023 in order to more closely review some of the draft regulations that other towns have enacted, as well as to use that time to hear from people in the business before deciding which districts to allow uses in. The Planning and Zoning Commission thought the Town Council would like to be involved in the discussion.

**K. SPECIAL COMMITTEE REPORTS:**

None

**L. COUNCILORS' COMMUNICATION:**

Councilor Veach stated that a while ago the Vice Chair of the Housing Authority spoke to Town Council about the need for a backup generator at Percival Heights. She would like to get this item on the agenda at a future meeting and asked the Town Clerk to reach out to the Vice Chair.



Councilor Paonessa thanked everyone that helped with the Charter Revision Commission and added that he hopes everyone can convey to Town residents that the changes requested are simply to help the Town work better.

Councilor Coppola stated that she is looking forward to working with the Town Council.

Councilor Fazzino suggested that Town Council draft information to put in the Citizen to continue to make residents aware of the polling location changes. Town Clerk Wall stated that the Registrar of Voters had posted a street listing in the Citizen prior to the August Primary and has also created a flyer that is posted in Town Hall and posted information on the Town's website. Tina Doyle stated that she could get information out to seniors through the Senior Center's automated message system. The Town Clerk suggested any information that Town Council can get out to residents would be helpful as it is a continuous learning process.

Councilor Veach inquired about publishing a half page ad in the Citizen and others mentioned the possibility of an insert in the paper. It was also suggested to have people stationed at polling places to direct residents to new polling places.

**M. ACCEPTANCE OF MINUTES:**

**Public Hearing Minutes July 12, 2022**

Councilor Paonessa moved to accept the Public Hearing Minutes of July 12, 2022 as presented.

Seconded by Councilor Veach.

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

Abstain: Councilor Coppola

Vote being 6-0-1 (MOTION CARRIED)

**Town Council Meeting July 26, 2022**

Councilor Paonessa moved to accept the Town Council Meeting Minutes of July 26, 2022 as presented.

Seconded by Councilor Veach.

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

Abstain: Councilor Coppola

Vote being 6-0-1 (MOTION CARRIED)

**N. EXECUTIVE SESSION:**

- 1. Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation – Rio Vista**
- 2. Personnel Matters – Conn. General State Statute Sec. 1-200 (6) (A) concerning the appointment, employment, performance, evaluation of a public employee. – Town Manager Evaluation**

Councilor Paonessa moved to go into Executive Session: Pending Litigations – C.G.S.S. Sec. 1-200 (6) (B) strategy and negotiations with respect to pending claims or pending litigation – Rio Vista; and Personnel Matters – Conn. General State Statute Sec. 1-200 (6) (A) concerning the appointment, employment, performance, evaluation of a public employee. – Town Manager Evaluation at 9:37 p.m. Invited in: Town Manager Jayawickrema, Corporation Counsel Jeffrey Donofrio, Corporation Counsel Jennifer Coppola, Attorney Chuck Andres.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Executive Session ended at 10:14 p.m.

**O. ADJOURNMENT:**

Councilor Paonessa moved to adjourn at 10:14 p.m.

Seconded by Councilor Veach.

Vote being 7-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall  
Clerk of the Meeting