



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

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

**Monday, April 4, 2011
6:30 PM**

Selectboard Members: Susan Gretkowski, Chair; Nancy Driscoll, Vice Chair; Roberta Haskin, Secretary; and Jonathan Goddard. Absent: Brad Towne. 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 it was too early for financials and unless the Board has questions, there was no report.

Old Business

Berlin Assessor - Ed Clodfelter

Jeff Schulz introduced **Ed Clodfelter**, Assessor, and stated that he started work in February. **Ed** stated that the Assessor's office is approximately 2/3 of the way through assessing the permits that were issued and has been working well with the Lister. He stated that the numbers for the Grand List are holding steady and does not anticipate any increase in the Grand List this year. **Ed** stated that approximately 380 Personal Property forms have been mailed out and he has received approximately 45 of those back. He stated that there was a change in the Veterans Exemption and he has received 13 of the letters from the VA for residents. **Ed** stated that **Muriel Morse**, Lister, has been working with Cartographics to update the tax maps. **Susan Gretkowski** asked **Ed** to let the Board know if there is any equipment or software that is needed to complete the work in his office. **Ed** stated that he would keep the Board up to date with the assessing process and anything he needs to complete the Grand List.

Vermont State Hospital - Christine Oliver, VT Commissioner of Mental Health

Michael Kuhn, State of Vermont, Buildings and General Services, stated that the State is looking for a new site for the State Hospital. He stated that they have been in serious discussions with the Central Vermont Hospital for this purpose. **Mr. Kuhn** stated that he was attending this meeting to answer any questions the Board or public may have at this point. **Christine Oliver** stated that having the State Hospital on the Central Vermont Hospital would mean that the State Hospital would be centrally located in the State and also have the Fletcher Allen Health Care system on board for the residents of the State Hospital. **Nancy Driscoll** asked where on the hospital property the State Hospital would be located? **Ms. Oliver** stated that there are three possible sites on the hospital property that are feasible for this type of construction. **Susan Gretkowski** asked if the proposed construction would be an additional building on the premises? **Ms. Oliver** stated that it would be an additional new building on the hospital property. **Mr. Kuhn** stated that the State would continue to own, operate and maintain the State Hospital and would lease the land from CVH. **Roberta Haskin** asked how many employees the State Hospital has currently? **Ms.**

Oliver stated that currently the State Hospital employs 240 employees in a 54 bed facility. **Jonathan Goddard** asked if the new facility was going to be the same size facility as the State currently operates? **Ms. Oliver** stated that the new facility would not be bigger than the current facility, and would probably be a smaller facility. She stated that the current patients are in a secure facility which is secured by staff and a locking system. **Ms. Oliver** stated that some patients are referred by the courts for competency or psychiatric evaluation and those patients make up approximately one fourth of the patient population. She stated that by relocating the State Hospital to Berlin, the transportation issues for medical complaints would decrease. **Mr. Kuhn** stated that some of the patients also come from some of the area hospitals. **Nancy Driscoll** asked if there was staff security at the State Hospital or would the State be looking for help in security from the Berlin Police Department? **Ms. Oliver** stated that the State would provide security for the State Hospital with little to no impact on the Berlin Police Department. **Jeff Schulz** stated that it is his understanding that if there was a security problem at the State Hospital the State Police would be called in to help, with the local Police assisting. **Mr. Kuhn** stated that the State would be employing the same individuals currently employed by the State Hospital as they are trained to interact with the patients. **Ms. Oliver** stated that they are hoping to have agreements in place to put this before the Legislature for the next session. **Doug Racine** ~~**Mr. Kuhn**~~ stated that the Governor has asked them to continue to look at secure residential facilities for some patients and having other patients treated at various community hospitals. He stated that they are continuing to look into that option, but that most are not feasible for the State's use. **Mr. Kuhn** stated that in discussions with other facilities, it is very expensive to renovate a current facility to house the patients that need more security or care. **Ms. Oliver** stated that discharge planning for patients take place in the communities they come from and the typical length of a patients stay is approximately six months. She stated that number of patients that stay long term are dwindling.

Central Vermont New Directions Coalition - Kim Martin

Kim Martin, New Directions Coalition Director and **Ginny Burley**, Community Connections introduced themselves to the Board. **Ms. Burley** stated that Community Connections is known for after school and camp activities, but also have some State and Federal Grants to put toward substance abuse prevention. She stated that Central Vermont New Directions and Community Connections are working together on substance abuse prevention programs. **Ms. Burley** gave the Board some statistics on how children view 8th grade through 12th grade view substance abuse and risky behavior. **Ms. Martin** stated that the use of marijuana, prescription drugs and driving with someone under the influence of marijuana have increased in the past few years in Central Vermont. She stated that some of the areas of Municipal authority are permits for stores to sell restricted items and use of restricted substances on public property. **Ms. Martin** stated that the organization helps recruit individuals for smoking cessation and other programs. **Ms. Burley** stated that they have been working in the schools educating students and have started an adult education program as well.

Berlin Fire District #1

Rob Allen, Sewer Commission Chair, stated that the commission had just learned about the proposed merger of the City of Montpelier and Fire District #1 and wanted an exchange of information with the Selectboard. He stated that the suggestion had been made that the Sewer Commission could take over the managing of the Fire District. **Nancy Driscoll** stated that the Board would like to know if the Commission has any interest and is able to take over the administration of the Fire District. **Mr. Allen** stated that the Sewer Commission might be able to administer the Fire District on an interim basis, but the Commission suggested the Town start a Water Commission with different members to provide this service. He asked what the situation was with the Fire District? **Patti Lewis** stated that the City of Montpelier has proposed a Charter Change that, in part, proposes to merge the Fire District into the City of Montpelier. She stated that this means that Montpelier would own the infrastructure within the Fire District. **Patti** stated that the Government Operations Committee has approached her as that committee does not believe that it is a good policy for one municipality to own infrastructure within another municipality. She stated that she has asked the Committee for time to compile more information to see if Berlin could feasibly administer the Fire District. **Patti** stated that there is some question of the validity of the vote to merge the Fire District with the City of Montpelier. **Mr. Allen** asked if the Board was interested in starting a water commission? **Nancy Driscoll** stated that the water system and any question of a water commission is years away from completion and for an entity to take over the Fire District in the interim could mean a long-term involvement. **Pat McDonald** stated that the Fire District is a separate entity and has contracted with

Montpelier for maintenance and administration of the Fire District. She stated that what is in question is the Fire District vote to merge in Berlin, not the Charter Change vote in Montpelier. **Bernie Chenette** stated that he along with **Dr. Keaton** and **Doug Little** are the prudential committee of the Fire District. He stated that in 2002 there was a vote in Montpelier and in the Fire District to merge the Fire District into Montpelier. **Mr. Chenette** stated that this vote was unanimous, and for whatever reason was not brought to the Legislature in a timely fashion. **Mr. Chenette** stated that Berlin Water Company, a private entity, takes over the Fire District from **Dr. Keaton's** to the Barre City line. He stated that Mr. Hedges, who owns the Berlin Water Company, also would like to retire and wondered if Berlin or Montpelier could take over both the existing Fire District and the Berlin Water Company. **Mr. Chenette** stated that there are probably 75 to 100 residents that were served by the Fire District. **Mary Wissell**, Sewer Assistant, stated that she reads approximately 150 meters within the Fire District, but not all of them are residences. Jim Hartson stated that three members of the Sewer Commission are going to testify to the Government Operations Committee on Wednesday, and asked what the Board wants included in that testimony? **Patti Lewis** suggested that the Sewer Commission ask the Gov. Ops. Committee to take the section having to do with the Fire District out of the Charter Change. **Jonathan Goddard** stated that Berlin should hold onto or acquire the infrastructure and that it would benefit Berlin in the long term. **Roberta Haskin** stated that Berlin should move forward with testifying on the legality of the November 2010 vote of the Fire District and let Montpelier straighten that issue out before moving forward with any acquisition of the Fire District. The Board agreed to challenge the validity of the Fire District vote in November before moving forward with the other issues.

Town Highway Grant Program

Jeff Schulz stated that at the last meeting the Board discussed recommendation for road projects, and that the road projects recommended for the Highway Grant Program were Granger Road, Industrial Lane and Cox Brook Road. **Jeff** stated that any of these three roads were a good candidate for repaving this year. **Jeff** stated that Pike Industries has provided quotes for work to be done on these three roads. The Granger Road proposal includes the entire road be reclaimed, which includes digging up the road, relaying the base and paving the road. **Jeff** stated that the Board had budgeted \$100,000 in the highway budget for road projects. He stated that the grant is in the amount of \$175,000 with a 10% match required. **Jeff** stated that Pike Industries estimated the cost of reclaiming Granger Road at \$257,000. He stated that Pike Industries quote to reclaim, fine grade and pave Cox Brook Road with an estimate of \$188,000. **Jeff** stated that the highway grant program is competitive and Berlin has received these grants in the past. He stated that the State assesses a number of factors on these applications, such as connectivity into the Regional network, traffic volumes on the road, and previous grant awards. He recommends that the Town apply for a grant to repair Granger Road this year. **Jeff** stated that the deadline to apply for grant money is April 15th. Motion by **Nancy Driscoll** to authorize **Jeff Schulz** to apply for the Highway Grant for Granger Road with the stipulation that if the Town does not receive the Grant, the Board will revisit the road repaving options. Second by **Jonathan Goddard**. Motion carried 4-0.

Town Audit Bids

Jeff Schulz stated that the Town received four bids for audit services for the next three years. He stated that the lowest bid is from **RHR Smith** at \$27,000 for three years and the next lowest bid is from **Mudgett, Jennett & Krogh Wisner** at \$36,000 for three years. **Jeff** stated that the Board had requested verification that the principal agent for **RHR Smith** was licensed in the State of Vermont and the Board has that license. He stated that the other item was to review the Fair Haven audit conducted by **RHR Smith**, and he has reviewed that audit, which is very similar to Berlin's audit, and is comfortable with the work done on that audit. **Patti Lewis** stated that she had received Fair Haven's Town Report which did not have the complete audit, but she is comfortable with **Jeff's** opinion on this issue. Motion by **Nancy Driscoll** to approve the bid from **RHR Smith and Company** in the amount of \$27,000 for a three year period. Second by **Jonathan Goddard**. **Jeff** stated that due to the company being from out of State, the motion should include an agreement with the company, giving either party a choice to terminate the agreement after each year of the contract. Motion by **Nancy Driscoll** to amend the previous motion to include an agreement with **RHR Smith** to terminate after each year and rebid if the Town is unhappy with the work. Second by **Jonathan Goddard**. Motion carried 4-0.

Regional Public Services Committee Update

Nancy Driscoll stated that discussions are ongoing with the Regional Public Services Committee. She stated that an interim report was submitted by the consultants which showed promise for savings in conducting the regional public services. She stated that the consultants wanted to meet with the Chiefs of the four area towns involved in the regionalization to discuss concerns and questions. **Nancy** stated that the final report is somewhat contradictory to the interim report in the consultants conclusion and level of detail in the final report. She stated that the interim report had a level of part-time and full-time employees and the final report had all full-time employees and the cost increased. **Nancy** stated that the end result was the conclusion that a regionalization would probably not save any money. She stated that the committee voted not to release the final payment to the consultants at this time. **Nancy** stated that the committee does not want to make the mistake of picking the report that best serves the communities, but want some answers to ongoing questions regarding regionalization. Patti Lewis stated that the committee members are trying to reach a consensus on whether to move forward or not.

New Business

Solar Montpelier

Nancy Driscoll stated that she met with a representative from VPIRG to discuss solar options for Central Vermont. She stated that instead of an installer going from town to town, if they could identify 10-15 residences interested in solar water heaters in the Central Vermont area, could the cost of installing the water heaters be decreased? **Nancy** stated that VPIRG stated that there is no permitting in Berlin to install a solar water heater. **Jeff** stated that currently the Zoning Regulations state that unless the project requires construction of a building or adding onto the footprint of a residence, solar power is exempt from the permitting process. **Nancy** stated that the organization can use Google Maps to pinpoint an address and determine whether the slope of the roof faces the correct direction for a solar panel to be feasible in that area. She stated that there have been some notices placed in the newspaper and VPIRG is working on getting the word out. **Nancy** stated that VPIRG bids this work out twice per year to receive the best price available.

Solid Waste District Appointment - Matt Levin

Jeff Schulz stated that the Solid Waste District has sent out forms for representatives from area towns and **Matt Levin** is interested in staying on as Berlin's representative. Motion by **Jonathan Goddard** to appoint **Matt Levin** to the Central Vermont Solid Waste District as Berlin's representative. Second by **Roberta Haskin**. Motion carried 4-0.

Town Service Officer Appointment

Jeff Schulz stated that the appointment of the Town Service Officer is an annual appointment. He stated that the Service Office is the liaison between residents and State Agencies to help residents that are in need. **Jeff** stated that the requests for assistance have decreased over the past year. Motion by **Nancy Driscoll** to re-appoint **Jeff Schulz** as the Town Service Officer. Second by **Roberta Haskin**. Motion carried 4-0.

Town Administrator Report - Jeff Schulz

Jeff Schulz stated that the Board has the final draft of the No Smoking Ordinance. He stated that he added a definition of municipal buildings and facilities, clarified the distance and point of that distance in which the no smoking is measured, which is 100 feet of any entrance to the municipal buildings and facilities. He stated that **Rob Halpert**, Town Attorney, had suggested adding an article for prohibitions. **Jeff** stated that it states that anyone is prohibited from having any lighted tobacco products within the 100 feet of the municipal buildings. He stated that the next step is to hold a public hearing in 30 days. **Nancy Driscoll** stated that she found a discrepancy in the reference to the Statutes and the ordinance language needs to be amended to state any tobacco substance.

Jeff stated that he has been working with **Justin Pickel**, Animal Control Officer, on updating the Animal Control Ordinance. He stated that **Justin** suggested that the Town consider a leash law. **Jeff** stated that the ordinance currently states that an individual must keep their dogs under control. He stated that **Justin** would like to meet with the Board to discuss this issue.

Jeff stated that **Tom Willard**, **Peter Schober** and he have been meeting to identify the problems within the Montpelier Health Ordinance. **Jeff** stated that the Health Ordinance does not fully explain when an

individual would be in violation, who would be charged with enforcement and does not have an appeal process. He stated that they are trying to figure out how to address those problems. **Jeff** stated that the ordinance leaves Montpelier in charge of determining the violations and enforcement of the ordinance to regulate land use within another municipality.

Jeff stated that he has drafted an RFP for the energy efficiency work within the Town Clerk's office and would like the Board to review the RFP before it is advertised. He stated that there are a few questions that need to be addressed. **Jeff** stated that there is some question as to whether or not plywood is needed in the attic before blowing in insulation.

Approval of Liquor and Tobacco License(s)

Jeff Schulz stated that there is no liquor license, but there is a tobacco license for **Price Chopper**, and he believes that the Selectboard may approve the license without convening the Liquor Control Board. He stated that there are no issues with this license and recommends approval. Motion by **Nancy Driscoll** to approve the tobacco license application by **Price Chopper**. Second by **Roberta Haskin**.
Motion carried 4-0.

Approval of Mobile Home Park Licenses

Jeff Schulz stated that there is one Mobile Home Park License renewal for **Weston's Mobile Home Park** on Route 12. He stated that this park is the largest one in Berlin with 83 rental lots. **Jeff** stated that there are no issues with this license and recommends approval. Motion by **Jonathan Goddard** to approve the license for **Weston's Mobile Home Park** as presented. Second by **Nancy Driscoll**. Motion carried 4-0.

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 March 21st, **Susan Gretkowski** questioned whether the minutes need to be as detailed as they are currently. **Jeff Schulz** stated that the minutes do not have to be this detailed, but need to include the members present, a line or two summary on the issue, and the motions made. Motion by **Jonathan Goddard** to approve the minutes with corrections. Second by **Roberta Haskin**.
Motion carried 4-0.

Roundtable

Nancy Driscoll stated that some members of the Fire Department met with **Patti Lewis** and herself. She stated that the Fire Department has some concerns about dispatching and would like to meet with the Board at a future meeting to discuss this issue. **Nancy** stated that the concern is regarding the dispatch service for the ambulance service in Berlin and that the changes in dispatch would add time to the response time.

Executive Session – Contract, Personnel

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

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

For the Select Board:

Rebecca Richardson, Administrative Assistant