



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

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

**Monday, March 17, 2008
7:00 PM**

Selectboard Members: Pat McDonald, Chair; Don Blanchette, Vice Chair; Brad Towne, Susan Gretkowski. Absent: Kitty Langlois, Secretary. Present: Jeff Schulz, Town Administrator. All items are unanimous unless otherwise noted.

UNAPPROVED MINUTES

Pat McDonald called the meeting to order at 7:05 PM.

Public Comment

John Hurley stated that he had been doing research on Home Depot's Act 250 application and found that a municipality may operate a wood, coal and fuel yard to sell to residents. He suggested that a committee be formed to look into this issue. **Pat McDonald** stated that she would see if there was interest in forming a committee and put it on a future Agenda for discussion.

Mark McCloud wanted to present the Selectboard with documentation to support his issues with the Town Police Department. **Jeff Schulz** stated that he had received some documentation but needed more specific information and documentation before moving forward. **Pat McDonald** stated that after **Mark** gave the Selectboard his documentation in Public Comment, the Selectboard would then have an opportunity to review the documentation and conduct an investigation. The Selectboard would determine what should be discussed in Executive Session and then meet with **Mark McCloud** to discuss these issues. **Rob Halpert** stated that if anyone had complaints or concerns about anything in Town they would be within their rights to make the complaints or concerns public. He added that any board action would be done in Executive Session before becoming public.

New Business

Select Board Reorganization

Pat McDonald asked for nominations for Chair of the Selectboard. **Don Blanchette** nominated **Pat McDonald** for Chair and asked for other nominations. **Pat McDonald** was appointed Chair of the Selectboard by voice vote for the period of one (1) year.

Pat McDonald asked for nominations for Vice-Chair of the Selectboard. **Pat McDonald** nominated **Don Blanchette** as Vice Chair. Second by **Susan Gretkowski**. **Don Blanchette** nominated **Brad Towne** as Vice Chair. Second by **Susan Gretkowski**. **Brad Towne** was voted Vice Chair of the Selectboard by voice vote for the period of one (1) year.

Pat McDonald asked for nominations for Secretary of the Selectboard. **Brad Towne** nominated **Kitty Langlois** as Secretary. Second by **Don Blanchette**. **Kitty Langlois** was appointed Secretary of the Selectboard by voice vote for the period of one (1) year.

Application to Work in the Right of Way by R. E. Tucker, Inc.

Jeff Schulz reviewed the application to Work in the Right of Way by **Ron Tucker**. Motion by **Don Blanchette** to approve the application as presented. Second by **Susan Gretkowski**. Motion carried 4-0.
Appointment of Town Service Officer

Jeff Schulz reviewed the Town Service Office appointment and duties. Motion by **Susan Gretkowski** to appoint **Muriel Morse** as Town Service Officer for the period of one (1) year. Second by **Don Blanchette**. Motion carried 4-0.

Mailbox Replacement Policy

Jeff Schulz stated that he had spoken to other towns and that there is no written policy on mailbox replacement. **Jeff** stated that in investigating this issue the typical mailbox replacement costs are approximately \$30 and that the Town should only replace the mailboxes and posts that had been directly hit by a Town plow or truck. **Richard Tetreault** suggested that we should have a policy regarding mailbox/post replacement. **Pat McDonald** asked **Jeff Schulz** to write up a policy for the Selectboard to sign.

Home Depot ACT 250

Jeff Schulz drafted a letter to the ACT 250 board for the Selectboard to sign. The letter states that the Selectboard supports Home Depot based on the approval of the Development Review Board and conformance with the Regional Plan, this also detail this projects conformity with the Town Plan; primarily in regards of the revitalization of the Barre-Montpelier Road portion of the Town of Berlin. There was also discussion regarding construction of the Bike Path. Motion by **Don Blanchette** to approve the letter to the Act 250 Board in support of Home Depot. Second by **Susan Gretkowski**. Motion carried 4-0.

Bridge Inspection Report

Jeff Schulz reviewed the Bridge Inspection Report. The report lists the bridge as the Town Line Bridge on Route 2 which is believed to be co-owned by Montpelier and Berlin. There was some discussion regarding this co-ownership. **Pat McDonald** suggested that we further investigate whether Berlin has any ownership responsibility for this bridge and state on the report that the signatures were just in receipt of the report and not any responsibility for this bridge.

Homeland Security Grant Application for Police Equipment

Jeff Schulz reviewed the grant application for data terminals for the Police vehicles. Although there is no match costs associated with this equipment, there is a maintenance fee of \$1,300 per unit per year. **William Wolfe**, Chief of Police, stated that although he had put in a request for four units, that does not mean that he will receive four units. Motion by **Don Blanchette** to authorize **William Wolfe** to submit this grant application. Second by **Susan Gretkowski**. Motion carried 4-0.

Emergency Management Performance Subgrant Agreement

Jeff Schulz reviewed the performance subgrant agreement for the Emergency Management Team. **Jeff** asked the board to authorize the Selectboard Chair and the Treasurer to sign this agreement so that funds may be accessed to pay for set up of the Town generator. Motion by **Susan Gretkowski** to authorize **Pat McDonald** and **Patti Lewis** to sign the Subgrant Agreement. Second by **Don Blanchette**. Motion carried 4-0.

Ran –Mar Tax Appeal

Rob Halpert stated that he has a settlement agreement to discuss with the Select Board within Executive Session. Motion by **Don Blanchette** to enter into Executive Session to discuss legal matters. Second by **Brad Towne**. **Motion carried 4-0.**

Motion by **Don Blanchette** to exit out of Executive Session. Second by **Susan Gretkowski**. Motion carried 4-0.

Rob Halpert, Town attorney, reviewed the ongoing litigation between the Town of Berlin and Ran-Mar. The parties had reached a tentative agreement which stated that a settlement would be paid to Ran-Mar and the defendants would contribute \$3000 each toward the settlement amount of \$28,000. **Rob** advocated that the board approve this settlement which does not admit nor deny liability in this matter. Motion by **Don Blanchette** to approve the settlement in the amount of \$3,000. Second by **Brad Towne**. Motion carried 4-0.

Town Administrator Report

Jeff Schulz stated that there is a Selectboard workshop on April 26, 2008. The workshop is sponsored by VLCT and is designed to train Select Board Members. He stated that the next Home Depot Act 250 hearings are on March 24 and April 1 at 7:00 PM. **Jeff** stated that there is a Town Center Task Force meeting on March 20. **Pat McDonald** stated that there is a combined EDC, Planning Commission and Selectboard meeting on March 26 to review the Economic Development Plan.

Approval of Minutes from Previous Meeting(s)

After review of the minutes of January 28, motion by **Don Blanchette** to approve the minutes of Jan. 28 as presented. Second by **Brad Towne**. Motion carried 3-0 with 1 abstaining.

After review of the minutes of Feb. 4, motion by **Brad Towne** to approve the minutes of Feb. 4 with changes. Second by **Don Blanchette**. Motion carried 3-0 with 1 abstaining.

After review of the minutes of Feb. 18, motion by **Don Blanchette** to approve the minutes of Feb. 18 with changes. Second by **Brad Towne**. Motion carried 3-0 with 1 abstaining.

After review of the minutes of March 10, motion by **Don Blanchette** to approve the minutes of March 10 as presented. Second by **Susan Gretkowski**. Motion carried 3-0 with 1 abstaining.

Approval of Liquor License(s)

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

Jeff Schulz presented the Liquor Licenses for **Shaw's Supermarket** and **Applebee's Restaurant**. Motion by **Don Blanchette** to approve the liquor licenses for **Shaw's** and **Applebee's** as presented. Second by **Brad Towne**. Motion carried 4-0.

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

Approval of Licenses, Permits, Vouchers and Applications

Motion by **Don Blanchette** to approve the licenses, permits, vouchers and applications as presented. Second by **Susan Gretkowski**. Motion carried 4-0.

Roundtable

Pat McDonald asked about the Charter Change Committee and suggested that it be put on the next agenda. **Pat** also commented that the Planning Commission presentation at Town Meeting was great and thanked the Planning Commission for doing that presentation.

Executive Session Expected – Personnel and Legal Issues

Motion by **Don Blanchette** to enter into Executive Session. Second by **Susan Gretkowski**. Motion carried 4-0.

Motion by **Don Blanchette** to exit out of Executive Session. Second by **Susan Gretkowski**. Motion carried 4-0.

The meeting was adjourned at 9:40 PM.

For the Select Board:

Rebecca Richardson, Administrative Assistant