



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

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

**Monday, December 7, 2009
6:30 PM**

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

APPROVED MINUTES

Review of Warrants

Brad Towne called the meeting to order at 7:00 PM.

Public Comment

There was no public comment.

Treasurer's Report

Patti Lewis stated that it was still too early for the end of month status report but that the budget is at 44% for the year, which is where it should be at this time. She reviewed the warrants which includes the Education Tax of approximately \$1.2 million dollars.

Public Hearing Charter Changes

Jeff Schulz stated that this meeting is the second public hearing on the charter changes. He stated that the changes currently being reviewed is a change in the Listers position, specifically to make the Listers position appointed rather than elected. **Jeff** stated that there was some question as to an increase this change would have on the Listers budget. He stated that on information he has gathered, if the Town of Berlin were to appoint a Lister for 2 – 2 1/2 days per week at a salary of \$35.00 per hour, the cost would be approximately \$29,000, which is approximately \$3,000 less than the current wage budget for the Listers. **Jeff** stated that the Board would need to discuss this issue and vote on whether to put it on the warning for Town Meeting. **Roberta Haskin** asked if there would be an added expense of hiring an office assistant for the Lister. **Jeff** stated that there was some opportunity to use existing staff in this regard. He stated that an office assistant would be part-time so benefits would not be needed. **Brad Towne** asked what the current wage budget was for the Listers. **Jeff** responded that currently the Listers wage budget was approximately \$33,000 and he felt that the Town could hire a Lister for approximately \$29,000 per year. **Brad** asked what percentage of time was currently spent on administrative work within the Listers office. **Jeff** stated that, based on his research, very little time was spent on Listers administrative work by the office assistant. **Brad** asked how much time the Listers spent on paperwork. **Jeff** stated that he did not have an exact number of hours the Listers currently spend on paperwork.

Susan Gretkowski asked if the figures gathered from Barre City figured into the equation for the Listers position. **Jeff** responded that yes, he had figured that research into his equation. He stated that currently Barre City and Barre Town contract out for their Listers positions with the same person who spends 2 ½ days with each municipality. **Mike Domingue**, Lister, stated that paperwork makes up approximately 45 – 50% of the Listers job. He stated that with a Lister in the office for 2 ½ days per week, one day will be taken up with residents who wish to talk to him and will stretch his time in the office to 3 – 5 days per week. **Mike** stated that he does not believe that a Lister can do the work expected and serve the taxpayers of Berlin in 2 ½ days per week. He stated that the appraisers/Listers that he has talked with will not work on Personal Property and the Town would need to hire someone to work on Personal Property. **Mike** stated that the residents of Berlin expect to be able to talk with the Lister at their convenience not just during office hours. **Muriel Morse**, Lister, stated that the Barre City's appraiser makes approximately \$42.00 per hour and has a full time assistant. She stated that Barre Town also has a full time assistant

for the Listers office. **Muriel** stated that the Board needs to clarify what they want to fill this position. She stated that an appraiser is licensed by the State of Vermont and an assessor is not licensed. **Mike Domingue** stated that if the Listers position was appointed, three people on the Selectboard would have say over hiring and firing that Lister. **Jeff Schulz** stated that the Selectboard would have the authority to set the job description and hire someone accordingly. **Mike** stated that there should be a checks and balance in every department in the Town Offices. He stated that he believes that the taxpayers want a say on who is filling the Listers position. Nancy Driscoll asked Mike Domingue to clarify his work and time in the office. **Mike** stated that the office work entails answering questions by telephone or in person, updating the transfers of property, updating the computer documents and keeping the Lister files in the vault up to date, as well as visiting properties to assess them. He stated that before **Muriel Morse** and **Cathy Powers** were elected he spent most of his time with paperwork. Mike stated that from the end of March on, most of his time is answering the telephone and working with Berlin residents. Roberta Haskin stated that the Board is looking to the future when Mike Domingue is ready to retire, will there be anyone who can fill the position as well as he does now. She stated that many towns have set hours for the Lister and it may come down to not being available at all times to everyone.

Paul Irons stated that as a taxpayer in Berlin his greatest fear is that when **Mike Domingue** decides to retire, the Town has one person who runs for election to the Listers position and is not qualified or certified to do the work. **Jeff Schulz** stated that the Board can table the decision on this issue until they receive further information on costs and hours. The Board agreed to table the decision pending more information on this issue. Motion by **Susan Gretkowski** to close the public hearing on the Charter Change and to hold a third public hearing on the charter change on January 11th at 7:00 PM. Second by **Nancy Driscoll**. Motion carried 4-0.

Board of Health – Health Order Compliance 1151 Junction Road

Jeff Schulz stated that about two years ago an emergency health order was issued on the property located at 1151 Junction Road due to sewage from the septic system leaking into the road. He stated that the health order stipulated that an engineer evaluate this issue. **Jeff** stated that the property has been sold to another individual who has removed the structure and installed a new septic tank. He stated that at the time this evenings agenda was compiled, the property owner had not had an engineer's approval of the septic system, and had requested that **Jeff** sign a letter of zoning compliance on this property. **Jeff** stated that the owner has since had an engineer evaluate the septic problem and the engineer is confident that the problem is resolved. He stated that he received the engineer's letter today and needs the Board to make a decision on the property being in compliance with the health order. **Brad Towne** asked **Jeff** to look into the distance from the well to the septic field on this property before accepting that it is in compliance with the health order. He stated that the Town is deferring to the State in the issue of needing a permit for the new septic system. **Brad Towne** stated that he would want to be assured that the isolation field between the well and septic system is adhered to before making this decision. **Jeff** stated that the Town Attorney is not sure that the Town can hold up a permit for this property, and that another health order could be issued. Motion by **Nancy Driscoll** that the Board rescind the emergency health order on the property located at 1151 Junction Road based on certification by an engineer. Second by **Jonathan Goddard**. Motion carried 4-0.

Old Business

Water Supply Project – Testing Bids

Jeff Schulz stated that at a previous meeting the Board reviewed proposals that were submitted for testing for the proposed community water system. He stated that there were bids from Tri State Water Systems for \$56,208, Johnson Artesian for \$56,380 and from H. A. Manosh for \$60,575. He stated that the Board asked him to review the bids along with **Tom Willard**, Water Supply Committee Chair, and to bring recommendations to the Board. **Jeff** stated that he and **Tom** have reviewed the bids and recommends Tri State Water Systems based on low bid and the engineers recommendations. He stated that by accepting this recommendation the Board is authorizing the company to begin the work and for the proposed water system project to move forward. **Jeff** stated that the Town has applied for a loan from the State through the Revolving Loan Fund to pay for the testing of the wells. He stated that the Town is obligated to pay back this 0% loan in five years unless the Town proceeds fully with this project. **Jeff** stated that the Water Committee is hoping that the testing could commence within the next few weeks depending on the weather. Motion by **Susan Gretkowski** to approve the bid from Tri State Water Systems to begin testing of the wells for the proposed community water system. Second by **Nancy Driscoll**. Motion carried 4-0.

Paine Turnpike Project

Jeff Schulz stated that he had received approval from the State to put this project out to bid. He stated that a contract needs to be signed by January 15, 2010. **Jeff** stated that the project has been shortened due to the costs involved. He stated that with the stimulus money the Town will be able to pave from Berlin four corners to the Fisher Road intersection which is approximately two miles of road surface.

Regional Public Safety Services Committee

Nancy Driscoll stated that the Regional Public Safety Services Committee is finalizing their presentations to area Town Councils and Selectboards. She stated that these presentations should take place after March Town Meeting.

Jeff Schulz asked if **Nancy** had any idea how long the committee will be active. **Nancy** responded that this is definitely a long term project and has a tentative timeline of July 2012 to finalize their goals. She stated that some of these goals include getting approval from area Towns as well as Legislative approval. **Nancy** stated that there are minutes and video of these meetings that are available in the Chamber of Commerce office.

New Business

Lister's Salary

Mike Domingue stated that at the time the Listers budget was set there was not a third Lister. He stated that he has tried to divide up the remainder of the wage budget for the Listers in an equitable way so as not to run over budget this Fiscal Year. **Mike** stated that Lister time sheets will still be provided to the Town Administrator. **Patti Lewis** stated that as of the end of November the Listers wage budget has \$22,181 left and payroll was done today, so the actual amount left in the budget would be less than that. She stated that last Fiscal Year the amount in the Listers budget was \$32,800 and \$29,412 was actually used. **Susan Gretkowski** stated that it was her understanding that the amount that is in the wage line of the Lister budget is the cap amount that is paid out to the Listers. **Muriel Morse** stated that all the Listers wanted at this point is to equitably divide up the remainder of that budget line for this Fiscal Year. **Nancy Driscoll** stated that dividing up the wage budget should be a discussion for the beginning of a Fiscal Year not in the middle of one. **Mike Domingue** stated that without the equitable division of the remainder of the budget, the Listers run the risk of going over budget and he is trying to avoid going over budget. Motion by **Nancy Driscoll** to maintain the status of Lister salaries currently and to discuss this further while budgeting for the next Fiscal Year. Second by **Susan Gretkowski**. Motion carried 4-0.

Warn Public Hearing for Amendment to Burning Ordinance

Jeff Schulz stated that permits to burn are currently issued by the Fire Warden and enforced by the Police Department. He stated that the Police Chief is recommending that the Burning Ordinance be updated to allow the Fire Warden to write tickets regarding enforcement of the Burning Ordinance. **Nick Garbacik**, Fire Warden, stated the current ordinance was established in 2002 and he is reluctant to have enforcement capabilities and would like to check with the Town Attorney regarding this issue. He stated that the Fire Warden is a volunteer position and, in the past, have not billed the Town for any time spent on issues pertaining to the Fire Warden position. **Nick** stated that he is amenable to investigating any complaints from residents, however the enforcement portion may become lengthy and problematic. He stated that, at that time, the Fire Warden would work with the Police Department on enforcing any violations of this ordinance. **Nick** stated that he believes that any ticket writing and other enforcement issues be dealt with by the Town's paid Police Department. He stated that the Police Department is well versed in writing tickets and the other duties that go along with enforcing State law and are capable of tracking the violations. **Jeff Schulz** stated that the change in the Burning Ordinance was to add the Fire Department into the enforcement field as they are the ones who are typically called if there is a problem and the Fire Warden is the person who issues the Burn Permits. He stated that this would allow the Police Department and Fire Department to work together resolving any issues that pertain to violation of this ordinance. Motion by **Nancy Driscoll** to disregard the proposed amendment to the Burn Ordinance and continue with the ordinance as it stands currently. Second by **Susan Gretkowski**. Motion carried 4-0.

FY 11 Budget

Jeff Schulz stated that he was anticipating having more of the budget worksheets but that he hasn't received enough of the budget sheets to review. He suggested putting off this discussion until the next scheduled Selectboard meeting. **Jeff Schulz** stated that he had received a letter from VLCT regarding Health Insurance rates anticipating a 20% increase in rates. **Patti Lewis** stated that VLCT is offering a new program called a "Value Plan" which has a high deductible but also has a co-insurance which decreases the rate. **Susan Gretkowski** asked if the Town would be responsible for the co-insurance. **Patti Lewis** stated that the Town could possibly be responsible for the co-insurance cost to keep the same coverage for all employees. She stated that she could ask VLCT for a report on where the Town's claim ratio stands so that the Board could determine whether the new program would be more beneficial than the current plan. **Jeff** and **Patti** suggested the Board have a special meeting next week to work on the budget. The Board agreed to meet next Monday at 6:00 PM.

Town Administrator Report

Jeff Schulz reminded everyone about the Holiday Party which is set for Friday, December 18th at 3:00 PM. He stated that the party is pot luck all Town employees and members of Boards and Committees are invited to attend.

Jeff stated that the Board received a letter requesting that the Board approve an increase in the Veterans' exemption for tax purposes and to put this item on the warning for Town Meeting. He stated that currently the exemption for Veterans is \$10,000 and the request is to increase this amount to \$40,000. **Jeff** stated that he and **Patti Lewis** are in the process of pulling together information regarding the Veterans' exemption and suggested putting this item on the agenda for discussion.

Jeff stated that a letter has been sent to Pike Industries outlining the agreement to allow them to use Airport Road to haul material from the Airport Project in return for them paving a portion of the road.

Jeff stated that the RFP for Emergency Medical Services has been sent out. He stated the proposals are due back on December 29 for the Board to open on January 4th.

Jeff stated that he is still working with the Planning Commission on the Town Plan update.

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 November 16, motion by **Susan Gretkowski** to approve the minutes as presented. Second by **Nancy Driscoll**. Motion carried 4-0.

After review of the minutes of November 23, motion by **Nancy Driscoll** to approve the minutes as presented. Second by **Roberta Haskin**. Motion carried 3-0 with 2 abstaining.

After review of the minutes of the Charter Change Public Hearing on November 23, motion by **Nancy Driscoll** to approve the minutes as presented. Second by **Roberta Haskin**. Motion carried 3-0 with 1 abstaining.

After review of the minutes of the Water Supply Public Hearing on November 23, motion by **Susan Gretkowski** to approve the minutes as presented. Second by **Roberta Haskin**. Motion carried 3-0 with 1 abstaining.

Roundtable

Brad Towne stated that he received an email from the Chair of the School Board requesting a joint meeting for discussion purposes. He asked if there was a particular date that was better to meet with the School Board.

Jonathan Goddard stated that he would be able to find out from the School Board if they have a date in mind.

Susan Gretkowski suggested meeting with the School Board before a budget meeting.

Nick Garbacik stated that currently he has 31 fire fighters on the Volunteer Fire Department, and he had received three applications last month. **Nick** stated that a few of the firefighters work nights and are available during the day and a few more have the ability to leave their jobs at a moments notice to go out on a call. He stated that membership is very active and most members attend meetings every week. **Nick** stated that the Fire Department is looking at replacing approximately 28 windows at the Fire House. He stated that they may be looking at putting an article on the Town Meeting warning to appropriate approximately \$20,000 to replace the windows. **Nick** stated that he has been looking into conserving energy at the Fire Station through their light usage and changing out lamps that are outdated.

Executive Session

Motion by **Susan Gretkowski** to enter into Executive Session at 9:30 PM. Second by **Jonathan Goddard**. Motion carried 4-0.

Motion by **Roberta Haskin** to exit out of Executive Session and adjourn the Selectboard meeting at 10:15 PM. Second by **Nancy Driscoll**. Motion carried 4-0.

For the Select Board:

Rebecca Richardson, Administrative Assistant