



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

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

**Monday, October 5, 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

Mark McCloud stated that he had emailed **Jeff Schulz** and asked that he be put on a Selectboard agenda so that he may detail his complaints against the Police Department. He stated that he would need to be on the agenda in order to attend the meeting. **Mark** stated that nothing had been done with this request and his complaints at that time. **Jeff Schulz** asked **Mark** if he had received a letter from the Town Attorney. **Mark** responded that he has and is in the process of producing the documentation the attorney requested. **Mark** stated that he is asking the Selectboard to vote to suspend the officer pending further investigation of these complaints. **Jeff** stated that he had not seen the letter from the Town Attorney but that it was his understanding that **Mark** was to come forward with written documentation of his complaints. He stated that it was his understanding that when **Mark** produced the requested documentation, the Selectboard could move forward with the investigation. **Mark** stated that the Police had edited a videotape of his arrest and that the department has editing equipment that they should not have at their disposal. **Susan Gretkowski** asked for a copy of the letter from **Rob Halpert** along with copies of the other documents. **Mark** stated that he would provide all documentation to the Board.

Treasurer's Report

Patti Lewis stated that she had provided the Board with the draft Management Discussion & Analysis. She stated that a copy was sent to the auditors. Patti stated that this year's MD&A was the same as last year with the comparisons changed to fit this year's audit. She stated that the Management Response to the segregation of duties was the same concern that the auditors had last year, and in talking with the auditors found that the response could be the same as last year. Motion by **Susan Gretkowski** to accept the Management Discussion and Analysis report as presented. Second by **Roberta Haskin**.

Motion carried 4-0.

Motion by **Nancy Driscoll** to accept the findings statement as presented. Second by **Jonathan Goddard**.

Motion carried 4-0.

Old Business

Berlin Fire Department EMS Discussion

Scott Bagg, Assistant Fire Chief, provided the Board with an update on the status of the EMS proposal by the Berlin Fire Department. **Scott** stated that they have a competitive proposal prepared and that it has been accepted by their corporation. He stated that they are ready to present this proposal to the Selectboard. **Scott** stated that this proposal has a number of items that could be considered competitive and suggested the Board listen to the Fire Dept. proposal within Executive Session. **Jeff Schulz** stated that he is not sure that this proposal could be considered under Executive Session at this time but he will get another opinion from

Rob Halpert based on the fact that **Scott** believes some of the information could be of a proprietary nature. **Scott** reviewed the Fire Department proposal for EMS services. He stated that it would be a department with paid employees for daytime hours and volunteers for nights and weekends. He stated that they propose to have two ambulances at the Four Corners station and are not looking for the Town to purchase the ambulances. **Scott** stated that he believes the proposal is financially competitive and would look to hospital transfers and non-emergency transfers for supplementary funding. He stated that the Fire Dept. has researched other debt service to purchase equipment and are prepared to start July 1st. **Brad Towne** asked if **Scott** was prepared to answer the Selectboard questions at this time. **Scott** responded that the Fire Dept had researched reimbursement rates through a multiple national repayment service where they would submit their cost runs and they would do all insurance work at a cost. He stated that the Fire Department had verified the numbers in the proposal through various services throughout Vermont. **Brad Towne** asked how many employees the Department is proposing. **Scott** responded that they are proposing seven (7) employees at this time. **Scott** stated that the cost per capita in the proposal are equivalent to the proposals already received by the Town. He stated that the cost to the Town is negligible if not equal in all three proposals that the Town has received. **Scott** stated that the Fire Department is proposing that 90% of emergency calls would have a 10 minute response time and 99% would have a 15 minute response time. He requested that the Selectboard ask for formalized proposals from all entities involved. **Brad** asked how long it would take the Fire Department to be up and running. **Scott** responded that this would take approximately 6 months so they would need to know whether the Selectboard accepted their proposal by January 1, 2010.

Water Supply Project

Tom Willard stated that the Water Supply Committee had applied for a loan amendment to cover the well testing. He stated that the engineers cost estimate was approximately \$60,000 and they had assumed the well drillers estimate would be approximately \$15,000. **Tom** stated that they had received the well drillers estimate which is approximately \$60,000. He stated that after reviewing the well drillers estimate both he and **Jeff Schulz** believe that some of the costs could be pared down. He stated that it made more sense to put the well testing out to bid. **Jeff** concurred with **Tom** on putting the well testing out to bid. He stated that the Town is waiting on the Planning Funds which could take some time. **Tom** stated that the City of Montpelier has written a letter to the Selectboard and Tom had drafted a response for the Board. **Brad Towne** stated that some concerns were raised at the public hearings on who pays for the wells, testing, etc. and asked Tom to review that part of the project. **Tom** stated that the estimates are that if the Town has it's own water source the cost to residents would be approximately \$450 per user per year. He also reminded the Board that the loans are State Revolving Funds which will be rolled over into debt service for construction and the users would be responsible for that cost, but if the Town does not go forward with the Water System, the Town would be responsible for repaying the funds loaned to date. **Nancy Driscoll** stated that she thought that **Tom** did a great job on the response letter to the City of Montpelier. **Tom** stated that if there were any revisions to let **Susan Gretkowski** or himself know and they would make changes.

Zoning Changes – Schedule Special Town Meeting

Jeff Schulz stated that at a previous meeting the Board held a public meeting on the zoning changes to the zoning boundary along the Ames Plaza property. He stated that after that meeting he was informed by the Town Clerk that these changes needed to be voted on by Australian Ballot at a Special Town Meeting. He also stated that the ballots could be produced by the Town Clerk and not purchased through an outside source. **Jeff** stated that the Board needs to warn a specific date for the Special Town Meeting. He stated that he is looking at November 17th for the Special Town Meeting with the Pre-Town Meeting at the regular Selectboard meeting on November 16th. **Nancy Driscoll** stated that the Board had talked about holding a Public Meeting to discuss the Water System and asked if that was something that could be combined with the Pre-Town Meeting. **Jeff Schulz** responded that he believes that those two issued could be combined in one meeting. **Susan Gretkowski** stated that maybe they could combine more than just those issues and talk about the Charter Changes, if they were ready to do that, at the same meeting.

Motion by **Nancy Driscoll** to schedule a Special Town Meeting on November 17th to vote on the Zoning Changes and to present information on the Water System, with a Pre-Town Meeting on November 16th at 7:00 PM. Second by **Susan Gretkowski**. Motion carried 4-0.

Regional Public Safety Services Committee

Nancy Driscoll updated the Board on the Regional Public Safety Committee meeting. She stated that representatives were in attendance from Barre City, Barre Town, Montpelier and Berlin. **Nancy** stated that the committee had consensus on a number of topics with one being the mission of the committee being quality service at an affordable cost. She stated that the consensus separated over governance and policy issues with the bigger Cities wanting representation on policy making to be by population which would not be in Berlin's favor. She believes the thinking behind this is that the cost of a Regional service would be by population and Berlin would pay less than Montpelier or Barre City, but that she believes that if there is policy being made, everyone should have a seat at the table. She stated that a representative suggested having one representative from each entity with three representatives pulled from the population of the region. **Nancy** stated that she would be interested input from the Board on these topics and also input from the public.

Jonathan Goddard stated that governance over a Regional Public Safety System should be equitable between all parties and not based on population and not tied to what the cost would be for each entity. **Brad Towne** stated that the cost right now is per capita for EMS services. **Scott Bagg** stated that there are different models used for different communities, one would be price per capita and another would be cost per run for EMS services, but that it does not include Fire, Police or Dispatch services. **Nancy Driscoll** stated that the regional discussion, to start with, included all public safety entities. **Susan Gretkowski** stated that she agreed that in terms of governance it should be one town one vote. **Nancy** stated that there is another meeting of the Regional Public Safety Committee this Thursday, October 8th at the Chamber of Commerce and that these are public meetings. She stated that every community had at least two representatives in attendance and it would be nice to have someone attend these meetings with her. She also stated that they did have a letter of interest in the committee from **Patti Lewis**. Motion by **Susan Gretkowski** to appoint **Patti Lewis** as the second member of the Regional Public Safety Committee. Second by **Roberta Haskin**. Motion carried 4-0.

Charter Changes

Jeff Schulz stated that at a previous meeting the Board discussed the possibility of starting the Charter Changes again. He provided a copy of the final recommendations to the Board from the Charter Change Committee. **Jeff** reviewed the recommended changes. He stated that when the changes were presented to the voters, the issue of the Listers being appointed rather than elected was left out. He stated that the cost of hiring a professional Lister to handle the workload. **Jeff** stated that VLCT has a listing of costs of hiring an assessor. He asked the Board to keep in mind that most of the communities that hire this position are the larger communities in Vermont. **Jeff** stated that he had talked to **Rich Lewis** regarding what some small towns provide for these services and he learned that these communities pay approximately \$40,000 - \$50,000 for these services. **Jeff** stated that Berlin's Lister budget is approximately \$39,000. He stated that in talking with **Rich Lewis**, **Rich** felt that Berlin could get away with hiring an assessor for 20-25 hours per week but that the assessor would need office help with filing and record keeping. **Jeff** stated that there is currently approximately \$10,000 for reappraisal in the Lister's budget to save for the next reappraisal. He stated that it would probably cost the Town approximately \$8,000 - \$10,000 more per year to hire a professional appraiser. **Jeff** stated that a professional appraiser may spend more time evaluating the inventory tax. **Richard Tetreault** asked that if we hire a professional appraiser would this save us any money at reappraisal time.

New Business

Climate Action 350 Bicycle Ride

Nancy Wolfe, representative of Barre 350, stated that there was a worldwide day of action on Oct. 24th. She stated that the local action is going to be a simultaneous bike ride from Barre and Montpelier, converging at the Vermont Employees Credit Union on Route 302. They will hold a rally at that location. She asked for a representative from each Town to attend and discuss what the Town is doing or will do for climate change. She stated that they had asked for a Police escort from Barre. **Jeff Schulz** asked approximately how many rider will be involved. **Nancy Wolfe** stated that she did not have those numbers as yet. **Jeff** stated that he had talked to the Police Chief about providing an escort in Berlin and would like the organization to coordinate with the Police Department. **Jeff** stated that an Amusement Permit approved by the Selectboard is required in Berlin. **Nancy Wolfe** stated that she would work with the Berlin Police Dept. and abide by their parameters. **Ms. Wolfe** stated that a part of this event was fundraising for the Bike Path.

VAOT Request to Use Airport Road

Jeff Schulz stated that he had forwarded an email from **Scott Forney**, Agency of Transportation, to the Board requesting the use of Airport Road to transport approximately 2500 yards of material to a VAOT project on the corner of Miller Road and Route 63. **Scott Forney** explained that this material is stockpiled right now and the project they want to transport to is a VAOT project. **Susan Gretkowski** asked if this truck traffic is the relocation of the truck traffic expected to go through Barre City. **Scott** responded that it would be approximately 200 trucks and would be some of the trucks that would have gone through Barre. **Scott** stated that the State is saving approximately \$11,000 by using the material from the airport for this other project. **Jeff** stated that the project is a VAOT project at the intersection of Miller Road and Route 63 which was identified as a safety issue and VAOT has redesigned that intersection. **Brad Towne** stated that at the time of the contract with the Airport project the understanding was no right turns onto Airport Road. **Richard Tetreault**, Road Superintendent, stated that it would be a mistake to say yes to this project's truck traffic on Airport Road. **Scott** stated that the loading and transportation of the material for the VAOT project will be done by State trucks. **Richard Tetreault** stated that he did not think the Town could legally stop VAOT from traveling Airport Road for a State Project. Motion by **Susan Gretkowski** to approve the VAOT use of Airport Road for the rebuilding of the intersection of Miller Road and Route 63 for State trucks only. Second by **Nancy Driscoll**.

Motion carried 4-0.

Paine Turnpike Paving Project – Contract Agreement

Jeff Schulz stated that he had received the grant agreement for the Paine Turnpike Paving Project. He stated that the agreement spells out the expectations, time frame and the general parameters for the project, VAOT is asking the Town to sign the agreement. **Jeff** stated that if the Board is comfortable with the agreement, they could authorize **Jeff** to sign the agreement. He stated that he is still waiting on some documents from VAOT and it does not look like the paving will begin until the spring. Motion by **Susan Gretkowski** to authorize **Jeff Schulz** to sign the grant agreement with VAOT for the paving of Paine Turnpike North. Second by **Nancy Driscoll**. Motion carried 4-0.

Request to Work in ROW on Walker Rd – Mike Bilodeau

Jeff Schulz stated that **Mike Bilodeau** has submitted a permit application to install a driveway on one of his properties on Walker Road. **Richard Tetreault**, Road Superintendent, has reviewed this application and recommends that **Mr. Bilodeau** install a culvert and the location. **Jeff** stated that he recommends approval of this permit with those recommendations. Motion by **Jonathan Goddard** to approve the application for working in the right of way by **Mike Bilodeau** with the conditions stated and to waive the bond fee for this permit. Second by **Nancy Driscoll**. Motion carried 4-0.

Request to Work in ROW on Marvin Rd – David Baird

Jeff Schulz stated that **David Baird** has submitted an application to work in the right of way on Marvin Road. **Richard Tetreault** has reviewed this application and has recommended approval with the conditions that **Mr. Baird** install a 36"X30' culvert and cut a tree to improve line of sight. Motion by **Nancy Driscoll** to approve the application to work in the right of way by **David Baird** with the recommendations set forth by **Richard Tetreault** and waiving the bond for this project. Second by **Susan Gretkowski**. Motion carried 4-0.

Town Administrator Report

Jeff Schulz stated that Police Officer **Pat Ross** has resigned and will be joining the military full time. He stated that **Chief Wolfe** is informally looking for an officer to fill this position and **Jeff** asked him to wait to see if the Selectboard wants to move forward with this issue. The Board gave its approval to hire an Officer to replace **Pat Ross** as it is a budgeted position.

Jeff stated that in January he had sent a letter to VAOT asking them to put the Route 62/Airport Road intersection on their priority list. He stated that VAOT responded that they are installing minor improvements to that intersection such as retiming the lights and that the Town would need to work the

project into the Central Vermont Regional Planning Commission process. **Jeff** stated that **Robert Wernecke** brought this project to the attention of the CVRPC and they have agreed to tentatively put the project on their priority list. **Jeff** stated that this means that within the next year CVRPC and the State will spend more time planning this project. He stated that he expects representatives from Blue Cross Blue Shield to attend a Selectboard meeting to discuss this project.

Jeff stated that one of the Police vehicles is in need of some expensive repairs and the Chief was hesitant to put a lot of money into a vehicle that may be replaced. **Jeff** stated that he recommends repairing the vehicle at this time rather than replacing the vehicle.

Jeff stated that **Richard Tetreault** had provided a report on the work the Highway Crew has been doing. He stated that the Crew should start their winter hours in the next few weeks.

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 from September 21, motion by **Nancy Driscoll** to approve the minutes with changes. Second by **Jonathan Goddard**. Motion carried 4-0.

Roundtable

There was no round table discussion.

Executive Session

Motion by **Jonathan Goddard** to enter into Executive Session at 9:45 PM. Second by **Roberta Haskin**. Motion carried 4-0.

Motion by **Susan Gretkowski** to exit out of Executive Session and adjourn the Selectboard meeting at 10:05 PM. Second by **Nancy Driscoll**. Motion carried 4-0.

For the Select Board:

Rebecca Richardson, Administrative Assistant