



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

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

**Tuesday, September 8, 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 asked to be put on the agenda for this meeting and was denied. He stated that he had some complaints regarding the Police Dept. that he would like investigated. **Jeff Schulz** responded that he had discussed via email why **Mr. McCloud** was not ready to address the Selectboard at this time. **Brad Towne** stated that **Mr. McCloud** would be put on the next agenda to discuss his complaints and concerns. **Mr. McCloud** asked the Selectboard to investigate why documents were not given when he asked for those documents.

Tom Willard stated that the City of Barre had replaced the hockey boards on their skating rink and offered the old hockey boards to Berlin at no cost. **Brad Towne** stated that it was the responsibility of the Recreation Committee to handle those requests and that he saw no problem accepting the old hockey boards for our own skating rink.

Treasurer's Report

Patti Lewis reviewed the budget status report, **Nancy Driscoll** asked if there was a line item in the FY10 budget to offset the FY09 deficit. **Patti** stated that the deficit would be offset by the carried over fund balance and some of the fund balance was used to reduce the tax rate this year. **Patti** stated that in the warrants there was a check for \$750,000 being transferred from checking to savings to gain a higher interest for a short period of time. **Patti** stated that at the last meeting **Roberta Haskin** had asked about the water cooler in the Town offices. She stated that we could buy a water cooler for \$289 and that right now the Town pays \$14 per month to rent the water cooler.

Old Business

Water Supply Project

Tom Willard stated that the well driller has completed drilling the test wells. He stated that the State estimates that the initial flow demand for a community well could be approximately 87 gallons per minute and the maximum is approximately 175 gallons per minute. The Town has drilled three wells. The test on the first well obtained 50 gallons per minute, the second well obtained 130-150 gallons per minute and the third well obtained 65 gallons per minute. **Tom** stated that the Water Supply Committee is reasonably sure that there is enough water at a third of the cost of hooking onto the Montpelier water supply. He stated that the next step is to test for water quality and quantity using a high powered pump over a period of 72 hours. This test will monitor the impacts on other wells in the area. **Tom** stated that the committee had asked Otter Creek Engineering to provide a cost estimate of this next step and they have not yet received the estimate. **Tom** stated that a few of the residents attended the Water Supply meeting and related what they had heard in the community and the concerns they had with the community water project. He suggested that the

Selectboard hold another public meeting to advise the residents of what is happening and the next steps. **Valerie Cyr** asked the Selectboard to investigate the impacts on area wells and springs while conducting these tests.

2008 Tax Appeals

Jeff Schulz stated that of the approximately 20 tax appeals from the reappraisal 4 or 5 being appealed to the State. He stated that of those 20 appeals 4 or 5 of them were appealing to the State. **Jeff** stated that **Mike Domingue**, Town Lister, approached him regarding negotiating settlements with those landowners and **Jeff** had asked him to put together a packet of summaries of those values throughout the appeal process and the recommended settlement amounts on those appeals. **Mike Domingue** stated that after careful consideration and research on the Ran-Mar parcels, the owner, **Randy Rouleau** stated that he would like to discuss the parcels with the Listers. **Mike** discussed the issue with **Bill Johnson**, State Tax Dept., and was given time to review the parcels with the owner and discuss compromises. **Mike** stated that after review of the parcels with **Randy Rouleau**, they agreed to a compromise that would benefit the Town and the landowner. **Jeff Schulz** stated that on some of the parcels there was a substantially decreased value and asked **Mike** to clarify those parcel values. **Rich Lewis** reviewed the Partridge Farm parcels, parcel number 27.000.C00, in question and clarified the compromise made and why the value was substantially lowered. He stated that a number of factors were involved in lowering the values on these lots including, the grading of the land, lots being sold, and further construction of the road with water lines.

Rich Lewis stated that the Selectboard can accept the agreements made by the Listers or they can decline them and the appeals will go through the appeal process. **Rob Halpert**, Town Attorney, questioned accepting a value less than the outside appraised value. **Rich** recommended that if the Board had any question of accepting the agreements they should deny that agreement and let it go through the process with the State Appraiser. **Rob Halpert** stated that the Board may want to accept the agreements on parcel number 40-018 and US002-004 because the difference in values was an insubstantial amount. **Mike Domingue** stated that the State Appraiser needed the Board's decision tomorrow on these parcels. Motion by **Nancy Driscoll** to not accept any of the Lister agreements on these parcels and to proceed through the State Appeal process. Second by **Jonathan Goddard**. Motion carried 3-0 with 1 abstaining.

COPS Hiring Recovery Grant

Jeff Schulz stated that the Board had given **Chief Wolfe** the authority to apply for the COPS Hiring Grant which was awarded to Berlin and started the discussion of whether to accept the grant award given that the Town would need to employ this officer for a period of one year after the grant period. The Board had asked how the grant would work with the Union contract in place. **Jeff** stated that as per the union contract this position would be considered a permanent position. He stated that **Chief Wolfe** had provided some call volume statistics as compared to surrounding communities. He stated that although Barre City and Montpelier had more calls than Berlin they also have more officers. Also, Berlin had more calls than Waterbury and Northfield during the period of January 2009 to August 15, 2009 with the same number of officers. There was discussion regarding the pros and cons of hiring an officer under the grant agreement. **Robert Haskin** stated that there would be some savings of overtime expenses in hiring an officer. **Jeff Schulz** stated that the officer would be covered under the union contract but that the Board would have to go through the reduction in force protocols with the union to eliminate that position at the end of four years. Motion by **Nancy Driscoll** to not accept the COPS Hiring Grant award. Second by **Susan Gretkowski**. **Robert Haskin** stated that with the Town growing there could be further need for another officer and the Town could budget for that fourth year. **Jonathan Goddard** agreed with Robert that there is a need and the Town has three years to budget for that officer. **Brad Towne** stated that if the Town continued to grow ~~he would not like to give up this opportunity~~ **can hire an officer at that time**. Motion passed 3-2.

Regional Public Safety Services Committee

Jeff Schulz stated that the Central Vermont Chamber of Commerce is spearheading an effort to establish a committee to study the possibility of regionalizing public safety in Central Vermont and they are asking the communities involved to appoint a Selectboard member and a resident from the Town to this committee. He stated that the Board had already appointed a Selectboard member and needed to appoint a town resident to this Regional Committee. **Jeff** stated that he had advertised this committee vacancy in the newspaper and posted the ad around Town. He stated that he had received a letter of interest from **Otto Kinzel** for this committee. **Scott Bagg**, Assistant Fire Chief, stated that he and the Fire Chief, **Nick Garbacik**, would like to serve on this committee as a combined effort not individually if possible. **Susan**

Gretkowski stated that she has a concern with anyone working public safety in Berlin to be on this committee as it might be a conflict of interest. **Paul Irons** stated that as **Otto Kinzel** is a deputy with the Washington County Sheriff's Dept., which serves these same communities, there might be a conflict of interest on his part as well. **Brad Towne** asked **George Malek**, Chamber of Commerce, what he envisions happening in the first couple of months of this committee. **George** stated that he thinks it will be some time before the committee gets into department specific discussions. He stated that the discussions would be more general of the Central Vermont area and that eventually he would be inviting people in to talk about service specific interests. **Brad Towne** asked if there were other regionalized services in Vermont. **Scott Bagg** stated that ambulance services in Vermont span the spectrum of private entities that serve multiple Towns to Municipal entities serving one Town. **George Malek** stated that he does not envision regionalization of services before Berlin's contract with Barre Town Ambulance Services is up for renewal. **Brad Towne** suggested that it would be good to have **Otto Kinzel** attend the next Selectboard meeting to discuss this issue. **Susan Gretkowski** agreed with tabling this issue until the next Board meeting.

New Business

Auditor's Report

Patti Lewis stated that the Board had received a copy of the draft Audit Report to review at a previous meeting. She stated that the auditors were very thorough and recommended acceptance of the report. **Jeff Schulz** stated that under the summary portion of the report the auditors had very few recommendations for improvement. Motion by **Roberta Haskin** to accept the Auditor's Report for the Fiscal Year ending on June 30, 2009. Second by **Nancy Driscoll**. Motion carried 4-0.

Patti asked the Board to sign forms signifying that they received and accept the audit report and signifying that the Town had given them all of the information asked for during the audit. **Patti** stated that the auditors recommended that a third person review the bank statements and that one of the banks could provide that service to us at no cost to the Town.

Grand List Errors and Omissions

Jeff Schulz stated that **Patti Lewis** provided them with a list of errors and omissions that she had found with the Grand List. He stated that according to State Statute any errors and omissions of the Grand List found need to be approved by the Selectboard. **Patti** reviewed the errors and omissions. She stated that the total decrease in the Grand List is \$326,000 and the total Municipal tax reduction is \$11,067.47. She stated that the Board of Abatement has already abated these taxes. Motion by **Nancy Driscoll** to accept the error and omission changes as presented. Second by **Jonathan Goddard**. Motion carried 4-0.

Charter Change Discussion

Jeff Schulz stated that at a previous Selectboard meeting, the Board discussed revisiting the charter changes not voted on at March Town Meeting. He stated that one of the recommendations left off of the Changes was regarding the Listers. **Jeff** stated that to go forward with the changes not included in the March vote the Board would need to hold two public hearings on the Charter Changes. He stated that the Board needs to decide whether to go forward with the public hearings or to reconvene the Charter Change Committee. **Susan Gretkowski** stated that the change in the charter would to make the Listers office an appointed position rather than an elected position. **Susan** stated that they would need to further research cost of services for the Lister position before moving ahead with any changes. **Jeff** stated that he would research the costs involved and if the Board elects to vote on moving forward with this issue they would have the information.

Barre Bike Path Committee

Jeff Schulz stated that Barre Town and Barre City received a substantial gift to move forward with the Bike Path and they would like to make this a regional effort. He stated that Barre City was looking for the Selectboard to appoint **Tom Willard** and **Andrew Brewer** to that regional committee so that they can move forward with the project. **Jonathan Goddard** stated that the ultimate goal is to connect Montpelier's Bike Path to Barre City's Path and there are various routes the path could take across private land. Motion by **Roberta Haskin** to appoint **Tom Willard**, **Andrew Brewer**, **Andrew Wellman** and **Jonathan Goddard** to the Barre Bike Path Committee as representatives of Berlin. Second by **Nancy Driscoll**. After some discussion regarding letting the Berlin Bike Path Committee make the appointments, **Roberta Haskin** withdrew her motion. The Selectboard decided to let the Berlin Bike Path Committee appoint the representatives to the Barre Bike Path Committee.

Request to Work in ROW on Paine Turnpike

Jeff Schulz reviewed the request to work in the right of way on Paine Turnpike by **Don Dexter**. He stated that **Richard Tetreault**, Road Superintendent, has reviewed this request and found it acceptable with the conditions that they provide traffic control and do not cut into the pavement. Motion by **Jonathan Goddard** to approve the application to work in the right of way by **Don Dexter** on Paine Turnpike North with conditions and to waive the bond for this project. Second by **Susan Gretkowski**. Motion carried 4-0.

Review of Private Road – Tree Farm Lane

Jeff Schulz stated that the subdivision regulations state that if a proposed development is served by a private road and has more than 2 lots, the Selectboard must review authorization for more lots on that private road. He stated that he and **Richard Tetreault** have reviewed this request and recommends approval with the Board stating that the Town will not accept responsibility or ownership of Tree Farm Lane. Motion by **Nancy Driscoll** approve addition development on Tree Farm Lane with the understanding that the Town is not accepting ownership or responsibility for this road. Second by **Jonathan Goddard**. Motion carried 4-0.

Town Administrator Report

Jeff Schulz reviewed the Highway Superintendent report. He stated that the Road Crew has been doing a lot of work on Brookfield and Mirror Lake Roads and have received compliments from the residents regarding the work done.

Jeff stated that Scott Smith had signed the waiver of notice for Green Mountain Power for their Solar Array project and they are moving ahead with that project.

Jeff stated that Central Vermont Economic Development will be having their 32nd annual meeting on Sept. 17th.

Jeff stated that Linda Fordham had emailed him regarding an increase of patrols in her area.

Jeff stated that he will be on vacation for the next week.

Approval of Licenses, Permits, Vouchers and Applications

Motion by **Susan Gretkowski** to approve the 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 from August 17th, motion by **Jonathan Goddard** to approve the minutes with changes. Second by **Nancy Driscoll**. Motion carried 4-0.

Roundtable

Jonathan Goddard stated that there was a need to have a farmers' market in Berlin and would like to do some research into this issue. He suggested that a farmers market could be set up in the Town parking lot. **Jeff** stated that a farmers market could be held on Municipal property as other towns have held theirs on town property.

Susan Gretkowski stated ~~asked~~ that the viewing public ~~may~~ contact herself and/or other Board members regarding some of the issues that have been or are being discussed in session and any concerns they may have or other input.

Roberta Haskin stated that she may not be able to attend the Selectboard meeting on September 21st. She noticed that there is no public picnic table or bench on Town property and she thought it would be nice to have a table or bench for other Town employees to have somewhere outside to sit during lunch or break times. She stated that if no one minds she would look into getting either a table or bench to put near the Town offices.

Nancy Driscoll thanked Pike Industries for their open house invitation and that it was nice to meet the people at Pike and tour their facilities.

Executive Session

Motion by **Susan Gretkowski** to enter into Executive Session at 10:20 PM. Second by **Jonathan Goddard**. Motion carried 4-0.

Motion by **Susan Gretkowski** to exit out of Executive Session and adjourn the Selectboard meeting at 10:50 PM. Second by **Nancy Driscoll**. Motion carried 4-0.

Adjourn

For the Select Board:

Rebecca Richardson, Administrative Assistant