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Meeting ID: 899 7601 1043

Passcode: 527259

+1-312-626-6799 US (Chicago)

TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, October 1, 2024
Town Council Chambers (in person)
Remote Meeting
7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. PRESENTATION OF PROCLAMATION Margarete Stanchick
Dick Yale

E. AUDIENCE OF CITIZENS

F. MAYOR'S UPDATE

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

H. CONSENT AGENDA:

1. Topic re: Accept donations to the Berlin Animal Control Donation Account for \$185.00 and supplies/medical care valued at \$125.00. - Animal Control
2. Topic re: Purchase four Barco benches for \$4,096.00 and to request the grant reimbursement for \$4,096.00 from the Central CT Health District.. – Economic Development
3. Topic re: Appoint the Interim Town Manager, W. Lee Palmer, Jr., as the administrator of the Fair Housing Policies. – Town Manager
4. Topic re: Accept monetary donations totaling \$7,171.49 and deposit \$180.61 into the unrestricted donations account and deposit \$6,015.00 into the Cancellarini Trust fund for the purchase of books and other library materials and deposit \$696.99 into the friends of the library credit card account to be used for program supplies and a database renewal and deposit \$178.89 into the friends of the

library miscellaneous account for program supplies, summer reading and a museum pass renewal and deposit \$100.00 into the children's donation account for the purchase of children's books. – Berlin-Peck Memorial Library

5. Topic re: Approve that the Berlin Lions Club be authorized to sell luminaries at the Berlin High School home football games on October 25 and November 1, 2024 at Sage Park. – Parks and Recreation
6. Topic re: Accept a donation of a maximum of 10 straw/hay bales from the Matson Family, valued at approximately \$100 to be used for the Parks and Recreation Scarecrow Contest for the 2024 Scarecrow Festival. – Parks and Recreation
7. Topic re: Approve waiving the Police Fees in the approximate amount of \$800.00 for the Trek -n- Treat Event that will take place on Friday, October 25,2024 at Willard School. – Police Department
8. Topic re: Authorize the Interim Town Manager to apply for the Early Voting grant in the amount of \$6,558.07 and once received it will be deposited into the Registrar of Voters Early Voting Account. – Registrars of Voters

I. NEW BUSINESS:

1. Topic re: Waive the bidding process and authorize the Interim Town Manager to enter a contract amendment in the amount of \$17,672 with Loureiro Engineering for services to remove an underground storage tank at 55 Steele Boulevard including documentation and to charge said costs to the Farmington Ave Development (non-grant) account. – Economic Development
2. Topic re: Impact of PA 22-118 on Town of Berlin Motor Vehicle Grand List. – Finance/Assessor
3. Topic re: Approve a “RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$22,000,000 AGGREGATE PRINCIPAL AMOUNT OF TOWN OF BERLIN GENERAL OBLIGATION REFUNDING BONDS.” – Finance
4. Topic re: Ask the Public Building Commission to review and consider releasing the Willard HVAC contingency funded with the ARPA grant at their October 2024 meeting, and for the Public Building Commission to request authorization to use all remaining ARPA grant funds to enter into a contract (or contracts) in support of one or both school HVAC projects before the December 31, 2024, obligation deadline established by the US Treasury. – Finance
5. Topic re: Approve the Town of Berlin's contribution of \$380,000 from the Grant Road Improvement Account toward the LOTCIP project to reconstruct Episcopal Road and Rowley Street, to authorize Town Staff to request an additional \$1,941,907 from the LOTCIP program (increasing the total project funding to \$4,612,622), and to defer the LOTCIP project involving Burnham Street and Massirio Drive until funds for the Episcopal/Rowley project are awarded. – Public Works
6. Topic re: Authorize one-year extensions of Contract No. 2024-03 (Snow Plowing of Town Cul-de-Sacs & Miscellaneous Areas) and Contract No. 2024-04 (Snow Plowing of Town Streets) to Staxx Construction Services, LLC, of Berlin at existing rates. – Public Works

J. APPOINTMENTS:

1. **Constables – 4 Vacancies** – Terms would be until December 2025. Can be filled with R, D or U with no more than a bare majority to be from one political party (Section 8-6).
2. **Inland Wetlands & Water Courses Commission – Vacancy** – John Russo resigned. Replacement term would be until January 31, 2027. Can be filled with a D or U.
3. **Inland Wetlands & Water Courses Commission – Vacancy – Alternate** - Replacement term would be until January 31, 2026. Can be filled with a D or U.
4. **Mattabasset District – Vacancy** – James Fallon’s term expired August 31, 2023. Reappointment or replacement term would be until September 1, 2026. Can be filled with a D, R or U.
5. **Plainville Area Cable Television Advisory Council (PACTAC) – 2 Vacancies** – New terms would be until June 30, 2025. Can be filled with a D, R or U. There are only two members from Berlin for this board.
6. **Public Building Commission – Vacancy** – Replacement term would be until January 31, 2029. Can be filled with a D, R or U.
7. **Veterans’ Commission – Vacancy** – Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
8. **VNA – Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
9. **VNA – Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
10. **VNA – Vacancy** - Replacement term would be until January 31, 2027. Can be filled with a D, R or U (Depending on the above appointments).
11. **Water Control Commission – Alternate – Vacancy** – Term would be until January 31, 2026. Can be filled with a D, R or U.
12. **Water Control Commission – Alternate – Vacancy** – Term would be until January 31, 2027. Can be filled with a D, R or U (Depending on the above appointment).
13. **Youth Services Advisory Board (Youth Agency Representative) – Vacancy** – Adam Marzi resigned. Replacement term would be until January 31, 2025.
14. **Youth Services Advisory Board (School Representative) – Vacancy** – Jan Zagorski resigned. Replacement term would be until January 31, 2025.

15. Youth Services Advisory Board (Service Consumer) – Vacancy – Cyndi McKinnon resigned.
Replacement term would be until January 31, 2027.

K. TOWN MANAGER’S REPORT:

L. SPECIAL COMMITTEE REPORTS:

M. COUNCILORS’ COMMUNICATION:

N. ACCEPTANCE OF MINUTES: September 17, 2024

O. ADJOURNMENT



TOWN OF BERLIN
Town Council

PROCLAMATION

BE IT HEREBY KNOWN TO ALL THAT:

The Town of Berlin hereby recognizes

Margarete Stanchick

On the celebration of her 103rd Birthday, October 1, 2024.

Margarete was born in Germany on October 1, 1921. She met her husband, Andrew, while he was stationed in the military during WWII. She came to the US after the war 74 years ago and married. She was married for 53 years and has 2 daughters, Sandy and Barbara. She has 6 grandchildren and 8 great-grandchildren all of whom she adores. She moved to Berlin in 2001 after her husband passed away. She was the first president of the Board at the Silver Ridge Condo Association. Prior to moving to Berlin, she lived in Meriden where she was the Registrar of Voters for approximately 30 years. She was an Administrator at the Meriden Visiting Nurses, a volunteer at Meriden Hospital, and President of the Auxiliary. Her hospital work lasted almost 40 years and was very important to her.

In acknowledgement of her long and active life, the Berlin Town Council hereby salutes **Margarete Stanchick** as she celebrates her 103rd Birthday with family and friends and extends best wishes for many more years of health and happiness.

Dated this 1st day of October, 2024.

Mark Kaczynski, Mayor



TOWN OF BERLIN
Town Council
PROCLAMATION

BE IT HEREBY KNOWN TO ALL THAT:

The Town of Berlin hereby recognizes

Richard Yale

Recipient of the 2024 Robert B. Dornfried Sr. Lifetime Volunteerism Award

This year, the Robert B. Dornfried Sr. Lifetime Volunteerism Award recipient was chosen from the Berlin Lions Club. Richard was the individual selected as he has been a member in good standing with over 50 plus years of perfect attendance. Over the years, Richard has been the chairperson for several committees specifically the Building Committee Chairperson. He was a team captain for the Veterans Luminaries Display and a strong advocate for many charities.

Richard is a longtime Berlin resident. He and his wife Maryann have one daughter, Amy. He has been a builder in the community for many years and has assisted numerous people with building their homes or construction projects. Being a longtime resident and active in the community, Richard is a wealth of knowledge and always happy to share his talents, experiences, and expertise with those he meets.


In acknowledgement of his selection as the recipient of the 2024 Robert B. Dornfried Lifetime Volunteerism Award, the Town Council hereby recognizes **Richard Yale** for his positive impact in service to our community and citizens of Berlin and extends best wishes to him for many years to come

Dated this 1st day of October, 2024.

Mark Kaczynski, Mayor

Consent
Agenda Item No. 1
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 25, 2024

SUBJECT: Donation to Berlin Animal Control

SUMMARY:

Accept donations to Berlin Animal Control Donation Account # 001.00.0000.0.20010.00000

Period	Amount	Purpose	Donor*
August 24, 2024 to September 17, 2024	\$ 50.00 ck#789	Animal Care	Hannah Roberts Sherman, CT.
	\$ 50.00 Ck#1303	Animal Care	Charles Tobin Berlin
	\$ 35.00 Ck #7968	Animal Care	Cher Kristensen Bristol
	\$ 50.00 Ck#64768636	Animal Care	Thomas Ottman Berlin
	\$125.00 value	Dry dog food 200 lbs	FOBAC Berlin

* Unless a name is mentioned, donors requested anonymity

FUNDING:

None

ACTION NEEDED:

Move to accept donations to the Berlin Animal Control Donation Account for \$185.00 and supplies/medical care valued at \$125.00.

ATTACHMENTS:

Thank you notes

PREPARED BY: Janice Lund, Animal Control Officer



TOWN OF BERLIN
Animal Control Department
600 Christian Lane • Berlin, CT 06037
(860) 828-7055

August 20, 2024

Hannah Roberts
44 Spring Lake Rd.
Sherman, CT. 06784

Dear Hannah , Finn & family,

Thank you so much for thinking of our animals at the shelter with the \$50 donation. We appreciate the donation very much. It helps us to keep up our efforts in caring for our new animals so they can find homes.

We are so sorry things did not work out with "Zelda". I promise I will find her a great home. She is a special dog and we will find the right fit.
Thanks again.

Sincerely,

Jan Lund, Animal Control Officer
Kate Matson, Assistant Animal Control Officer



" Ryder "



" Mini "



" Finn "

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



TOWN OF BERLIN
Animal Control Department
600 Christian Lane • Berlin, CT 06037
(860) 828-7055

September 8, 2024

The Tobins
23 Jeffrey Lane
Berlin, CT 06037

Dear The Tobins,

Thank you so much for thinking of our animals at the shelter with the \$50 donation. We appreciate the donation very much. It helps us to keep up our efforts in caring for our new animals so they can find homes.

Thanks again.

Sincerely,

Jan Lund, Animal Control Officer
Kate Matson, Assistant Animal Control Officer



“ Ryder “



“ Mini “



“ Finn “

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



TOWN OF BERLIN
Animal Control Department
600 Christian Lane • Berlin, CT 06037
(860) 828-7055

September 13, 2024

Cher Kristensen
234 Country la
Bristol, CT 06010

Dear Cher,

Thank you so much for adopting “Kiki” from the shelter. She had been with us a while and will be very happy to be in your home. Your donation means so much to us! It helps us to keep up our efforts in caring for our new animals so they can find homes.

Thanks again.

Sincerely,

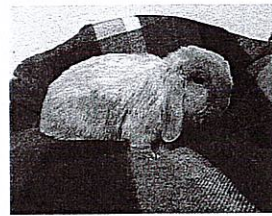
Jan Lund, Animal Control Officer
Kate Matson, Assistant Animal Control Officer



“ Ryder “



“ Mini “



“ Finn “

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



TOWN OF BERLIN
Animal Control Department
600 Christian Lane • Berlin, CT 06037
(860) 828-7055

September 8, 2024

Thomas Ottman II
53 Westview TER
Berlin, CT 06037

Dear Thomas,

Thank you so much for thinking of our animals at the shelter with the \$50 donation. Your continued support means so much to us! It helps us to keep up our efforts in caring for our new animals so they can find homes.

Thanks again.

Sincerely,

Jan Lund, Animal Control Officer
Kate Matson, Assistant Animal Control Officer



“ Ryder “




“ Mini “



“ Finn “

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

TO: The Honorable Mayor and Town Council
FROM: W. Lee Palmer, Interim Town Manager 
DATE: September 19, 2024
SUBJECT: Authorization to Accept a Grant of Four Barco Benches and Pay for Them Out of Existing Funds

Summary of Agenda Item:

The Town of Berlin was notified by the Central Connecticut Health District that they would be receiving Block Grant monies from the CT Department of Public Health in an amount to be determined for each of the four towns that CCHD oversees. In a later email, we found out the total grant is \$4,096.00 but must be used to help our residents to be more active and healthier. In coordination with Steve Wood and the Town Manager's office, we proposed four benches as part of an Arts, Culture and History Walk to CCHD. The walk would connect Miccaci (Deming) Park and Veterans Park with the four benches being placed along the route.

To make this happen, we needed to get an invoice from Barco Products, as well as order the benches. With funding coming from CCHD and the State, it is a reimbursable "grant" from the CCHD, a purchase order was pulled from account 001.05.0507.0.59622.000 – Transfer to Other Funds – Local Match for Grants to pay for the benches. The reimbursement will be placed back into the General Fund when received.


Action:

Move to purchase four Barco benches for \$4,096.00 and to request the grant reimbursement for \$4,096.00 from the Central CT Health District.

Attachments:

- Copy of email from the Central CT Health District confirming that we have been awarded the monies.
- Picture of the bench we will be ordering.
- Concept map of the Arts, Culture & History Walk

Prepared By:

Chris Edge, Economic Development Director 
Steve Wood, Superintendent of Parks & Grounds



144 8/12/2024 3:20 PM
 Ann Hartman <ahartman@ccthd.org>
 RE: Town of Berlin Block Grant Request

To: Chris Edge
 CC: Michele Grand, Charles Brown, Betty Murphy, Steve Wood

Hello Chris,

Your request for the benches totaling \$4095.66 has been approved. Please send me the Purchase Order or actual paid bill and let me know to which town department/person/address etc. the reimbursement check should be sent. As a reminder, we need the PO or bill no later than September 25th. Thank you for responding to this quick turn-around opportunity. The POs or bills should sent to both myself and Michele Grand (migrand@ccthd.org).

Item	Company	Quantity	Price Per	Shipping	Total Price	Sub
Benches	Banco Products	4	928.8	380.66	4095.66	\$ 4,095.66 Berlin total

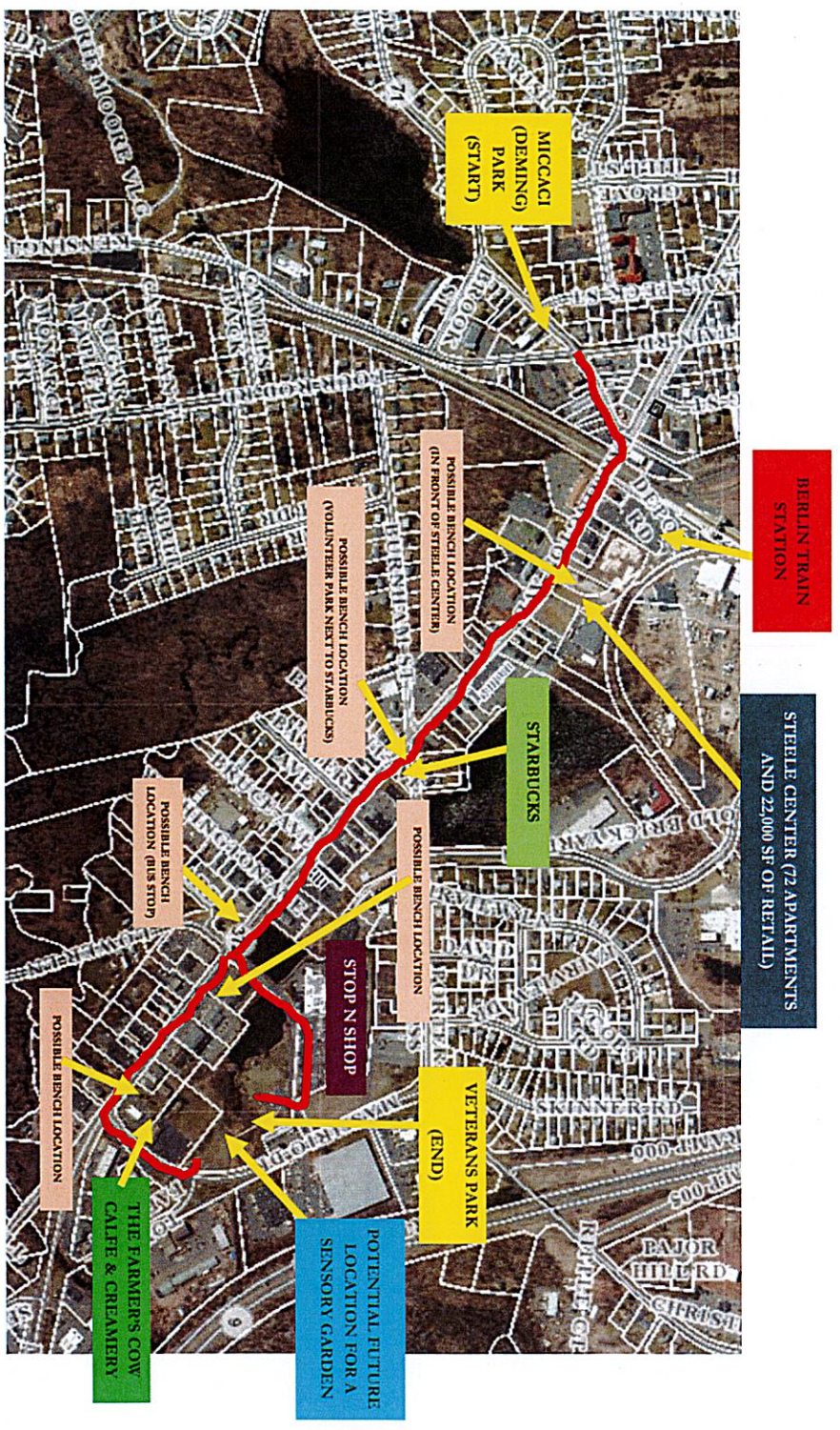
Let me know if you have any questions.

Ann



BERLIN ART, CULTURE AND HISTORY WALK - CONCEPTUAL

- WITH MAJOR BUSINESSES AND POSSIBLE BENCH LOCATIONS SHOWN -
(RED LINE IS THE POTENTIAL WALKING PATH)



Consent
Agenda Item No. 3
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager



DATE: September 17, 2024

SUBJECT: Fair Housing Policies

Summary of Agenda Item:

As a recipient of a Small Cities Community Development Block Grant for (CDBG) Program funding, it is a Department of Economic and Community Development Program requirement that our community actively evidence its commitment to and support for the principles and practices of Fair Housing and Equal Opportunity. Due to a change in leadership, it is once again time for our community to reaffirm its commitment to Fair Housing and Equal Opportunity. The Town must readopt the Fair Housing Resolution, Fair Housing Policy Statement, Affirmative Action Policy Statement, and Compliance with Title VI of the Civil Rights Act of 1964.

Funding:

None

Action Needed:

Move to appoint the Interim Town Manager, W. Lee Palmer, Jr., as the administrator of the Fair Housing Policies.

Prepared By:

W. Lee Palmer, Interim Town Manager

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

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 19, 2024

SUBJECT: Accept Library Donations

Summary of Agenda Item:

Accept donations to the Berlin-Peck Memorial Library

Category	Amount	Description	Purpose	Donor
Cash	45.00	Unrestricted Donations	greatest need	Anonymous
	135.61	Unrestricted Donations	greatest need	Various patrons
	6,015.00	Cancellarini Trust	purchase of books and other library materials	Paul and Mary Cancellarini Charitable Trust
	696.99	FOL Credit Card Acct	program supplies and database renewal	Friends of the Library
	178.89	FOL Misc. Acct	program supplies, summer reading and one museum pass renewal	Friends of the Library
	100.00	Children's Donation Acct.	children's books	Central CT Community Women's Club
	7,171.49			

Funding:

No funding needed

Action Needed:

Move to accept monetary donations totaling \$7,171.49 and deposit \$180.61 into the unrestricted donations account and deposit \$6,015.00 into the Cancellarini Trust fund for the purchase of books and other library materials and deposit \$696.99 into the friends of the library credit card account to be used for program supplies and a database renewal and deposit \$178.89 into the friends of the library miscellaneous account for program supplies, summer reading and a museum pass renewal and deposit \$100.00 into the children's donation account for the purchase of children's books.

Attachments:

n/a


Prepared By:

Anne Henriques, Head of Adult Services

AH

Consent
Agenda Item No. 5
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 19, 2024

SUBJECT: Approval to sell luminaries at Sage Park at Berlin High School football games on October 25 and November 1, 2024

Summary of Agenda Item:

The Berlin Parks and Recreation Commission at its meeting on Monday, September 16, 2024 recommended that the Berlin Lions Club be authorized to sell luminaries at the Berlin High School home football games on October 25 and November 1, 2024 at Sage Park. Berlin High School is in favor of this. All proceeds from these sales will go towards local Veterans in need.

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

Funding:

No funding needed

Action Needed:

Move to approve that the Berlin Lions Club be authorized to sell luminaries at the Berlin High School home football games on October 25 and November 1, 2024 at Sage Park.

Attachments:


None

Prepared By:

Jennifer Ochoa, Director of Community, Recreation and Parks Services

Consent
Agenda Item No. 6
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 19, 2024

SUBJECT: Request acceptance of a donation of a maximum of 10 straw/hay bales from the Matson Family, valued at approximately \$100 to be used for our Scarecrow Contest for the 2024 Scarecrow Festival.

Summary of Agenda Item:

The Berlin Parks and Recreation Commission requests acceptance of a donation of a maximum of 10 straw/hay bales from the Matson Family, valued at approximately \$100 to be used for our Scarecrow Festival. We will have all the 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, Senior Center or Berlin Peck Memorial Library for their favorite.

Funding:

No funding needed

Action Needed:

Move to accept a donation of a maximum of 10 straw/hay bales from the Matson Family, valued at approximately \$100 to be used for the Parks and Recreation Scarecrow Contest for the 2024 Scarecrow Festival.

Attachments:

None

Prepared By:

Jennifer Ochoa, Director of Community, Recreation & Parks Services

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 12, 2024

SUBJECT: Request for Fee Waiver – Willard PTO Trek -n- Treat

Summary of Agenda Item:

Willard Elementary School PTO is hosting a Trek -n- Treat on Friday, October 25, 2024. According to the application, paying the police fee would drastically cut into the funds raised and impact their ability to financially support student activities. This event was attended by approximately 350 members of the community in 2023.

Funding:

Officers assigned to this event would be paid from the extra duty account #001.15.1532.0.51440.00000.

Action Needed:

Move to approve waiving the Police Fees in the approximate amount of \$800.00 for the Trek -n- Treat Event that will take place on Friday, October 25, 2024 at Willard School.

Attachments:

Request for Fee Waiver Form

Prepared By:

Lieutenant Michael Jobes, Berlin Police Department





TOWN OF BERLIN Request for Fee Waiver

Requesting Organization: WILLARD PTO	Date: 9/2/2024
Contact Name: MEGAN DELLOTH	
Phone Number: 203-583-5948	
Event: TREK-N-TREAT	Date of Event: 10/25/24
Location of the Event: WILLARD ELEMENTARY SCHOOL	
What fee do you want waived: Approx. \$800	
Identify the hardship incurred: PAYING FOR POLICE PRESENCE WILL DRASTICALLY CUT IN TO, IF NOT COMPLETELY NEGATE, THE FUNDRAISING EFFORTS OF THIS EVENT, AND IMPACT TO FINANCIALLY ^{OUR ABILITY TO} SUPPORT STUDENT ACTIVITIES	
Identify how your organization benefits the Town of Berlin as outlined in the below criteria. Please be specific: WILLARD PTO IS A NON-PROFIT THAT RELIES ON FUNDRAISING TO SUPPORT THE STAFF AND STUDENTS AT WILLARD BY PROVIDING PROGRAMS AND MATERIALS TO ENRICH STUDENTS EDUCATIONAL, SOCIAL + EXTRA-CURRICULAR ACTIVITIES + STRENGTHEN THE WILLARD COMMUNITY	

Town Manager review:

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

Yes No

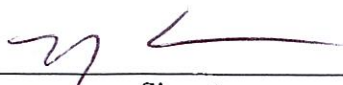
If so, which criteria:

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

TOWN OF BERLIN
Request for Fee Waiver

Name of Non-Profit or Political Organization: WILLARD PTO

Comments:



Signature

9/10/2024

Date



Town Manager Signature

9/12/2024

Date

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

1. Fee Waiver Policy

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

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager



DATE: September 23, 2024

SUBJECT: Grant Application

Summary of Agenda Item:

The Secretary of the State's Office pursuant to Public Act 24-81 will provide a grant to each municipality for costs related to implementing and conducting early voting. The grants will be distributed as soon as possible, contingent on the town detailing their intended use of the funds and returning the attached signed agreement. Berlin Registrars would like to use the funds for: labor costs, printing costs, equipment and supplies. Berlin will receive \$6,558.07. Funds be fully expended by December 31, 2024.

Funding:

None needed

Action Needed:

Move to authorize the Interim Town Manager to apply for the Early Voting grant in the amount of \$6,558.07 and once received it will be deposited into the Registrar of Voters Early Voting Account.

Attachments:

Grant

Prepared By:

Christy Miano and Joan Veley, Registrars of Voters

CM





Office of the Secretary of the State
 State of Connecticut
 165 Capitol Avenue, Suite 1000
 P.O. Box 150470, Hartford, CT 06115-0470

Stephanie Thomas
 Secretary of the State

Jacqueline A. Kozin
 Deputy Secretary of the State

31 August 2024

Town Name Berlin

Address 240 Kensington Road Berlin, CT 06037

Pursuant to Public Act 24-81, the Connecticut Secretary of the State will provide a grant in the amount of at least \$2,000 to each municipality for costs related to implementing and conducting early voting. Additional funds are allocated to municipalities based on the formula in the attached grant agreement.

The Secretary of the State will distribute the grants as soon as possible, contingent on towns detailing their intended use of the funds and returning this signed agreement. This funding is provided as a subrecipient one-time grant.

Please note:

- Acceptable utilization of funds includes costs directly tied to changes necessary to implement early voting; examples include but are not limited to labor costs, printing costs, location-related expenses, or equipment and supplies.
- Funds are to be fully expended by December 31, 2024.
- Prior to January 31, 2025, your town must report expenditures to the Office of the Secretary of State. Reports must include backup information such as a ledger report from your financial system or copies of purchase orders and invoices.
- If funds are not fully utilized prior to December 31, 2024, contact the Office of the Connecticut Secretary of the State at mss@ct.gov to request an extension on utilization, including intended use of remaining funding.
- By accepting funds, the town agrees that it will comply with applicable public auditing requirements, in accordance with the provisions of Sections 7-394a and 7-396a of the Connecticut General Statutes.
- By accepting funds, the town agrees that it is compliant with all applicable state and federal non-discrimination laws.

By signing below, I agree to the information above. Please keep a copy for your records.

My town intends to utilize funds for:

labor costs, printing costs & supplies / equipment

Authorized town official signature Christy Minto

Authorized town official title Registrar

Date 09-23-2024

Joan Veley
Registrar
09-23-2024

Weights: Weight 15.00% Weight 30.00% Weight 50.00% Weight 5.00% Amount Appropriated \$ 1,000,000.00

Town	2020+20	2020+2022	2020+2022	2020+2022	2020+2022	2020+2022	2024	2024	Amount per Town, \$2,000 minimum
	22 Register	Registered But Not Voting %	Number of AB Votes	Number of AB Votes %	Number of EDay Votes	Number of EDay	EBU	EBU	
Andover	932	0.07%	624	0.13%	3,159	0.13%	62	0.05%	\$ 2,000.00
Ansonia	7,634	0.53%	2,556	0.48%	11,358	0.48%	523	0.42%	\$ 4,557.99
Ashford	1,303	0.09%	981	0.15%	3,569	0.15%	114	0.09%	\$ 2,000.00
Avon	7,063	0.49%	6,825	0.61%	14,360	0.61%	451	0.36%	\$ 5,509.00
Barkhamsted	1,497	0.10%	1,021	0.14%	3,311	0.14%	89	0.07%	\$ 2,000.00
Beacon Falls	2,003	0.14%	1,225	0.24%	5,664	0.24%	110	0.09%	\$ 2,000.00
Berlin	8,180	0.57%	5,524	0.73%	17,153	0.73%	391	0.31%	\$ 6,558.07
Bethany	1,621	0.11%	1,334	0.23%	5,320	0.23%	108	0.09%	\$ 2,000.00
Bethel	6,521	0.46%	4,643	0.63%	14,725	0.63%	542	0.43%	\$ 5,610.10
Bethlehem	2,765	0.19%	870	0.08%	1,944	0.08%	61	0.05%	\$ 2,000.00
Bloomfield	9,971	0.70%	7,730	0.59%	13,934	0.59%	489	0.39%	\$ 5,671.12
Bolton	1,476	0.10%	1,140	0.20%	4,742	0.20%	87	0.07%	\$ 2,000.00
Bozrah	1,072	0.08%	471	0.10%	2,287	0.10%	44	0.04%	\$ 2,000.00
Branford	11,835	0.83%	9,299	0.95%	22,370	0.95%	505	0.40%	\$ 8,757.24
Bridgeport	71,288	4.99%	15,850	2.56%	59,964	2.55%	9473	7.55%	\$ 31,382.45
Bridgewater	523	0.04%	493	0.08%	1,818	0.08%	32	0.03%	\$ 2,000.00
Bristol	23,989	1.68%	12,003	1.64%	38,604	1.64%	2854	2.28%	\$ 16,493.91
Brookfield	6,973	0.49%	4,778	0.60%	14,117	0.60%	485	0.39%	\$ 5,424.07
Brooklyn	3,174	0.22%	1,472	0.26%	6,025	0.26%	247	0.20%	\$ 2,173.20
Burlington	2,373	0.17%	2,747	0.36%	8,527	0.36%	226	0.18%	\$ 2,935.59
Canaan	295	0.02%	295	0.04%	906	0.04%	111	0.09%	\$ 2,000.00
Canterbury	2,091	0.15%	801	0.20%	4,582	0.20%	158	0.13%	\$ 2,000.00
Canton	3,788	0.27%	3,596	0.36%	8,422	0.36%	203	0.16%	\$ 3,041.66
Chaplin	825	0.06%	332	0.08%	1,966	0.08%	34	0.03%	\$ 2,000.00
Cheshire	8,272	0.58%	9,319	0.95%	22,175	0.94%	627	0.50%	\$ 8,375.69
Chester	1,188	0.08%	1,458	0.13%	3,158	0.13%	83	0.07%	\$ 2,000.00
Clinton	5,561	0.39%	4,118	0.47%	10,942	0.47%	272	0.22%	\$ 4,109.55
Coldhaster	5,345	0.37%	4,266	0.55%	12,809	0.55%	312	0.25%	\$ 4,737.81
Colebrook	448	0.03%	263	0.06%	1,512	0.06%	21	0.02%	\$ 2,000.00
Columbia	1,769	0.12%	1,483	0.21%	4,961	0.21%	94	0.07%	\$ 2,000.00

Agenda Item No. 1
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 23, 2024

SUBJECT: Authorization for the Town Manager to Enter into a Contract Amendment with Loureiro Engineering for Additional Services related to Removal of an Underground Storage Tank at 55 Steele Boulevard

Summary of Agenda Item:

Loureiro Engineering provides environmental consulting services for the Town's 55 Steele Boulevard property. During the installation of geopiers for the project, a previously unknown underground storage tank was encountered. The storage tank is approximately 2,000 gallons and needs to be removed. Loureiro provided a proposal for the removal of the tank and necessary documentation for a lump sum fee of \$17,672.

The geopier installation project involves the placement of 249 piers that will support the future building. Helical is the geopier subcontractor that is working for the prime contractor, B&W Paving. Helical completed 239 of the planned 249 piers. It could not complete 5 piers that are in the vicinity of the underground storage tank. In addition, an underground brick wall was encountered. 5 piers could not be installed in the vicinity of the wall. To continue to advance the project, the underground storage tank and brick wall will need to be removed. When that work is completed, either Helical will remobilize on the site to complete the planned geopier work or these two areas will be excavated and filled with suitable structural soils. Both alternatives are being investigated and an alternative will be selected after receipt of cost proposals.

Funding:

The \$17,672 cost related to services for Loureiro Engineering to remove an underground storage tank at 55 Steele Boulevard including documentation will be charged to the Farmington Ave Development (non-grant) account # 504.10.1017.0.54000.01624.

Action

Move to waive the bidding process and authorize the Interim Town Manager to enter a contract amendment in the amount of \$17,672 with Loureiro Engineering for services to remove an underground storage tank at 55 Steele Boulevard including documentation and to charge said costs to the Farmington Ave Development (non-grant) account.

Attachments:

1. Loureiro Proposal
2. Sufficiency of funds

Prepared By:

Chris Edge, Economic Development Director *CE*



VIA EMAIL

September 23, 2024

Town of Berlin
240 Kensington Road
Berlin, Connecticut 06037

Attn: Mr. Jim Mahoney

**RE: Revised Proposal for Professional Engineering and Construction Services
UST Cleaning, Removal Oversight, Confirmatory Sampling, and Reporting**
55 Steele Boulevard, Berlin, Connecticut

Dear Mr. Mahoney:

In response to your request, Loureiro Engineering Associates, Inc. (LEA) is pleased to submit this proposal to the Town of Berlin (the Town) for services to support removal of an abandoned underground storage tank (UST) discovered at the above referenced Site.

1.0 Background

The Site was entered into the Connecticut Department of Economic and Community Development Brownfields Program and is currently in the process of redevelopment. While driving structural pilings for a new multi-story building, a previously unknown UST was encountered approximately five feet below grade. The UST measures approximately 12 feet in length by 60 inches in diameter and has a capacity of approximately 2,000 gallons. An obvious fuel oil odor was noted upon removal of the fill cap. The tank was observed to contain water and a visible petroleum sheen. Remnants of two copper feed pipes were discovered upon removal of soil overlying the UST.

2.0 Scope of Work

Based on our understanding of the project and our knowledge of the Site, Loureiro is proposing to provide the necessary professional engineering and consulting services for the onsite 2,000-gallon UST removal, sampling, and closure reporting. The specific activities to be performed are listed below

- Loureiro will prepare a Site-Specific Health and Safety Plan (HASP) that identifies the procedures, personnel responsibilities, and training necessary to protect on-site personnel and the general public during the completion of the UST removal activities.
- An initial assessment of the UST indicated the presence of approximately 1,800-gallons of water inside the tank. Prior to removal activities, water, and any petroleum sludge at the bottom of the UST will be pumped into a vacuum truck and shipped offsite to a licensed disposal facility.

Loureiro Engineering Associates, Inc.

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

AN EMPLOYEE-OWNED COMPANY



- In order to make the UST safe for removal, Loureiro will vent the tank utilizing a Coppos blower, monitor the ambient atmosphere of the UST, once deemed safe, B&W will cut access holes to enable additional pump out and cleaning of the interior..
- Prior to and during demolition and removal activities, B&W will place temporary barricades for protection of the work zone.
- Loureiro will observe removal and disposal of the UST by B&W Asphalt Paving. B&W will obtain a certificate of recycling from the facility.
- Once removed, Loureiro will complete an inspection, including photo documentation, of UST and the excavation to determine if there is evidence of tank leakage. Soil will be field screened using a handheld photoionization detector.
- Loureiro will collect confirmatory soil samples from the tank grave sidewalls. The bottom of the tank is within the water table, so no bottom samples will be collected. It is anticipated that a total of six soil samples will be collected from the tank grave. Two samples will be collected from each sidewall along the length of the UST and one sample will be collected from the sidewall at each end of the UST. Our budgetary estimate includes two additional samples in the event that the tank grave is expanded to accommodate limited removal of petroleum impacted soil.
- Samples will be submitted to a Connecticut Department of Public Health certified laboratory for analysis of volatile organic compounds by the United State Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270 and extractable total petroleum hydrocarbon by the DEEP approved method. Analytical results will be requested on a 3-day turnaround time.
- Loureiro will evaluate the analytical results to determine if additional investigative or remedial actions are necessary. In the event that the analytical results support the need for additional actions, Loureiro will provide the Town with recommendations for completing these additional actions and a proposal to support the implementation of the recommendations. If the analytical results confirm the ability to close the excavation, Loureiro will prepare and present the Town with a record supporting this determination and will assist the Town in creating and updating appropriate closure notifications to the Town of Berlin Fire Marshall.
- At completion of the project, LEA will prepare a UST closure report summarizing the activities performed. The report will include photographic documentation of the UST closure, summary of methods and procedures, analytical data tables, copies certificate of recycling and waste disposal manifests, analytical reports for post-excavation soil samples, and scaled site plans showing the UST and final confirmatory soil samples. It is assumed for purposes of this proposal that survey services will be provided a licensed land surveyor retained by the Town of Berlin for the redevelopment project. The limits of the tank grave and confirmatory sampling locations will be added to existing base plans by LEA for closure reporting and final verification reporting under the Brownfield Cleanup Program.



3.0 Assumptions

- Pricing is for cleaning and disposal of one 2,000-gallon UST. Removal of the UST shall be performed at the direction of LEA by the general contractor (B&W Paving) for the Town of Berlin.
- Dewatering activities are not included in our costs and is not expected to be necessary for removal of the UST.
- In the event that a release notification is required, Loureiro will inform the Town prior to notification to the DEEP. Loureiro will provide the Town with recommendations for completing these additional remedial actions and a proposal to support the implementation of the recommendations.
- If impacted soil is encountered, it will be staged on and covered with 6-mil polyethylene plastic sheeting and characterized for disposal. The proposal does not include costs for soil waste characterization, profiling, or disposal by a licensed vendor.
- This quote is based on work hours Monday through Friday between 7:00 A.M. and 3:00 P.M. excluding holidays.

4.0 Proposed Fees

Loureiro is proposing to complete the UST Cleaning/Removal and Closure Consulting Services for a lump sum cost of **\$17,672**. If the estimated time frames for tank cleaning, vacuum truck services, or waste disposal volumes are exceeded or decreased, then the lump sum bill will be adjusted accordingly.

Tank Closure and Reporting

Tank Closure Field Labor.....	\$2,900
Tank Cleaning Equipment, Drums and Supplies.....	\$1,050
Vacuum Truck (8 hours @ \$145/hour).....	\$2,745
Transportation/Fuel Surcharge.....	\$820
Waste Disposal Liquids (2,000 gallons @ \$0.90/gallon).....	\$550
Waste Disposal Solids.....	\$525
Drum Pickup.....	\$718
Waste Profiling.....	\$520
Confirmatory Sampling and Data Management.....	\$1,100
Laboratory Analytical (8 samples 72 hr. expedited TAT).....	\$2,994
Project Coordination and Administration.....	\$1,250
Closure Report.....	\$2,500
Total Estimate.....	\$17,672



5.0 Proposed Schedule

We are in a position to begin work on this project within three days of receipt of written authorization to proceed. A UST closure report will be prepared with two weeks after the receipt of all laboratory analytical data and waste disposal records.

We appreciate the opportunity to present this proposal and look forward to the opportunity to work with you on this project. Receipt of a purchase order referencing this Proposal will serve to authorize the work outlined in the Scope of Services. If you have any questions regarding this proposal, please contact me at (860) 410-2971.

Sincerely,

LOUREIRO ENGINEERING ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Kevin J. Bitjeman".

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



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE	24-Sep-24
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Purchase Item or Contract: Public Works/Economic Development		Requested by: J. Mahoney	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	Removal of underground tank at 55 Steele Boulevard	\$17,672.00	\$17,672.00
			-
			-
			-
			-
TOTAL			\$17,672.00

Account No. 504.10.1017.0.54000.01624 Farmington Ave Development (non-grant)			
Budgeted Amount.....	\$227,826.00	Available balance.....	\$200,791.00
Encumbrances to Date.....	\$25,500.00	Amount Needed for This Package.....	\$17,672.00
Expenditures to Date.....	\$1,535.00	Available Balance After Purchase.....	\$183,119.00

Is a budget change needed? Yes No

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

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

or:

Finance Director or Assist. Finance Director

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

Finance Director or Assist. Finance Director

Agenda Item No. 2
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager



DATE: September 19, 2024

SUBJECT: Impact of PA 22-118 on Town of Berlin Motor Vehicle Grand List

SUMMARY OF AGENDA ITEM:

In 2022, the CT Legislature passed a law changing the way motor vehicle assessments are calculated. Originally, the changes were scheduled to go into effect with the October 1, 2023, grand list, but PA 23-304 delayed implementation until the October 1, 2024, grand list. The change replaces the existing NADA Fair Market Value method with the Manufacturer's Suggested Retail Price (MSRP) adjusted for depreciation method.

The Berlin Assessor's Office calculated the impact of this change in methodology based on the October 1, 2023, grand list. Based on the calculation, Berlin is projected to see a reduction in motor vehicle values of approximately \$85 million. If this change holds for the October 1, 2024, grand list, the impact would be a reduction of more than \$2.5 million in tax revenue.

<u>GL Year</u>	<u>Reduced Assessed Value</u>
2024	795,608
2023	8,648,901
2022	10,019,106
2021	8,111,225
2020	7,183,676
2019	7,952,704
2018	5,995,282
2017	5,911,126
2016	4,703,671
2015	4,113,645
2014	3,293,533
2013	3,041,911
2012	3,695,538
2011	3,034,876
2010-2006	8,551,634

85,052,435 Assessed Value Reduction

85,052 Reduced Mills

30.21 FY25 Mil Rate

\$2,569,434 MV Tax Revenue Reduction

FUNDING:

None

ACTION NEEDED:

None

ATTACHMENTS:

None

PREPARED BY:

Kevin Delaney, Finance Director
Joe Ferraro, Assessor

A handwritten signature in blue ink, appearing to be 'JD', is written over the printed names of Kevin Delaney and Joe Ferraro.

Agenda Item No. 3
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 19, 2024

SUBJECT: Refunding Bond Resolution

SUMMARY OF AGENDA ITEM:

The Town of Berlin has several GO Bond issues eligible for refunding. Refunding is used by municipalities to lower future interest payments while maintaining the same principal repayment schedule. Based on the current interest rate environment and the Town of Berlin's AAA credit rating, Phoenix Advisor's (the Town's financial advisor) projects over \$500k of interest savings over the next ten years by refunding from 2013, 2014, 2015 and 2016. The Town has the option not to move forward on the date of the sale if the projected savings does not materialize.

While the Town Charter requires multiple steps to approve a bond ordinance, refunding resolutions are governed by State Statute, and the Statutes vest the authority to approve the proposed ordinance with the Town Council. Specifically, Section 7-370c(c) reads, "notwithstanding the provision of the charter governing the authorization and issuance of bonds, notes or other obligations and the appropriation of the proceeds thereof, such refunding bonds shall be authorized, and the proceeds appropriated for the purposes permitted under this section, by resolution of the legislative body of the municipality."

FUNDING:

None


ACTION NEEDED:

Move to approve a "RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$22,000,000 AGGREGATE PRINCIPAL AMOUNT OF TOWN OF BERLIN GENERAL OBLIGATION REFUNDING BONDS."

ATTACHMENTS:


Refunding Bond Resolution

PREPARED BY:

Kevin Delaney, Finance Director 

Agenda Item No. 4
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 20, 2024

SUBJECT: Request the Public Building Commission (PBC) to review & release Willard HVAC contingency funded with the ARPA grant and ask the PBC to identify another school HVAC contract (or contracts) to authorize use of the remaining ARPA grant funds at the October 2024 PBC meeting.

SUMMARY OF AGENDA ITEM:

At the May 2, 2023, Special Town Council Meeting, the construction, and construction management contracts were awarded for the Willard HVAC project. On June 20, 2023, the Town Council approved lowering the construction contingency from \$400,000 to \$350,000.

	<u>Contracted Amount</u>	<u>Contingency</u>	<u>Total</u>
All State (construction)	\$4,063,000	\$350,000	\$4,413,000
Newfield (construction mgmt.)	\$441,500	\$93,125	\$534,625

The contingency amounts were funded with both ARPA Grant funds and Local funds.

	<u>ARPA funds</u>	<u>Local Funds</u>	<u>Total</u>
All State contingency	\$232,501.16	\$117,498.84	\$350,000.00
Newfield	\$93,125.00	\$0.00	\$93,125.00

Through invoices submitted and paid on 9/25/2024, the project (including retainage) and contingency balances are:

	<u>Project Balance</u>	<u>ARPA Contingency</u>	<u>Local Contingency</u>
All State	\$571,564.68	\$135,270.16*	\$117,498.84
<i>% of project balance</i>		23.7%	20.6%
Newfield	\$109,261.00	\$93,125.00	\$0.00
<i>% of project balance</i>		85.2%	0.0%
Friar	\$2,250.00	\$0.00	\$0.00
Sustainable Engineering	\$10,500.00	\$0.00	\$0.00

** The construction contingency (listed as All State above) was reduced by \$28,831 in net change orders and \$68,400 to fund Friar Architecture work on the Hubbard and Griswold HVAC projects (approved by the Town Council on 7/23/2024).

With most funding arrangements, the Town Council defers to the Public Building Commission for budget management through the life of each project. However, the American Rescue Plan Grant has a unique provision that requires funds to be “obligated” by 12/31/2024 and expended by 12/31/2026. Under the grant, “obligated” is defined as “an order placed for property and services and entering into contracts, subawards, and similar transactions that require payment.” The US Treasury clarified that an obligation is not met “by reference to recipient appropriation, budget, or allocation processes since this approach would not provide a standard that could be applied consistently across recipients.”

If the Town of Berlin does not expend ARPA funds currently appropriated to Willard HVAC project contingency by 12/31/2026 or reduce the contingency to an amount the Town will expend by 12/31/2026 and authorize the remaining money to a different project (e.g., Griswold & Hubbard HVAC) through which the funds will be expended, then unspent funds will need to be returned to the US Treasury. Further, the funds not only need to be authorized to a different project, but an obligation must be entered into by 12/31/2024 or the funds will need to be returned to the US Treasury.

Funds not obligated under the ARPA grant definition are:

All State contingency	\$135,270.16
Newfield contingency	\$93,125.00
<u>Uncommitted balance</u>	<u>\$395.36</u>
Total	\$228,790.52

The deadline and request for the PBC to review the contingency balances has been discussed internally for several months. The PBC discussed repurposing any remaining Willard contingency to the other two elementary school HVAC projects at their June 13, 2024, meeting, but a vote was not taken. Minutes from the July, August and September meetings do not reflect any action taken by the PBC.

FUNDING:

N/A

ACTION NEEDED:

Move to ask the Public Building Commission to review and consider releasing the Willard HVAC contingency funded with the ARPA grant at their October 2024 meeting, and for the Public Building Commission to request authorization to use all remaining ARPA grant funds to enter into a contract (or contracts) in support of one or both school HVAC projects before the December 31, 2024, obligation deadline established by the US Treasury.

ATTACHMENTS:


None

PREPARED BY:

Kevin Delaney, Finance Director 

Agenda Item No. 5
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 23, 2024

SUBJECT: LOTCIP Project to Reconstruct Episcopal Road and Rowley Street – Construction Cost Estimate Increase and Proposed Town Contribution

Summary of Agenda Item:

The Local Transportation Capital Improvement Program (LOTICIP) project for the reconstruction of Episcopal Road and Rowley Street in Berlin has experienced a significant cost increase. The project was originally awarded funding on a preliminary basis in 2022, with an estimated cost of \$2,670,715. However, following a detailed pavement analysis and geotechnical investigation conducted in response to technical comments from the Capitol Region Council of Governments (CRCOG), it was determined that full-depth reconstruction, rather than the originally planned mill and overlay for Episcopal Road, is necessary. This change, along with updated Connecticut Department of Transportation (DOT) recommendations for frost protection and related adjustments to curbing, base, and pavement thickness, has raised the total project cost to \$4,992,622.

To address the increased cost, Town Staff have discussed contributing \$380,000 from our Town State Aid account (Grant Road Improvement) and requesting an additional \$1,941,907 from the CRCOG's Transportation Committee, which would increase the LOTICIP funding from \$2,670,715 to \$4,612,622. Town and CRCOG Staff have also agreed that the Town will defer the advancement of the Burnham Street and Massirio Drive LOTICIP project until funds for the Episcopal Road and Rowley Street project have been awarded. Staff are requesting Town Council approval of this contribution and restructuring of the LOTICIP projects. Once the details are worked out with the CRCOG, the Town will engage an engineering firm to prepare a detailed design, obtain all required permits, put together a bid package and assist in the bid process through contract award. Those design services will be at the Town's expense. The LOTICIP funds will be used for roadway reconstruction, as well as for construction engineering inspections and contract administration.

Funding:

\$380,000.00 - Grant Road Improvement Account (#140.20.2037.0.54000.00509)

Action Needed:

Move to approve the Town of Berlin's contribution of \$380,000 from the Grant Road Improvement Account toward the LOTICIP project to reconstruct Episcopal Road and Rowley

Street, to authorize Town Staff to request an additional \$1,941,907 from the LOTCIP program (increasing the total project funding to \$4,612,622), and to defer the LOTCIP project involving Burnham Street and Massirio Drive until funds for the Episcopal/Rowley project are awarded.

Attachments:

Sufficiency of Funds

Prepared By:

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

MSA



TOWN OF BERLIN

CERTIFICATION OF SUFFICIENCY OF FUNDS

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

DATE	10-Sep-24
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Purchase Item or Contract: <u>Public Works</u>		Requested by: <u>M. Ahern</u>	
QUANTITY	DESCRIPTION	PRICE PER UNIT	\$ AMOUNT
1.00	LOTICIP Project to Reconstruct Episcopal Road and Rowley Street - Local Share	\$380,000.00	\$380,000.00
			-
			-
			-
			-
TOTAL			\$380,000.00

Account No. 140.20.2037.0.54000.00509

Budgeted Amount.....	<u>\$2,928,888.35</u>	Available balance.....	<u>\$2,327,648.03</u>
Encumbrances to Date.....	<u>\$598,791.41</u>	Amount Needed for This Package.....	<u>\$380,000.00</u>
Expenditures to Date.....	<u>\$2,448.91</u>	Available Balance After Purchase.....	<u>\$1,947,648.03</u>

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. 6
Request for Town Council Action

TO: The Honorable Mayor and Town Council

FROM: W. Lee Palmer, Interim Town Manager 

DATE: September 23, 2024

SUBJECT: Snow Plowing of Town Cul-de-Sacs and Streets – Extension of Contract Nos. 2024-03 and 2024-04

Summary of Agenda Item:

The Public Works Department received a request from Staxx Construction Services, LLC to extend their snow plowing contracts for another year, maintaining existing rates:

- *Contract No 2024-03 – Snow Plowing of Town Cul-De-Sacs & Miscellaneous Areas*; \$155.00 per hour for the first two trucks and \$165.00 per hour for additional trucks.
- *Contract No 2024-04 – Snow Plowing in Town Streets*; \$200.00 per hour for the first truck and \$250.00 per hour for additional trucks.

Due to the uncertainty of predicting the use of this contract during the 2024/2025 winter season, we cannot accurately estimate the total value of these contracts. According to Staff, Staxx Construction Services, LLC responded in both a timely and responsible manner every time their services were requested during the 2023/24 Winter Season. Based upon their past performance, Staff is requesting Town Council to approve a one-year extension of Contract Nos. 2024-03 and 2024-04 through the end of the 2024/2025 Winter Season.

Funding:

Account No. 001.20.2037.0.53604.00000 (Highway Truck Rental) - \$40,000.00.

Action Needed:

Move to authorize one-year extensions of Contract No. 2024-03 (Snow Plowing of Town Cul-de-Sacs & Miscellaneous Areas) and Contract No. 2024-04 (Snow Plowing of Town Streets) to Staxx Construction Services, LLC, of Berlin at existing rates.

Attachment:

Staxx Construction Services, LLC letter

Prepared By:

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





PO Box 7056, Berlin CT 06037

A Women, Veteran Owned and Operated Business Entity

09/16/2024

To Whom it may Concern,

I, Jennie Scofield, owner of Staxx Construction Services LLC would like to extend my snow removal contract with the Town of Berlin for another year. I will also continue to honor the current pricing within contract 2024-03 and 2024-04

For any further questions or concerns you can contact me at (860)803-3662.

Thank you

Jennie Scofield, Owner

Staxx Construction Services LLC

Sebastian Senia

Town of Berlin | Generated 9/23/2024 @ 9:26 am by OnBoardGOV - Powered by ClerkBase

Status

Name Sebastian Senia
Application Date 9/23/2024
Expiration Date 9/23/2123
Status Received

Board	Vacancies	Status
Water Control Commission	2	Pending

Basic Information

Name
Sebastian Senia

Contact Information

Address
8 Dunham Dr
Berlin, CT 06037

Yes, I am a resident
Yes

Email
seb.senia@gmail.com

Phone
860-828-1198

Occupation

Employer
Aetna Retired

Job Title
Operational Manager

What is your political party affiliation?
Democrat

Number of years in Berlin
49

Current and Past Civic/Community Involvement
Golf commission Water Control commission Park & Rec commission

Tell us why you feel qualified for this appointment
Was a member of the Water Control commission

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

no

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

yes

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Join Zoom Meeting

<https://berlinct-gov.zoom.us/j/88096217901?pwd=8LG7oIhDk2blyIrepOOPRAnvKULIUj.1>

Meeting ID: 880 9621 7901

Passcode: 577125

+1-312-626-6799 US (Chicago)

**TOWN OF BERLIN
TOWN COUNCIL MEETING
Tuesday, September 17, 2024
Town Council Chambers (in person)
Remote Meeting
7:00 P.M.**

A. CALL TO ORDER:

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL:

Those in attendance were:	Councilor Kate Atkinson Councilor Sandra Coppola Mayor Mark Kaczynski Councilor Charles Paonessa Councilor Peter Rosso Councilor Donna Veach
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Absent:	Councilor Mark Pruzin
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Also in attendance:	Interim Town Manager W. Lee Palmer Corporation Counsel Jeffrey Donofrio
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D. PRESENTATION OF PROCLAMATION:

Mayor Kaczynski read the following proclamation adding that First Responders will be honored at a breakfast at the Kensington Fire Department on September 28th and this proclamation will be presented at that time.

FIRST RESPONDERS' DAY PROCLAMATION

WHEREAS: First Responders, both career and volunteer, include law enforcement officers, firefighters, emergency medical technicians, 911 dispatchers, and search and rescue personnel who bravely and selflessly risk their lives every day to protect families, visitors, and businesses; and

WHEREAS: First Responders do not hesitate to risk their own lives in order to save the lives of others, and their commitment to continued training, skill enhancement, and interagency cooperation make them prepared to serve, protect, and rescue other citizens 24 hours per day, 365 days a year; and

WHEREAS: First Responders are a vital part of every community, maintaining safety and order in times of crisis, and volunteering in our schools and community organizations; and

WHEREAS: Acts of kindness and appreciation from citizens provide first responders needed encouragement and support to confront the dangerous and uncertain situations they face every day.

NOW, THEREFORE, BE IT RESOLVED, I, Mark H. Kaczynski, by virtue of the authority vested in me as Mayor of Berlin, Connecticut, do hereby thank and applaud all First Responders for all their selfless acts of honor and bravery.

Dated this 28th day of September 2024

Mark H. Kaczynski, Mayor

E. AUDIENCE OF CITIZENS:

Richard Gagliardi, 1278 High Road – Mr. Gagliardi stated that he is Vice President of the Berlin Land Trust and is present this evening to encourage the Town of Berlin’s acquisition of property located off of the Chamberlain Highway which he spoke about at the last Town Council meeting. Mr. Gagliardi met with the Conservation Commission last week to speak about this acquisition and although they did not have a quorum at that meeting, all members present stated that they were in favor of the purchase and including it as part of the Blue Hills Conservation Area. The Berlin Land Trust will donate \$20,000 toward the purchase of this property in exchange for a Conservation Agreement naming the Land Trust protector of the property.

Dennis Kern, 57 Cider Mill Road – Mr. Kern stated that he is President of the Berlin Land Trust, and the Land Trust considers the property off of the Chamberlain Highway that Mr. Gagliardi just spoke about to be very important as an acquisition for open space. Mr. Kern added that he believes that the Town would be an appropriate owner for this property as it abuts other open space properties and keeping open space connected makes a big difference for the flora, fauna, and wildlife in the area. He is requesting that the Town consider the purchase of this property.

There was discussion at the last meeting regarding parking that may be needed near the property on Summit Drive, however the Berlin Land Trust believes that if there are no hiking trails in that area then parking would not be a concern.

Mayor Kaczynski asked Mr. Kern if he knew anything about the status of the No Trespassing sign located at the entrance to Lamentation Mountain from the Berlin Turnpike. Mr. Kern stated that the sign has been removed and added that a group of interested parties will be meeting at the Department of Energy and Environmental Protection on September 24th at 9:00 a.m. to request permission to use part of that land as a trailhead.

Melissa Davis, 53 Westview Terrace - Ms. Davis stated that she volunteers for the Berlin Land Trust and supports the purchase of the property stated above as she believes it will support wildlife.

Tony Valenti, Newport Realty – Mr. Valenti thanked the Town Council for their continued support of the 55 Steele Boulevard project and requests their support of the non-budgeted appropriation that is on tonight’s meeting agenda.

F. MAYOR’S UPDATE:

- Mayor Kaczynski asked Superintendent of Grounds Steve Wood to speak on the status of the feasibility study on the East Berlin pool. Mr. Wood stated that the complete report should be available by the first Town Council meeting in November, but KBA has done an assessment of the building finding that it is not ADA compliant, there is no fire suppression system, and some walls have shifted. The current tennis courts only have one or two years remaining on their life.
- Representative Donna Veach stated that the Department of Energy and Environmental Protection (DEEP) will be making unannounced visits to Bright Feeds over the next couple of months. Until DEEP makes a decision about whether or not the company is doing what they should be doing regarding the odors the Town cannot do anything.
- Mayor Kaczynski asked Deputy Police Chief Drew Gallupe to speak about the status of noise complaints at Bright Feeds. Deputy Chief Gallupe stated that officers responding have found the complaints to be unfounded. The Department will be looking to purchase noise monitoring equipment.
- Senator Lopes received a complaint from Scarborough Fare residents that there have been instances of residents encroaching on the conservation easement area for their own use. The Town has already been addressing this issue. Interim Town Manager Palmer read an email from Zoning Enforcement Officer Pauley Morbidelli stating that this has been an ongoing issue, and he has walked the property, observed the violations, and notified the parties responsible for the violation and requested a restoration plan for the trees and vegetation that had been removed. Mr. Morbidelli will check in with the Homeowner’s Association on the status of the restoration.
- A resident of Percival Heights is dealing with a bed bug problem which may have spread to other units. This issue has been going on since the beginning of August, yet the Housing Authority has not addressed it until now. Town Manager Palmer stated that he paid a visit to the onsite property manager and moving forward there will be better communication between the Town and Housing Authority.
- The generator donated by the Town to the Housing Authority has still not been installed. Town Manager Palmer stated that the Town received an updated timeframe today from Northeast Generator which stated that trenching for the pad will begin on September 25th and Northeast Generator will install conduits for the generator. There was a 17-week lead time which put the time frame for completion between October and December.

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

H. CONSENT AGENDA:

1. **Topic re: Approve waiving the Police Traffic Control fees in the estimated amount of \$ 5,500.00 for the Powerhouse Gym Thanksgiving Day 5K that will take place on Thursday, November 28, 2024. -Police Department**
2. **Topic re: Approve waiving the Police Traffic Control fees in the estimated amount of \$3,100.00 for the Friar 4 Miler to be held on October 6, 2024. - Police Department**
3. **Topic re: Accept the donations of \$100.00 and appropriate the funds to the Police K9 Program Expenditure Account. – Police Department**
4. **Topic re: Accept the donation of \$150.00 and appropriate the funds to the Supplies Expenditure Account. – Police Department**
5. **Topic re: Approve permission for consumption of alcoholic beverages (BYOB - beer and wine) at Pistol Creek for the Berlin Fire Department annual family picnic for approximately 80 people on Saturday, September 28, 2024. Food will be a sit-down dinner and there will be no entertainment. Insurance will be obtained if permission is granted. – Parks and Recreation**

Councilor Paonessa moved to accept the Consent Agenda as presented.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

I. NEW BUSINESS:

1. **Topic re: Appropriate \$75,000 from General Fund Unassigned Fund Balance FY 25 to the Volunteer Fire Department Grant Account and to provide a grant to the Kensington Volunteer Firemen’s Association for the District of Kensington and Town of Berlin for its purchase of a portion of the property located at 892 Farmington Avenue adjacent to the Kensington Fire Department to maintain its existing access drive to Farmington Avenue, and to refer this matter Corporation Counsel and to the Board of Finance. The funds shall be used solely for the purchase of the subject property and shall not be disbursed until the closing of the purchase. The purchase shall be subject to successful completion of a Phase I ESA, title search, survey and execution of a purchase and sale agreement and other customary closing documents. – Economic Development**

Interim Town Manager Palmer introduced this item and Mayor Kaczynski stated that this was the subject of tonight’s Special Town Meeting.

Councilor Paonessa moved to appropriate \$75,000 from General Fund Unassigned Fund Balance FY 25 to the Volunteer Fire Department Grant Account and to provide a grant to the Kensington Volunteer Firemen's Association for the District of Kensington and Town of Berlin for its purchase of a portion of the property located at 892 Farmington Avenue adjacent to the Kensington Fire Department to maintain its existing access drive to Farmington Avenue, and to refer this matter Corporation Counsel and to the Board of Finance. The funds shall be used solely for the purchase of the subject property and shall not be disbursed until the closing of the purchase. The purchase shall be subject to successful completion of a Phase I ESA, title search, survey and execution of a purchase and sale agreement and other customary closing documents.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

2. Topic re: Appropriate \$360,000 in FY25 non-budgeted appropriation of General Fund Unassigned Fund Balance to the Farmington Avenue Non-Grant account in the Economic Development Fund, and to refer this matter to the Board of Finance. - Economic Development

Interim Town Manager Palmer introduced this item and Mayor Kaczynski stated that this was the subject of tonight's Special Town Meeting.

Councilor Paonessa moved to appropriate \$360,000 in FY25 non-budgeted appropriation of General Fund Unassigned Fund Balance to the Farmington Avenue Non-Grant account in the Economic Development Fund, and to refer this matter to the Board of Finance.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

3. Topic re: Authorize \$7,000 in funding from the Open Space (in lieu fee) account for a title search, an appraisal, review appraisal and a phase 1 environmental site assessment related to the potential acquisition of Map 25-4, Block 74 Lot 49, 0 Chamberlain Highway. – Economic Development

Interim Town Manager Palmer introduced this item and Mayor Kaczynski stated that this item was also discussed at the previous Town Council meeting. This request is to authorize funding for a title search, appraisal, review appraisal, and a phase 1 environmental assessment on the Chamberlain Highway property.

Councilor Paonessa moved to authorize \$7,000 in funding from the Open Space (in lieu fee) account for a title search, an appraisal, review appraisal and a phase 1 environmental site assessment related to the potential acquisition of Map 25-4, Block 74 Lot 49, 0 Chamberlain Highway.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

- 4. Topic re: Authorize the Interim Town Manager to extend the duration of the Exclusive Negotiating Agreement with Vesta Corporation/O’Riordan Migani Architects with Vesta Corporation/O’Riordan Migani Architects concerning the sale of the former Knights of Columbus Property at 143 Percival Avenue for development as affordable senior housing to a new expiration date of November 15, 2024, subject to review and approval by Corporation Counsel. – Economic Development**

Interim Town Manager Palmer introduced this item and Mayor Kaczynski stated that Vesta Corporation/O’Riordan Migani Architects were selected to develop senior housing at the former Knights of Columbus property. Corporation Counsel Donofrio stated that additional time is required to get the draft purchase and sale agreement together.

Economic Development Coordinator Jim Mahoney stated that the funding agencies have been receptive to the project which is encouraging. Vesta and O’Riordan Migani will be proceeding with developing more detailed site plans.

Councilor Paonessa moved to authorize the Interim Town Manager to extend the duration of the Exclusive Negotiating Agreement with Vesta Corporation/O’Riordan Migani Architects with Vesta Corporation/O’Riordan Migani Architects concerning the sale of the former Knights of Columbus Property at 143 Percival Avenue for development as affordable senior housing to a new expiration date of November 15, 2024, subject to review and approval by Corporation Counsel.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

- 5. Topic re: Authorize the Interim Town Manager to amend SLR International Corporation’s contract for the Spruce Brook Road Bridge Replacement Project to include the updated scope of services and fees in the amount of \$108,030, with a 15% contingency, for a total not to exceed amount of \$124,235. – Public Works**

Public Works Director Mike Ahern stated that Spruce Brook Bridge project has been approved by the Department of Transportation to enter into a new Local Bridge Program (LBP) which provides 50% reimbursement as opposed to the previous 31.41%. SLR International has been working under the original scope from the old LBP and has now submitted an updated scope and fee proposal which includes design adjustments to meet current standards.

Councilor Paonessa moved to authorize the Interim Town Manager to amend SLR International Corporation's contract for the Spruce Brook Road Bridge Replacement Project to include the updated scope of services and fees in the amount of \$108,030, with a 15% contingency, for a total not to exceed amount of \$124,235.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

6. Topic re: Reduce the Construction Contingency on the Additions and Renovations to Berlin Police Department HQ Project at 240 Kensington Road by \$60,000.00, as approved by the Public Building Commission, to allow the Police Department to purchase the required updated camera monitoring system. – Public Building Commission

Interim Town Manager Palmer stated that agenda item #6 has been revised as the Public Building Commission (PBC) received a request for an additional \$19,675.00 of owner-supplied technology equipment at its September 12, 2024 meeting. The request is now for \$79,675.00 of contingency reduction.

Public Works Director Ahern stated that the Town Council had previously referred the Police Department camera monitoring system to the PBC to determine if the updated system would be included in the Police Station Construction project, and if not to request the PBC to release \$60,000.00 of contingency to fund the upgrade. At its August 8, 2024 meeting the PBC approved releasing the requested contingency. As stated above, the PBC then received a request for an additional \$19,675.00 of contingency which was approved at their September 12, 2024 meeting.

Councilor Paonessa moved to reduce the Construction Contingency on the Additions and Renovations to Berlin Police Department HQ Project at 240 Kensington Road by \$79,675.00, as approved by the Public Building Commission, to allow the Police Department to purchase the required updated camera monitoring and technology system.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

7. Topic re: Approve awarding the contract to NEXGEN for CAD/RMS systems and equipment using funds provided in the Computer Support account up to \$58,000 since this is a sole source provider. - Police Department

Interim Town Manager Palmer introduced this item. NEXGEN is the CAD/RMS, dispatching and report writing system used by the Berlin Police Department and the majority of police departments

in the state. This is a sole source provider. Annual maintenance to pay annual maintenance fees for this system up to \$ 58,000.

Councilor Paonessa moved to approve awarding the contract to NEXGEN for CAD/RMS systems and equipment using funds provided in the Computer Support account up to \$58,000 since this is a sole source provider.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

8. Topic re: Approve waiving the Town's bidding requirements for Norcom and approve the purchase for the Avigilon video security system using funds as are available in the Buildings and Renovations account up to \$60,000 as this is in the best interest of the Town. - Police Department

Interim Town Manager Palmer introduced this item. As a part of the new renovation to the Police Department a significant number of new cameras are being added in the new addition. As a result, a new audio video recording system was needed. The PBC has approved releasing contingency funding for the project to cover the cost of the new system.

Councilor Paonessa moved to approve waiving the Town's bidding requirements for Norcom and approve the purchase for the Avigilon video security system using funds as are available in the Buildings and Renovations account up to \$60,000 as this is in the best interest of the Town.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

J. APPOINTMENTS:

1. Cemetery Committee – Vacancy – Alternate – Replacement term would be until January 31, 2027. Can be filled with a D, R or U.

Councilor Paonessa placed in nomination the name of Joseph Kierwiak, IV (R) of 170 Crater Lane 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.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 in favor of Joseph Kierwiak, IV (R) to serve on the Cemetery Committee - Alternate. Term ending January 31, 2027.

2. **Constables** – 4 Vacancies – Terms would be until December 2025. Can be filled with R, D or U with no more than a bare majority to be from one political party (Section 8-6).
3. **Inland Wetlands & Water Courses Commission** – Vacancy – Alternate - Replacement would be until January 31, 2026. Can be filled with a D or U.
4. **Mattabasset District** – Vacancy – James Fallon’s term expired August 31, 2023. Reappointment or replacement term would be until September 1, 2026. Can be filled with a D, R or U.
5. **Plainville Area Cable Television Advisory Council (PACTAC)** – 2 Vacancies – New terms would be until June 30, 2025. Can be filled with a D, R or U. There are only two members from Berlin for this board.
6. **Public Building Commission** – Vacancy – Replacement term would be until January 31, 2029. Can be filled with a D, R or U.
7. **Veterans’ Commission** – Vacancy – Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
8. **VNA** – Vacancy - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
9. **VNA** – Vacancy - Replacement term would be until January 31, 2027. Can be filled with a D, R or U.
10. **VNA** – Vacancy - Replacement term would be until January 31, 2027. Can be filled with a D, R or U (Depending on the above appointments).
11. **Water Control Commission** – Alternate – Vacancy – Term would be until January 31, 2026. Can be filled with a D, R or U.
12. **Water Control Commission** – Alternate – Vacancy – Term would be until January 31, 2027. Can be filled with a D, R or U (Depending on the above appointment).

K. TOWN MANAGER’S REPORT:

Interim Town Manager Palmer stated that the items he had to discuss were brought up during the Mayor's Update. He added that he is enjoying his tenure with the Town of Berlin.

L. SPECIAL COMMITTEE REPORTS:

None

M. COUNCILORS' COMMUNICATION:

Councilor Paonessa stated that last week he attended a meeting at the Mattabassett District with State Representative Veach along with representatives from Berlin's three water districts, the Department of Energy and Environmental Protection (DEEP), and the Environmental Protection Agency (EPA).

Councilor Paonessa explained that the Town of Berlin is billed when it exceeds its estimated inflow and infiltration into the Mattabassett District. The Town has requested meetings with the town's two other water districts to discuss these inflow issues but has received no response.

Corporation Counsel Donofrio stated that an RFP for a townwide system study and cost of service analysis was done. The Kensington and Worthington Fire Districts (KFD and WFD) were formally invited to participate in reviewing the RFP and they both declined. Haley Ward and Raftelis were procured to provide these services and FOI requests were made to the two Fire Districts for documents required for the study which is still in progress. This study will provide an unbiased opinion on the state of the town's three water districts. Corporation Counsel's biggest concern with KFD and WFD is with their infrastructure as there are no capital plans in place. He is also concerned that the Town could inherit the debt of those districts.

Corporation Counsel Donofrio added that what needs to happen is that DEEP and the EPA need to be on the same page as there is no collaboration between local, state, and federal agencies.

Councilor Atkinson inquired about recognizing the 12U Girls Softball team as discussed at a previous Town Council meeting. Mayor Kaczynski asked Councilor Atkinson to provide the information, and a proclamation will be presented.

Councilor Coppola thanked the Berlin Lions Club for the work they do on the Berlin Fair. She also thanked the Berlin Police Department for their traffic control service. It was a great weekend.

The Town Council congratulated Town Clerk Kate Wall on receiving the Pearlman Freedom of Information Award from the Connecticut Foundation for Open Government. The award will be presented on October 16th at the Mark Twain House.

The Town Council congratulated Director of Facilities Doug Solek on the birth of his son.

N. ACCEPTANCE OF MINUTES:

September 3, 2024

Councilor Paonessa moved to accept the Town Council meeting minutes of September 3, 2024 as presented.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

O. 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 – (Riggins v. Berlin)

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 – (Riggins v. Berlin) at 8:13 p.m. Invited in: Interim Town Manager Palmer and Corporation Counsel Donofrio.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

Executive Session ended at 8:36 p.m.

P. ADJOURNMENT:

Mayor Kaczynski moved to adjourn at 8:37 p.m.

Seconded by Councilor Veach.

Those voting in favor: Councilor Atkinson, Councilor Coppola, Councilor Paonessa, Councilor Rosso, Councilor Veach, Mayor Kaczynski.

Vote being 6-0 (MOTION CARRIED)

Submitted by,

Kathryn J. Wall
Clerk of the Meeting