



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

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

**Monday, September 21, 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.

APPROVED MINUTES

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

Public Comment

There was no public comment.

Public Hearing Zoning Changes

Jeff Schulz presented the proposed zoning changes. He stated that the owners of the Ames Plaza property had approached the Planning Commission asking for a zoning change at the rear property line boundary of the Ames Plaza. **Jeff** stated that currently the rear property line follows the 600 foot contour which puts this portion in the residential zoning district. He stated that the change they requested was to shift the zoning boundary line from the contour line to the property boundary line which would put all of their property in the commercial zoning district. **Jeff** stated that the Planning Commission had held two public hearings on the proposed changes and the Commission recommends approval of the change to the zoning boundary. He stated that zoning changes require public hearings on the proposed changes at the Planning Commission level and the Selectboard level and would also require a Special Town Meeting with a voice vote to approve the proposed changes. **Brad Towne** asked for any public discussion on the proposed zoning changes. There was not public discussion. **Jeff** stated that if the Board wished to move forward with the changes they would need a motion to approve the changes and to hold the Special Town Meeting. Motion by **Nancy Driscoll** to approve the changes and to hold a Special Town Meeting. Second by **Susan Gretkowski**. Motion carried 4-0.

Selectboard Meeting

Treasurer's Report

Patti Lewis reviewed the end of August financial report. **Jeff Schulz** stated that the Town had received the first installment from the State for the State Aid to Highways. **Patti** stated that VLCT is expecting an increase in health insurance premium rates and that she was approached by Blue Cross Blue Shield regarding a quote for health insurance. **Jeff** stated that the rate increases should be limited to single digit increases.

Old Business

Knapp Airport Project – Truck Traffic

Pat McDonald, Special Project Manager in Barre, stated that Barre is concerned with the truck traffic from the Knapp Airport Project in Barre City. She stated that there are serious concerns for Barre with this truck traffic. **Pat** stated the biggest concern is the infrastructure along Route 302 in downtown Barre. **Thom Lauzon**, Mayor of Barre, stated that if the infrastructure were to fail due to the truck traffic, the cost to Barre could be significant. **Pat** stated that she conducted a meeting with Berlin, Barre City, Barre Town, VTrans, Pike Industries, Dubois & King and Central Vermont Regional Planning to discuss alternative

solutions to this problem. She stated that one of the alternatives would be for the trucks to turn down Airport to Miller Road and to bring the material to the Bond Auto warehouse site; another option would be to bring the material to the intersection of Miller Road and Route 63. **Pat** asked if there was an interest in Berlin to work with Barre toward alternate routes for truck traffic and to allow the trucks to use Airport Road into Barre Town. **Thom Lauzon** stated that they were not looking for an agreement on the truck route tonight but just an agreement to work with Barre City in looking for alternative solutions. Roberta Haskin stated that she is in agreement to work toward an alternate solution to Barre's problem with the truck traffic but that she would want to hear from Richard Tetreault, Road Superintendent, in regards to Airport Road. Richard Tetreault stated that Route 302 through Barre City is a designated truck route and that if it is a choice between having the truck traffic run on Berlin town roads or State roads through Barre, then he would rather the traffic be kept to the State roads. **Jeff Schulz** asked **Scott Fortney**, Project Manager, what the original reaction was regarding the use of Miller Road. **Scott** responded that the original reaction from Barre City was no, they could not use Miller Road for the truck traffic. **Pat** clarified this by stating that Miller Road is a high accident intersection. **Susan Gretkowski** stated that she would like to consider these discussions and would like to explore the spread out the flow of truck traffic to eliminate the burden on any one road. **Nancy Driscoll** stated that she would be open to hearing more of the discussions.

Police Department Complaint

Mark McCloud stated that he has come before the Board to voice his complaints against the Berlin Police Dept. He stated that he had filed an oral complaint to **Jeff Schulz** against the Berlin Police Department and that he has turned in a written report and nothing has been done about these complaints. **Mark** stated that the Police beat him, used mace on him while in handcuffs and committed perjury on at least three occasions. **Mark** asked that the two officers involved be suspended until these allegations are investigated. He stated that he is convinced that there is corruption within the highest levels within the Police Department and the Town Manager. **Brad Towne** stated that the discussion on this issue will take place in Executive Session. **Rob Halpert** stated that the subpoena from **Mark McCloud's** attorney was specific in the documentation needed and requesting **Jeff Schulz's** attendance at **Mark's** trial. **Rob** stated that he then received a communication that the documents were no longer needed. **Mark** asked that he be allowed to sit in on the executive session of the Board. **Rob Halpert** stated that **Mark** was not allowed to be in attendance during executive session at this time. He stated that if there were an investigation into these allegations, **Mark** would probably be a witness at any hearings on this investigation. **Mark McCloud** asked to whom he was supposed to file criminal charges against a police officer. **Rob Halpert** suggested he talk to the State Police or the State Attorney's office regarding charges against a Police Officer. **Rob** also explained that the actions of the Selectboard are limited to disciplinary actions in personnel matters. **Rob** also suggested that **Mark** could obtain copies of the medical records pertaining to his injuries at the time of his arrest and give them to **Rob** for admittance to the Board and any investigating authority. He also stated that if any motion was to be taken after Executive Session that **Mark** would be contacted.

Water Supply Project

Tom Willard asked if **Jeff Schulz** received an estimate from the engineers for the well testing. **Jeff** responded that he did not receive the estimate. He stated that three wells were drilled and that the well drillers estimate is 255 gallons per minute. He stated that we need 175 gallons per minute at startup for a Municipal Water System. **Tom** stated that the next step is to conduct a 72 hour pump test for water quantity which is a relatively expensive test and that he had asked the engineer for an estimate for conducting this test. He stated that the engineers estimate for their work including the Source Protection Plan for a State Permit for the Water System would be approximately \$60,000. He also stated that there would be other costs from the well driller for the equipment and personnel to conduct this test which could be approximately \$10,000 - \$20,000 more. **Tom** qualified this amount stating that he did not have the well drillers estimate of costs. **Tom** stated that he had checked on the Five year fund loan and that the amount of money left would be approximately \$75,000 and they would not receive more money for this fund until March. He stated that if the Town wanted to carry some of the burden they could then be reimbursed later. **Tom** asked the Board if they wanted to move ahead with the testing. **Tom** did state that the higher yield a well produced, the longer the testing period. Motion by **Susan Gretkowski** to approve the Water Supply Committee to apply for the loan amount on the best estimate amount of \$75,000. Second by **Jonathan Goddard**. Motion carried 4-0.

Regional Public Safety Services Committee Appointment

Jeff Schulz stated that there was an ongoing effort to recruit residents for the Regional Public Safety Committee. He stated that he had received a letter of interest from **Otto Kinzel** but **Otto** has since declined to serve on that committee. **Jeff** stated that currently there are no other volunteers and that an alternative measure would be to have another Selectboard member serve on this committee. After some discussion the Board decided to readvertise the vacancy on this committee to gain interest.

New Business

Regional Transportation Authority – GMTA/CCTA

Chris Cole, General Manager CCTA and Executive Manager GMTA, gave a brief history of GMTA. He stated that CCTA is Federally funded and has a lot of experience administering grants, overseeing marketing and planning for GMTA. He stated that GMTA provides drivers, local outreach, and maintenance for the buses. **Chris** stated that, in the past few years, GMTA has expanded its operations to include Washington, Lamoille, Franklin and Grand Isle Counties. He stated that recently CCTA and GMTA have been studying ways to become more efficient and concluded that consolidation was key to becoming more efficient. He stated that the companies introduced bill H457 at the end of the Legislative Session earlier this year to consolidate the two companies. **Chris** stated that he is asking communities to support this bill and is listening to and trying to resolve any concerns and issues in surrounding communities. He stated that they had started legislation rather than a charter change so that other transportation companies throughout Vermont may consolidate. **Jeff Schulz** asked how the funding would work with Special Appropriations at Town Meeting. **Chris** responded that funding would remain level funded from surrounding Towns.

Town Administrator Report

Jeff Schulz stated that the Economic Development Committee is working on an advertisement brochure to highlight Berlin, the Town's assets and economic development. He stated that this advertisement will be put in the Times Argus at the cost of \$525 which will be paid for out of the EDC budget. **Pat McDonald**, EDC Chair, stated that Montpelier and Barre City are working on similar endeavors and that their Mayors are submitting a written statement to include in the advertisement. She stated that she would like to include a statement from the Selectboard. She offered to type up a statement for the Board to edit and sign.

Jeff stated that the Town had received stimulus funds for the paving of Paine Turnpike North. He stated that as part of that agreement the Town needs to sign an agreement with VAOT that we understand their policies and procedures. **Jeff** stated that there is a stipulation for the funds that the Town needs to have an agreement signed with a contractor for the paving by January 2010 and the paving project will have to be done in the spring.

Jeff stated that he had received a letter from VLCT regarding a rate increase in Health Insurance Premiums and that it appears that the increase should be in the single digits.

Jeff stated that he is continuing to work on the Flood Hazard Regulations with the Planning Commission and they are also continuing the Town Plan process.

Approval of Licenses, Permits, Vouchers and Applications

Motion by **Susan Gretkowski** to approve the licenses, permits, vouchers and applications as presented. Second by **Nancy Driscoll**. Motion carried 4-0

Approval of Minute(s) of Previous Meetings

After review of the minutes of September 8, motion by **Nancy Driscoll** to approve the minutes with changes. Second by **Jonathan Goddard**. Motion carried 4-0.

Roundtable

Jonathan Goddard stated that the Berlin Elementary School is celebrating its 40th anniversary and invited past students and staff as well as the general public to join in the celebration.

Roberta Haskin asked when the Board will discuss the truck traffic for the Knapp Airport project. **Jeff** responded that it was up to Barre City to get back to the Board with recommendations for alternate truck routes. **Roberta** stated that she has found a picnic table as a donation but that it needs to be moved. **Jeff** stated that if it is important that the table be moved now, the Road Crew could probably move and store it at the Town Garage for the winter.

Jeff Schulz stated that he had received a letter from **Tom Pelham** regarding the appeal to the BCA. He asked that the Board review it and give recommendations. **Susan Gretkowski** stated that she would like to hear **Mike Domingue's** understanding of this issue.

Executive Session

Motion by **Susan Gretkowski** to enter into Executive Session to discuss personnel issues at 9:44 PM. Second by **Nancy Driscoll**. 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 **Jonathan Goddard**. Motion carried 4-0.

For the Select Board:

Rebecca Richardson, Administrative Assistant