



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

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

**Monday, May 2, 2011
6:30 PM**

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

APPROVED MINUTES

Nancy Driscoll called the meeting to order at 7:00 p.m.

Public Comment

Roberta Haskin stated that there was some concern regarding Brookfield Road being washed out. She asked that the road crew be notified of this issue.

Treasurers Report

Jeff Schulz stated that the Board has the warrants and he did not see anything out of the ordinary in the warrants.

Old Business

Sewer Commission Update

Jeff Schulz stated that the Board had requested an update from the Sewer Commission on their budgeting and upcoming projects. **Rob Allen**, Sewer Commission Chair, stated that the figure that the auditors have in the Sewer reserve fund is incorrect, and that the Sewer Commission does not have \$700,000 in its reserve fund. He stated that the fund balance is approximately \$294,000 and there is five months of operation prior to the start of the next billing cycle. **Rob** stated that the Sewer Commission received \$34,000 from the Berlin Mall as a reimbursement and that money will go toward lowering the user rates. He stated that the Sewer Commission was able to complete the Granger Road sewer line without borrowing any funds. **Norbert Rhinerson**, Sewer Commission Treasurer, stated that it would be irresponsible of the Sewer Commission not to have some funds in reserve for maintenance and repairs. **Rob** stated that it is time to replace some of the pumps at the main pump station which will cost approximately \$58,000. **Norb** stated that the Commission was looking at the possibility of rebuilding the Elementary School pump station. He gave the Board a spreadsheet showing the user rates and expenses. **Norb** stated that the money received from the Berlin Mall was due to an agreement with the new owners and the \$34,000 would be held in reserve to offset the costs over a two year period.

Berlin Fire District #1

Jeff Schulz stated that the Government Operations Committee did not approve Montpelier's Charter Change to include merging the Fire District with Montpelier, and that Susan had prepared a draft outline for a proposed Fire District Committee and has contacted potential committee members. **Nancy Driscoll** stated that **Gary Beem**, **Norb Rhinerson**, **Bernie Chenette** and **Doug Little** have agreed to serve on that committee. She stated that the next steps should be to obtain copies of the records of the Fire District. **Nancy** stated that there is some confusion on who has the documents for the Fire District. **Jeff** stated that he believes that it was **Susan Gretkowski's** goal to have the Selectboard appoint individuals to this committee and talk about what the committees goals should be and how to move forward. He stated that at

this point he would recommend the Board table this discussion until the next regular meeting. The Board agreed to table this discussion until their next regular meeting on May 16, 2011. **Ture Nelson** asked if this committee would replace the prudential committee for the Fire District? **Jeff** stated that this committee would be charged with gathering information on the Fire District and the condition of the infrastructure. He stated that the committee would not replace the prudential committee at this point. **Jeff** stated that the prudential committee will need to decide whether they will continue to operate in their current capacity.

Tax Stabilization Policy

Jeff Schulz stated that the Berlin voters had approved the tax stabilization policy at the March Town Meeting. He stated that this policy was enacted to attract businesses to Berlin. **Jeff** stated that this program stabilizes the municipal tax over a period of time. He stated that the Economic Development Committee was to put together an application for tax stabilization. **Jeff** stated that the application has been drafted and reviewed by the Town Attorney with no further recommendations. He stated that the Town Attorney and the EDC felt that there should be an actual agreement between the Town and the property owner after the property owner submits an application for tax stabilization. **Jeff** stated that **Susan Gretkowski** had a couple of minor changes to the application, and her recommended changes were added to the application, but no other comments were forthcoming from other members of the committee or Board. He stated that he is looking for the Board to approve the application. Motion by **Brad Towne** to accept the Tax Stabilization application as amended. Second by **Jonathan Goddard**. Motion carried 4-0.

New Business

Animal Control Ordinance

Jeff Schulz stated that at the last meeting **Justin Pickel**, Animal Control Officer, had suggested some amendments to the Animal Control Ordinance and provided a working draft of that ordinance. He stated that it was suggested to input the recommendations into the ordinance to give the Board a better idea of the proposed amendments. **Jeff** stated that he has provided a working draft of the ordinance for the Board. He stated that the main changes include when a dog is permitted to be at large and penalties that would be levied against the violator. **Justin** stated that the amendments to the ordinance are to bring Berlin's ordinance in line with other towns. He stated that the other towns he contracts with for animal control have a leash law and incidents have decreased over time. **Justin** stated that the fines will make the ordinance easier to enforce for him and for the Police Department. **Roberta Haskin** asked who handles a dog that attacks chickens? **Justin** stated that the chickens would come under property and he would enforce the ordinance in that case. **Roberta** stated that the time limit on the owner acknowledging ownership of the animal was too short. She stated that in some cases the animal would be taken care of by another person when the owner is out of town and notifying the owner would not take place within those six days. **Justin** stated that in his experience no animal needed to be euthanized. He stated that in most cases the dog is turned over to the Humane Society. **Justin** stated that the Humane Society has a five day hold period for strays and if the owner comes forward in those five days, they are responsible for any pound fees incurred. He stated that if an owner does not come forward within the five days, the dog becomes the property of the Humane Society and will be put up for adoption. **Jeff** stated that if the Board is comfortable with the ordinance as drafted, the next step would be to hold a public hearing which he has tentatively scheduled for June 6, 2011. **Jonathan Goddard** suggested that putting a definition of a vicious animal into the ordinance. Motion by **Jonathan Goddard** to move forward with the Animal Control Ordinance as drafted and hold a public hearing. Second by **Roberta Haskin**. Motion carried 4-0.

Municipal Building Improvement Bids

Jeff Schulz stated that the Town advertised an RFP for energy improvements to the municipal building. He stated that he had received a response to the RFP. **Jeff** stated that there was a contractors meeting last week and there have been some questions as to the work to be completed. He stated that there was some question on whether additional structural improvements to the ceiling should be done and whether the old insulation should be removed from the eaves area. **Brad Towne** suggested tabling this discussion until the Board ascertains the confusion with the other bid. Motion by **Brad Towne** to table opening the energy improvement bids until the next regular Selectboard meeting. Second by **Roberta Haskin**. Motion carried 4-0.

Request to Work in ROW – Howard Vincent – Lot 60 Partridge Farm Road

Jeff Schulz stated that **Howard Vincent** is requesting to work in the right of way on Partridge Farm Road to install a residential driveway. He stated that the Highway Foreman has reviewed this application and recommends the installation of a 15” culvert and recommends approval of the application. Motion by **Brad Towne** to approve the application to work in the right of way on Partridge Farm Road by **Howard Vincent** with the condition that the culvert meets the minimum road standards. Second by **Jonathan Goddard**. Motion carried 4-0.

Request to Work in ROW – Louis Plude – 35 Crosstown Road

Jeff Schulz stated that **Louis Plude** is requesting to work in the right of way on Crosstown Road to replace a failed culvert. He stated that the Road Foreman has reviewed the application and recommends approval. Motion by **Brad Towne** to approve the application to work in the right of way by **Louis Plude** to replace a failed culvert on Crosstown Road with the condition that it meets the minimum road standards. Second by **Jonathan Goddard**. Motion carried 4-0.

Amusement Permit – Onion River Hospital

Jeff Schulz stated that this application was before the Board at the last meeting and there was some question as to the location of the race. He stated that in speaking with the event coordinator that the race route would be from the Animal Hospital, down Three Mile Bridge Road to Junction Road, continue down Junction Road for several miles and return by the same route to the hospital. **Jeff** stated that the Police Chief has reviewed this application and recommends approval with the conditions that the event coordinator assist with the event and that there is a designated parking area. Motion by **Brad Towne** to approve the amusement permit by Onion River Animal Hospital. Second by **Roberta Haskin**. Motion carried 4-0.

Town Administrator Report - Jeff Schulz

Jeff Schulz stated that Green Up Day is Saturday, May 7th and staging will be at the Subaru Dealership by the Berlin Mall. He stated that the Green Up bags have not yet arrived but he will follow up on getting the bags. **Jeff** stated that there will be a dumpster at the Town Garage and the Town has received a Green Up Grant from Central Vermont Solid Waste to pay for the dumpster.

Jeff stated that representatives of the Barre Town EMS will attend the next Selectboard meeting to discuss dispatch changes in their operations. He stated that Barre Town has elected to have their dispatch service through the Lamoille County Sheriff Department.

Approval of Liquor License(s)

Motion by **Brad Towne** to adjourn the Selectboard and convene the Liquor Control Board. Second by **Roberta Haskin**. Motion carried 4-0.

Jeff stated that there is one liquor license renewal from **Suzanna’s Restaurant** and there are no issues with this license. Motion by **Brad Towne** to approve the liquor license renewal for **Suzanna’s Restaurant** as presented. Second by **Jonathan Goddard**. Motion carried 4-0.

Motion by **Brad Towne** to adjourn the Liquor Control Board and reconvene the Selectboard. Second by **Roberta Haskin**. Motion carried 4-0.

Approval of Mobile Home Park License(s)

Jeff Schulz stated that there is one Mobile Home Park License renewal from **R & G Properties** for the **Crosstown Road Mobile Home Park** which has five rental units. He stated that there are no issues with this license. Motion by **Jonathan Goddard** to approve the Mobile Home Park License for Crosstown Road Mobile Home Park as presented. Second by **Brad Towne**. Motion carried 4-0.

Approval of Licenses, Permits, Vouchers and Applications

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

Approval of Minute(s) of Previous Meetings

After review of the minutes of April 18th, motion by **Jonathan Goddard** to approve the minutes as presented. Second by **Brad Towne**. Motion carried 3-0 with 1 abstaining.

Roundtable

Roberta Haskin stated that Berlin is shaping up nicely. She noted that when out shopping, she found everything she needed in Central Vermont.

Executive Session – Contract, Personnel

Motion by **Brad Towne** 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 **Brad Towne**. Motion carried 4-0.

For the Select Board:

Rebecca Richardson, Administrative Assistant