



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

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

**Monday, August 17, 2009  
7:00 PM**

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

### **UNAPPROVED MINUTES**

**Susan Gretkowski** called the meeting to order at 7:00 PM.

#### Public Comment

There was no public comment.

#### Treasurer's Report

**Patti Lewis** presented the draft 2009 audit and asked the Board to read through it so that they may accept the audit at their meeting in September. She stated that the 2009 Fiscal Year ended with a deficit of \$46,936. **Patti** stated that within the warrants for the Board to approve are the Special Appropriations that were voted on in March and the Tax Prebate overpayments of taxes to be refunded to the residents. **Roberta Haskin** asked if the auditors asked for any adjustments. **Patti** stated that there were 4 adjustments asked for and that the auditors recommended that another person review the bank statements in addition to **Patti** and **Jeff Schulz**, Town Administrator.

#### Old Business

##### Request for Acceptance of Partridge Road

**Jeff Schulz** reviewed the request for acceptance of Partridge Road. He stated that there were concerns regarding the ditches being too steep. He stated that he is reviewing the original plans at the State level to make sure there are no violations. **Susan Gretkowski** stated that ~~the~~ **one** developer requested a site visit ~~with the Selectboard~~ regarding Partridge Road.

##### COPS Hiring Recovery Program Grant

**Jeff Schulz** stated that the Board had authorized the Police Chief to apply for the COPS Hiring Recovery Program Grant. The Town was awarded the grant to hire an officer for a period of three years. He stated that he had received clarification of what is covered under this grant. **Jeff** stated that the grant award would pay for the officers salary up to approximately \$40,000 and benefits for three years with the condition that the Town continue to employ the officer for a period of one year after the grant period ends. **Chief William Wolfe**, Berlin Police Dept., stated that it would cost the Town approximately \$1,800 in start up costs for uniforms and equipment. He stated that the grant award does cover salary increases within the three years. **Chief Wolfe** presented statistics on the amount of time spent on different cases. He stated that arrests are up approximately 25% from last year and tickets are down by 28%. **Chief Wolfe** stated that his goal is to make the Berlin Police Department a 24-hour department. **Jeff Schulz** asked about the 'Clicket or Ticket' campaign. **Chief Wolfe** stated that by participating in that program the department receives funds to purchase future equipment and these funds should be there for the foreseeable future. The Board asked for more information and more discussion on this issue before making a decision. **Chief Wolfe** stated that the Town has until late October to accept the grant award.

##### Review of 2008 Tax Appeals

**Jeff Schulz** stated that approximately 20 tax appeals are before the State. These are appeals of the Board of Civil Authority decision. He stated that the Listers are working to settle 6 or 7 of these appeals. **Jeff** stated that he had discussed this issue with the Town attorney who stated that the Listers should not be having settlement discussions at this point because it has gone past the Board of Civil Authority and been appealed to the State. **Jeff** stated that he had asked the Listers for more information regarding any settlement or discussion. He stated that at this point only the Selectboard can settle tax appeals. Susan Gretkowski suggested asking Rob Halpert, Town Attorney, what the legal concerns would be for the Board to empower the Listers to conduct agreements with the landowners but to have the Selectboard make the final determination.

#### New Business

##### Public Notice Waiver – GMP Solar Array Project

**Jeff Schulz** stated that Green Mountain Power had proposed a solar array project on Junction Road at their existing facility. He stated that Green Mountain Power had submitted an application to the Development Review Board for this project and was exempt from local review, then withdrew the application and applied for ACT 248 review from the State. **Jeff** stated that the ACT 248 process requires a 45 day notice to Towns of the process and GMP is asking the Town to waive that 45 day notice. He stated that from a technical standpoint, he is not opposed to signing the waiver if the Town could still have the option to way in on the project and the issue that the panels are proposed in the floodplain and within a side setback. He stated that his recommendation would be to authorize the Chair of the Planning Commission to sign the waiver but to go on record with the Town's concerns. **Paul Irons** stated that the waiver should be signed by the Chair of the DRB rather than the Planning Commission. **Jeff** responded that the ACT 248 paperwork specifically states that the waiver be signed by the Chair of the Municipal Planning Commission and the Regional Planning Commission. Motion by **Nancy Driscoll** that the Selectboard recommends that the Planning Commission sign the waiver for the ACT 248 process for the Solar Array on Dog River Road. Second by **Jonathan Goddard**. Motion carried 4-0.

##### Selection of Municipal Project Manager – Paine Turnpike Paving Project

**Jeff Schulz** stated that as part of the Grant award for the paving of Paine Turnpike North, the Town needs to appoint a Municipal Project Manager and he recommends that the Selectboard appoint him as the Municipal Project Manager. Motion by **Jonathan Goddard** to appoint **Jeff Schulz** the Municipal Project Manager for the Paine Tunpike North Paving Project. Second by **Roberta Haskin**. Motion carried 4-0.

##### Private Road Approval – Knipling Trust

**Jeff Schulz** stated that the Town Subdivision Regulations states that no more than 2 subdivided lots be served by a private road unless reviewed and approved by the Selectboard. He stated that the Knipling property is located off Route 63. **Jeff** stated that **Mr. Knipling** wants to subdivide a 25 acre lot which would result in 3 lots being served by the private road. He stated that the Development Review Board cannot make a decision in final review without the acceptance by the Selectboard. Motion by **Nancy Driscoll** to authorize the private road to serve 3 lots with the provision that any further subdivision come under further review by the Selectboard. Second by **Jonathan Goddard**. Motion carried 4-0.

##### Request to Work in the Right of Way on Airport Road by Fairpoint Communications

**Jeff Schulz** stated that Fairpoint is requesting to work in the right of way on Airport Road. He stated that **Richard Tetreault**, Road Superintendent, has reviewed this application and recommends that they provide traffic control during this project. Motion by **Jonathan Goddard** to approve the application to work in the right of way on Airport Road by Fairpoint Communicaitons. Second by **Nancy Driscoll**. Motion carried 4-0.

##### Town Administrator Report

**Jeff Schulz** stated that he sent an acceptance letter to **H. A. Manosh** to drill the test well on Dodge Farm property and the test driller should start next week. He stated that the Board received an invitation to Pike Industries open house on August 27<sup>th</sup>.

**Jeff** stated that there was correspondence from VLCT on health issues and there will be a seminar on Wednesday, August 19<sup>th</sup> by teleconference. He also had received correspondence on health insurance issues from VLCT.

**Jeff** stated that a notice of Public Hearing on Zoning Changes on August 21<sup>st</sup> was advertised.

Approval of Licenses, Permits, Vouchers and Applications

Motion by **Roberta Haskin** 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 3<sup>rd</sup>, motion by **Nancy Driscoll** to approve the minutes with one correction. Second by **Roberta Haskin**. Motion carried 4-0.

Roundtable

**Jonathan Goddard** reminded the Board that School starts next week and to watch out for the kids waiting for buses.

**Roberta Haskin** asked for an update on the Crosstown Road Speed Limit study. **Jeff Schulz** stated that he has to contact the Regional Planning Commission to see about using a device to monitor speeds on Crosstown Road. **Roberta Haskin** stated that when the Board was deciding on Charter Changes they eliminated some of the changes recommended to them and asked if the Board wants to revisit those charter changes that were not voted on at Town Meeting. **Jeff** stated that the Selectboard would need to vote to hold public hearings on Charter Changes and bring those changes before the voters. **Roberta** asked for this discussion to be put on an agenda.

**Nancy Driscoll** stated that a resident brought some concerns to her regarding the natural area near the Riverton Fire Station and asked who is responsible for the upkeep of that area. **Jeff** stated that it is unclear who is responsible for that natural area and that he would look into the safety aspects of the natural area.

Executive Session

Motion by **Jonathan Goddard** to enter into Executive Session at 8:45 PM. Second by **Roberta Haskin**.  
Motion carried 4-0.

Motion by **Jonathan Goddard** to exit out of Executive Session and adjourn the Selectboard meeting at 9:40 PM. Second by **Susan Gretkowski**. Motion carried 4-0.

Adjourn

For the Select Board:

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Rebecca Richardson, Administrative Assistant