



**Town of Berlin  
Municipal Office Building  
108 Shed Road**

**Berlin, VT. 05602  
Regular Select Board Meetings  
1<sup>st</sup> & 3<sup>rd</sup> Monday of Each Month**

**Monday, April 18, 2011  
6:30 PM**

Selectboard Members: Susan Gretkowski, Chair; Nancy Driscoll, Vice Chair; Brad Towne, and Jonathan Goddard. Absent: Roberta Haskin, Secretary. Present: Jeff Schulz, Town Administrator; Patti Lewis, Town Treasurer. All items are unanimous unless otherwise noted.

### **APPROVED MINUTES**

**Susan Gretkowski** called the meeting to order at 7:00 p.m.

#### **Public Comment**

There was no public comment.

#### **Treasurers Report**

**Patti Lewis** stated that the Board has the financials for the end of March and the current fund balance is at 18% of the budget. She stated that last year at this time the fund balance was at 15% of the budget.

#### **Approval of Amusement Permit(s)**

**Jeff Schulz** stated that there are five applications for amusement permits. He stated that the applications are from **Blue Cross Blue Shield**, **Onion River Animal Hospital** and three from the **Central Vermont Runners**. **Jeff** stated that the first application is from Blue Cross Blue Shield for the annual walk down Industrial Lane to Granger Road, down Granger Road to Comstock and back to their facility. He stated that the Police Chief has reviewed the application and submitted his recommendations which include posted signs during the event and to have an individual to help with traffic control at the intersections. Motion by **Jonathan Goddard** to approve the application for an amusement permit submitted by **Blue Cross Blue Shield** for a walk on April 27<sup>th</sup>. Second by **Brad Towne**. Motion carried 4-0.

**Jeff** stated that the next application was from Onion River Animal Hospital for a walk down Three Mile Bridge Road, down Junction Road and back to the animal hospital on May 17<sup>th</sup>. He stated that the Police Chief has reviewed the application and recommends approval. The Board had some questions regarding the route of this event and suggested that **Jeff** get clarification on the route.

**Jeff** stated that the next three applications were from the Central Vermont Runners and **Jeff Prescott** was here to present those applications. **Mr. Prescott** stated that **Andy Shuford** was also in attendance as one of the co-directors of the races. He stated that there are three race applications, the first is the Capital City Stampede on June 11 at 9:00 a.m. **Mr. Prescott** stated that the staging area for this race is at Onion River Sports in Montpelier, and the course will be from there, down Junction Road to Three Mile Bridge Road and back. He stated that there will be minimum impact on the Town of Berlin. **Mr. Prescott** stated that the second race is the Paul Mailman 10-miler. He stated that this race will take place on June 26 at 8:45 a.m. **Mr. Prescott** stated that the staging area for this race will be at the Montpelier High School and the course will continue down Junction Road to Three Mile Bridge Road, continue to Jones Brook Road and back to the High School. **Mr. Prescott** stated that the third race is the Berlin Pond 5-miler on August 11<sup>th</sup> at 6:00 p.m. He stated that the staging area is in the parking lot of the Municipal Building. **Mr. Prescott**

stated that the course starts on Brookfield Road and continuing counter clockwise around the pond. He stated that the participants will run down Brookfield Road, turn onto Mirror Lake Road and continuing down Paine Turnpike South. **Mr. Prescott** stated that they urge runners to remain on the side of the road throughout the race. Motion by **Nancy Driscoll** to approve the amusement application by **Central Vermont Runners** for the Onion River Sports to Junction Road race on June 11<sup>th</sup> as presented. Second by **Jonathan Goddard**. Motion carried 4-0.

Motion by **Jonathan Goddard** to approve the amusement application by **Central Vermont Runners** for the Montpelier High School to Junction Road race on June 26<sup>th</sup> as presented. Second by **Nancy Driscoll**. Motion carried 4-0.

Motion by **Nancy Driscoll** to approve the amusement permit by **Central Vermont Runners** for the Berlin Pond 5-miler on August 11<sup>th</sup> as presented. Second by **Jonathan Goddard**. Motion carried 4-0.

#### Old Business

##### Berlin Fire Department

**Scott Bagg** stated that the Fire Department has been working on a ten year plan for the department. He stated that part of this process is knowing what the expectations of the community are so that they can be addressed by the Fire Department. **Scott** stated that to facilitate this, the department has come up with a questionnaire for the residents of Berlin. He stated that this questionnaire will be mailed out to all residents and businesses in Berlin with a self addressed, stamped envelope to mail it back to the department. **Scott** stated that once the data has been compiled, the Fire Dept. will share the information with the Selectboard. He stated that the Times Argus did not contact the Fire Dept. regarding the article on the changing of dispatch in Barre. **Scott** stated that the changes in dispatch will cause delays in response time for the Berlin Fire Department. He suggested that the Selectboard vote to select Montpelier Police Department as the dispatch for Berlin. **Scott** stated that this would allow the calls to go to one location. He stated that he had contacted the Vermont Enhanced 911 Board and discussed this issue with them. **Scott** stated that he was told that the governing body of a municipality has the authority to designate dispatch to their town. **Jeff** stated that it would be a good idea to talk to **Carl Rogers** and **David Jennings** about this issue. **Miles Silk Jr.** stated that he has been working on a draft fire alarm ordinance and urged the Board to consider this ordinance for adoption. Jonathan Goddard asked if the Fire Dept. have moved forward with the energy efficiency funds that were voted on at Town Meeting? **Scott** stated that they have talked with Efficiency Vermont on lighting and other ideas to make the department more energy efficient.

##### Central VT Regional Planning Commission Update - Robert Wernecke

**Robert Wernecke** stated that the Regional Planning Commission was asked to look at consolidation with the Economic Development Council. He stated that the CVRPC has submitted a report in support of consolidation to better serve the municipalities in the Central Vermont Region. **Susan Gretkowski** asked what the drawbacks were to consolidation of the two committees and how the composition of the Boards/Executive Committee will be handled? **Robert Wernecke** stated that the composition of the CVRPC Board requires one representative of each municipality and that is governed by Legislation. He stated that the composition of the EDC is by volunteer of individuals and businesses. **Robert** stated that both organizations are largely funded by the State and the State has asked if there was any way to consolidate the two committees to save money. **Pat McDonald** stated that the composition of the two committees would stay as they are currently. She stated that the EDC has voted to pursue consolidation with the CVRPC. **Robert** stated that the CVRPC will vote on this issue in May and he was seeking input from the Selectboard, whether or not to pursue consolidation with the EDC. **Nancy Driscoll** asked if the two committee have worked together in the past? **Robert** stated that a representative of the EDC has always attended the CVRPC meetings, and the total committees have worked together at least twice within the past year. **Robert** stated that he serves on the executive committee for the CVRPC and has been nominated for the position of Chair of that committee. He stated that if the Board would like an in depth summary of what the CVRPC has been working on at a future meeting, he would ask the executive director to attend that meeting. **Robert** stated that the CVRPC TAC is working on the road program for this year. He stated that the TAC has approximately \$60,000-\$70,000 available to work on issues and studies. **Robert** stated that they continue to make the safety of the Route 62 and Airport Road intersection a priority and have also looked at repaving the Montpelier portion of Dog River Road. He stated that the TAC was

also looking at a park and ride at exit 6, enlarging the park and ride at exit 7, and a Town Bridge repair priority list.

#### Berlin Fire District

**Susan Gretkowski** stated that the Government Operations Committee has deleted the merger of Fire District # 1 from the Montpelier Charter Change. **Patti Lewis** stated that various individuals from the Town of Berlin testified before the Government Operations Committee over the course of a couple of days. She stated that **Rosemary Morse**, Berlin Town Clerk, gave the most compelling testimony on this issue. Patti stated that she had sent an email detailing what the Town's objectives over the next 30 days should be and this is to show what the Town is doing to show the interest in the Fire District. She stated that the Town needs to open a charter review committee, obtain a list of addresses for the Fire District, send a mailing for a public meeting to be held within 30 days, set up a water commission, have a vote of the Board to seek the power to bring all fire districts under the Charter of the Town and set up a Board to work with Montpelier for a long term water supply agreement. **Jeff Schulz** stated that there is still an agreement between the Fire District and the City of Montpelier. Susan stated that she has drafted a proposal for the creation of a Fire District Committee with their work to include, performing due diligence on the state of the Fire District, make a recommendation to the Selectboard whether the Town should seek to acquire the District, any recommendation should contain a detailed plan of operation of the District, identification of any new entities or resources, detailed costs, and a cost-benefit analysis. **Tom Willard** stated that Susan, Jeff and he met with the hospital staff regarding the water system. He stated that the discussions centered on whether the hospital would become a Berlin customer or stay a Montpelier customer.

#### Tax Stabilization Policy

**Jeff Schulz** stated that the Town voted to move forward with the Tax Stabilization Policy on Town Meeting Day. He stated that the EDC sent out a press release regarding the Tax Stabilization Policy and have received some interest in the Tax Stabilization program. **Jeff** stated that four of the calls he received are from business owners looking to relocate to Berlin and three from current Berlin business owners looking to expand.

#### New Business

##### Animal Control Ordinance - Justin Pickel

**Jeff Schulz** stated that **Justin Pickel**, Barre Town and Berlin Animal Control Officer, has proposed some changes to the current Animal Control Ordinance. **Justin** stated that he suggests that the Board enact a leash law which would eliminate a lot of the calls he receives. He suggested that under definitions, the Board add 'At Large: meaning any animal that is not under control by leash, cord, chain or other physical restraint. **Justin** suggested adding penalties under the enforcement of this ordinance and he reviewed what the penalties would be for violation of the animal control ordinance. **Jeff** reviewed the process of adoption of an ordinance. He stated that before a public meeting takes place, the Board should make those recommended changes in the animal control ordinance.

##### Annual VAOT Financial Plan

**Jeff Schulz** stated that each year VAOT requests that each town put together a financial plan. He stated that the financial plan is a list of how much funds the town plans to spend on road projects. Motion by **Jonathan Goddard** to approve the annual financial plan as presented. Second by **Nancy Driscoll**.  
Motion carried 4-0.

##### Committee Appointments

**Jeff Schulz** stated that the Board needs to reappoint committee members. He stated that Rebecca Richardson and he have put together a list of the committee members that are up for reappointment and that show interest in remaining on their committees. **Jeff** stated that **Andrea Chandler**, **Shirley Fortier** and **Tom Willard** are interested in reappointment to the Bike Path Committee for one year terms. Motion by **Nancy Driscoll** to reappoint **Andrea Chandler**, **Shirley Fortier** and **Tom Willard** to the Bike Path Committee for one year terms. Second by **Jonathan Goddard**. Motion carried 4-0.

**Jeff** stated that **Greg Dubois** is interested in being reappointed to the Cemetery Commission for a three year term. Motion by **Jonathan Goddard** to reappoint **Greg Dubois** to the Cemetery Commission for a three year term. Second by **Nancy Driscoll**. Motion carried 4-0.

**Jeff** stated that **Robert Wernecke** is seeking reappointment as representative to the Central Vermont Regional Planning Commission for a one year term. Motion by **Brad Towne** to reappoint **Robert Wernecke** as representative to the CVRPC for a one year term. Second by **Nancy Driscoll**. Motion carried 4-0.

**Jeff** stated that **Robert Wernecke** is interested in serving as Berlin's representative on the CVRPC TAC committee for one year. Motion by **Nancy Driscoll** to reappoint **Robert Wernecke** as representative to the CVRPC TAC for a one year term. Second by **Brad Towne**. Motion carried 4-0.

**Jeff** stated that **Kitty Langlois, Pat McDonald** and **Paul Irons** are seeking reappointment to the Economic Development Council. He stated that **Kitty** has a one year term and **Pat** and **Paul** hold two year terms. Motion by **Jonathan Goddard** to reappoint **Kitty Langlois** to the EDC for a one year term and also reappoint **Pat McDonald** and **Paul Irons** to the EDC for two year terms. Second by **Nancy Driscoll**. Motion carried 4-0.

**Jeff** stated that **Alida Van Den Berg** is seeking reappointment to the Development Review Board for a four year term. Motion by **Brad Towne** to reappoint **Alida Van Den Berg** to the DRB for a four year term. Second by **Nancy Driscoll**. Motion carried 4-0.

**Jeff** stated that **David Daut** is seeking appointment as Tree Warden for a one year term and **Beth Daut** is seeking appointment as Deputy Tree Warden for a one year term. Motion by **Nancy Driscoll** to appoint **David Daut** as Tree Warden for a one year term and to appoint **Beth Daut** as Deputy Tree Warden for a one year term. Second by **Jonathan Goddard**. Motion carried 4-0.

**Jeff** stated that **Tom Willard, Gary Beem, Bob Simon, Pat McDonald, Albie Lewis** and **Susan Gretkowski** are seeking reappointment to the Water Supply Committee for one year terms. Motion by **Jonathan Goddard** to reappoint **Tom Willard, Gary Beem, Bob Simon, Pat McDonald, Albie Lewis** and **Susan Gretkowski** to the Water Supply Committee for one year terms. Second by **Brad Towne**. Motion carried 4-0.

**Jeff** stated that **Rob Halpert** is up for reappointment as the Town Attorney for a one year term. He stated that **Rob** has been the Town Attorney for approximately 12 years. Motion by **Nancy Driscoll** to reappoint **Rob Halpert** for a one year term. Second by **Jonathan Goddard**. Motion carried 4-0.

**Jeff** stated that the Board needs to reappoint the **Times Argus** as the official publication for the Town. Motion by **Brad Towne** to reappoint the **Times Argus** as the official publication for the Town for one year. Second by **Nancy Driscoll**. Motion carried 4-0.

**Jeff** stated that **Norb Rhinerson** is interested in being reappointed to the Sewer Commission for a three year term. Motion by **Brad Towne** to reappoint **Norb Rhinerson** to the Sewer Commission for a three year term. Second by **Jonathan Goddard**. Motion carried 4-0.

**Jeff** stated that the **Ture Nelson**, Emergency Management Director was up for reappointment, but felt that he needed to step down at this time, so that position is vacant and needs to be advertised. **Jeff** thanked **Ture** for his service to the Town.

**Jeff** stated that **Scott Smith, Nancy Tripp, Mark Keffer,** and **Rob Young** are interested in reappointment to the Planning Commission. Motion by **Jonathan Goddard** to reappoint **Scott Smith, Nancy Tripp, Mark Keffer** and **Rob Young** to the Planning Commission for four year terms. Second by **Nancy Driscoll**. Motion carried 4-0.

**Jeff** stated that **Beth Daut** and **Ellen Drysdale** are interested in being reappointed to the Conservation/Recreation Committee for three year terms. Motion by **Nancy Driscoll** to reappoint **Beth Daut** and **Ellen Drysdale** to the Conservation/Recreation Committee for three year terms. Second by **Brad Towne**. Motion carried 4-0.

Town Administrator Report - Jeff Schulz

**Jeff Schulz** stated that the Montpelier Health Ordinance Committee continues to meet to review that ordinance. He stated that they remain concerned about what constitutes a violation, who will enforce the ordinance, and if there is a procedure in place for individuals to appeal the violation.

**Jeff** stated that he has been trying to set up a meeting with the City of Montpelier to discuss the water system without luck due to scheduling conflicts.

**Jeff** stated that he has been working with the Town Attorney regarding the West Hill Road issue. **Susan Gretkowski** asked **Jeff** to let the Board know what the Town Attorney says about resolving this issue.

**Jeff** stated that the Road Crew has begun their summer hours of four 10 hour days.

**Jeff** stated that he had applied for the Class Two Road Grant for work on Granger Road.

Approval of Mobile Home Park License(s)

**Jeff Schulz** stated that he did not connect with the Town Clerk, so there were no Mobile Home Park License applications tonight.

Approval of Licenses, Permits, Vouchers and Applications

Motion by **Nancy Driscoll** to approve the licenses, permits, vouchers and applications as presented. Second by **Jonathan Goddard**. Motion carried 4-0.

Approval of Minute(s) of Previous Meetings

After review of the minutes of April 4<sup>th</sup>, **Susan Gretkowski** noted one correction on page two. Motion by **Jonathan Goddard** to approve the minutes with corrections. Second by **Nancy Driscoll**. Motion carried 4-0.

Roundtable

**Nancy Driscoll** stated that with her job change she is finding it difficult to make the Regional Services Committee meetings and asked if another Board member could step up and take her place on that Committee. **Jonathan Goddard** stated that he would think about it.

Executive Session – Contract, Personnel

Motion by **Brad Towne** to enter into executive session. Second by **Jonathan Goddard**. Motion carried 4-0.

Motion by **Nancy Driscoll** to exit out of executive session and adjourn the Selectboard. Second by **Brad Towne**. Motion carried 4-0.

For the Select Board:

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Rebecca Richardson, Administrative Assistant