



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

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

**Monday, May 18, 2009
7:00 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.

UNAPPROVED MINUTES

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

Public Comment

Paul Irons stated that Fisher Road/Route 62/Airport Road intersection and the Paine Turnpike/Route 62 intersection striping at these intersections and along these roads does not last a year, and it is very hard to see the striping when traveling these roads. **Paul** added that this creates a safety hazard and that the Board may want to either find it in the budget to restripe those intersections twice a year or to budget more permanent restriping material into next years budget. **Jeff Schulz** stated that he will contact L & D Striping to do the restriping in those areas early in the year.

Treasurer's Report

Patti Lewis reviewed that budget status report. **Patti** stated that delinquent taxes are down, revenues are up 14%, and expenses are up by approximately 16-17%. The increase in revenue and expenses is due mainly to grant awards.

Old Business

Fire Wood Cutting Program

Andrea Chandler stated that the Board had asked several questions regarding the Town Forest Wood Cutting Program. **Andrea** stated that she had talked to VLCT regarding insurance and liability coverage and she received the States permit that the Forestry Dept. uses which requires individuals to sign a waiver. VLCT stated that if the Town proceeds with the wood cutting program, the Town's liability insurance rate may go up the next fiscal year. **Andrea** stated that we could contact a logger to cut the wood and leave it for the residents to pick up and split and allow the logger to keep some of the wood. **Brad Towne** stated that he didn't think that we could get a logger to go in for such a small amount of wood. **Jeff Schulz** stated that VLCT has become more concerned with loss control in an effort to keep insurance costs down. There was some discussion on the liability issues to continue with this program. **Andrea** stated that she would research this issue further and get back to the Board.

Engineering Agreement – Otter Creek Engineering

Jeff Schulz stated that he presented the engineering agreement at the last board meeting. **Jeff** stated that there were questions and that Otter Creek Engineering addressed those questions and had revised the agreement. **Jeff** stated that the testing discussed in the agreement is not a full test at this time. If an adequate amount of water is found, there will be a full test. **Nancy Driscoll** stated that before the Town spends additional money there should be a survey of how many residents that might connect to a municipal water supply. **Brad Towne** stated that most of the people affected by a municipal water supply are businesses that have the same issues as the Town Hall regarding water quality. **Paul Irons** stated that with a municipal water supply there will be a better level of economic development in Berlin as opposed to now without a water system. **Susan Gretkowski** stated that there would be a series of public forums to gauge the

interest of the Town. Motion by **Roberta Haskin** for the Board to sign the amended engineering agreement with Otter Creek Engineering. Second by **Susan Gretkowski**. Motion carried 3-0 with 1 abstaining.

New Business

Listers Update on Grand List

Jeff Schulz stated that there were handouts from the Listers handbook detailing the process of the Listers responsibilities for setting the Grand List. **Mike Domingue** stated that the Grand List is not in good shape as compared to previous years. He stated that many new construction as per zoning permits have not yet started. **Mike** stated that there was limited new large projects under way to bring the Grand List up this year. **Mike** stated that anyone grieving taxes should send a letter to that effect so he may schedule them accordingly. **Mike** also stated that he may be asking for an extension for filing the Grand List. **Patti Lewis** asked if the Grand List would be filed in time to get the tax bills mailed out by the required deadline. **Mike** stated that he couldn't see why the Grand List wouldn't be filed on time.

Request to Work in the Right of Way on Comstock Road by Green Mountain Power

Jeff Schulz stated that as part of the airport project the State needs to put in an additional utility pole along Comstock Road. **Jeff** stated that we have not received the 10% bond for this project. **Jeff** stated that **Richard Tetreault**, Road Superintendent has reviewed the application and is recommending approval. **Jeff** recommended approval with the condition of receiving the 10% bond. Motion by **Susan Gretkowski** to approve the application to work in the right of way on Comstock Road by Green Mountain Power with the condition that the Town receive the 10% bond. Second by **Jonathan Goddard**. Motion carried 4-0.

Appointment of Fire Warden – Nick Garbacik

Jay Lackey, Dept. of Forests and Parks, supervises the appointing of Fire Wardens in this area. He stated that **Peter Noyes**, the current Fire Warden, is resigning. **Jay** stated that **Nick Garbacik** has been the deputy fire warden in the past and has all the authority of a fire warden and **Jay** stated that they would like to appoint **Nick** as the Fire warden for Berlin. **Jay** stated that the appointment of a fire warden is a joint state and local government appointment with the Selectboard having the final say on the appointment. He also stated that he would not recommend appointing a deputy fire warden for Berlin as the appointment of the deputy was because **Peter Noyes** had been out of town during the spring fire season. **Jeff Schulz** stated that the Selectboard does not actually appoint the fire warden. The Board makes the recommendation to the Dept. of Forests and Parks, and they interview that individual and make a recommendation on the appointment to the State. Motion by **Jonathan Goddard** to make the recommendation to make **Nick Garbacik** the Fire Warden in Berlin. Second by **Nancy Driscoll**. Motion carried 4-0.

Nick Garbacik stated that he is interested in the Fire Warden position in Berlin and he is also the newly elected Fire Chief. **Nick** stated that he would like to keep **Peter Noyes** as a consultant for Fire Warden as he has many years experience in this position. **Nick** also stated that the membership of the Fire Dept. is now up to 19 Fire Fighters and 4 cadets and that the optimal number of fire fighters is 30 members.

Personnel Policies

Jeff Schulz stated that the Town's personnel policy is nine years old and should be re-worked and updated. **Jeff** asked if the Board wanted to form a committee to work on the policy. **Susan Gretkowski** and **Jonathan Goddard** stated that they would like to be involved in updating the personnel policy.

Town Administrator Report

Jeff Schulz reported that there will be a public hearing at the next Board meeting regarding the Crosstown Road Speed Study and he will make sure that all residents on that road get notification of that meeting.

Jeff stated he was working on a policy regarding culverts. He stated that there was an unwritten policy that if a residential driveway needs a culvert the owner pays for the culvert and the Town installs it and if a driveway culvert needs replacing the Town has been replacing them with no cost to the owner. **Jeff** stated that **Richard Tetreault**, Road Superintendent, is of the opinion that if a culvert is within a driveway the owner should be paying for replacement of the culvert.

Jeff stated that on Thursday, May 21 the Governor is coming to Berlin for a ceremonial bill signing on a wetland bill. The ceremony will be at the Berlin Pond at 3:00 PM.

Jeff stated that he received a call from **Peggy Baird** who lives on Marvin Road asking him to come out to discuss farmers crossing her property along a legal trail. **Ms. Baird** has stated that they are damaging her property and the trail. **Jeff** stated that there were not a lot of options for the Town except to discontinue the trail and **Peggy** asked if a couple of the Board members would be willing to come and take a look at the trail and any damage. **Brad Towne** stated that maybe **Jeff** could talk to the farmers using the trail and ask if they would be willing to grade the trail when they are finished using the trail.

Approval of Licenses, Permits, Vouchers and Applications

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

Approval of Previous Meetings Minute(s)

After review of the minutes of May 4, motion by **Nancy Driscoll** to approve the minutes with changes. Second by **Jonathan Goddard**. Motion carried 3-0 with 1 abstaining.

Roundtable

Roberta Haskin stated that Sambel's Restaurant was approved for an outside liquor consumption permit and had some conflict with the State's approval so they had to change the dates and she wondered if they would need to come back to the Board with another permit for that reason. **Jeff Schulz** stated that he would contact Sambel's and get the new dates and bring it back to the Board for re-approval. Motion by **Jonathan Goddard** to adjourn the Selectboard and to convene the Liquor Control Board. Second by **Susan Gretkowski**. Motion carried 4-0.

Roberta Haskin stated that the new dates for Sambel's outdoor liquor consumption permit is tentatively May 29-30. **Roberta** also stated that the conflict with the State pertained more to the fact that it was on State land and other conflicts that needed to be resolved. Motion by **Nancy Driscoll** to be flexible and keep the approved permit for Sambel's with the new dates. Second by **Jonathan Goddard**. Motion carried 4-0.

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

Susan Gretkowski stated that **Jeff** and **Richard Tetreault** should review the application to accept Partridge Road as a Town road as there had been fill put in to restructure the ditching on that road and with the heavy rains there had been some erosion of that fill.

Jonathan Goddard stated that the School Board had a presentation from the fourth grade teachers regarding the white board which is interactive with computers. He stated that the School Board is authorizing the School as an emergency Red Cross shelter.

Executive Session

Motion by **Nancy Driscoll** to enter into executive session at 8:50 PM. Second by **Roberta Haskin**. Motion carried 4-0.

Adjourn

Motion by **Susan Gretkowski** to exit out of executive session and to adjourn the Selectboard meeting at 9:15 PM. Second by **Jonathan Goddard**. Motion carried 4-0.

For the Select Board:

Rebecca Richardson, Administrative Assistant