



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

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

**Monday, April 20, 2020
7:00 PM**

Selectboard Members: Bradley Towne, Chair; Flo Smith, Co-Vice Chair; Justin Lawrence, Co-Vice Chair; John Quinn III, Secretary; Angelina Capron. Present: Dana Hadley, Town Administrator; Diane Isabelle, Town Treasurer. All items are unanimous unless otherwise noted.

APPROVED MINUTES

Call Meeting to Order

Towne called the meeting to order.

Changes to Agenda

Town Administrator Hadley asked to add a discussion about Crosstown Road, the Conservation Commission's foot bridge, he also asked for the liquor board to meet, and an executive session. Capron asked to add a topic regarding the parking prohibition on Brookfield Road.

Public Comment

None.

Treasurer's Report

Town Treasurer Isabelle followed up on the previous discussion regarding property taxes. The office will not be open to the public when the taxes are due. Isabelle received questions about whether the town will move the date back or charge penalties/interest. The date was set at town meeting so cannot be easily changed. The legislature is considering this question and a way for town officials to change the date and/or implement grace periods for penalties and interest. However, the towns are still responsible for paying the state education tax on time (by June 15) with an 8% penalty. As of now, Isabelle is operating under the assumption that taxes will be due May 15 with penalties and interests charged beginning May 16. She will keep the board informed regarding action in the legislature. Towne asked, if the legislature does allow a change of date, whether there is enough money for the town to operate for a month or more. Isabelle responded affirmatively for operations but noted that she will need to collect some to make the education payment. Hadley noted that he believes it will be difficult to operate and make the education payment with what is in the bank currently.

Swim Lessons

Isabelle explained that she spoke with Rachel Giroux, who is on the Recreation Board. Isabelle asked Giroux to join the meeting but she had not as of the time of this discussion. Isabelle looked at the Recreation Board budget and they have \$8971 in reserves for the Board to contribute to swim lessons, if they occur which is uncertain at this time. It is unsure whether the pool will open. Normally the contribution is \$25 per child (up to a \$1000 limit), removed from the reserve account.

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Impact on Town Revenues Resulting from Covid-19 – Review and Discussion regarding FY '21 Budget – Discussion on Spending and Hiring Freeze

Hadley discussed a memo he sent out. There is a bit less revenue expected from the Clerk and from Zoning plus unpaid taxes but otherwise does not expect a major reduction to income. He has not heard if the state is changing programs that add to the town revenue. There is a healthy cash flow.

Spending and Hiring Freeze Discussion:

Quinn mentioned that he brought this subject to the table at the last meeting asking if it is a time to implement a spending and hiring freeze to limit future risk. Towne mentioned that the town does not have a surplus of labor. He used the road crew as an example because the foreman is outgoing. He continued that a lot of the expenses are fixed but labor costs are not though there is a contract with the police and the only other set of employees is the road crew. Lawrence asked Quinn what his thoughts are for this. Quinn mentioned that \$46,000 was recently spent on gravel according to the warrant and questioned if that expense was necessary as of this time. He followed up by asking if it was used to repair a road or for other applications. Towne mentioned that in the spring the crews maintain roads rather than fixing them. Lawrence explained that he recalls scraping material to the sides to dry and then bringing it back into the road rather than adding fill and asked if that is the current process. Towne said that all he could speak to is roads nearby (Three Mile Bridge Road) and the gravel there is used to firm up soft areas so they are passable. Hadley expressed the opinion that this is a good discussion to have with Tim, the road foreman, to discuss what the material is for and how it is applied. Quinn asked if there is a weekly report from the road foreman. Hadley answered that there is not a formal report but rather a conversation with him. Quinn followed by asking if that means that it is unknown what roads the crew works on each week. Hadley replied that he does know what is ongoing but is not always sure how much gravel is used or what the condition of roads are before material is applied but that more information can be gathered. Towne asked Isabelle if she knew what the material was for, as in a stockpile or for immediate use. Isabelle said she is not sure what it was for as there was a purchase order but since he is not coming into the office she did not get specifics. Quinn said he is wondering how the road foreman is being managed. He followed by explaining that if the board does want to look at the possibility of cutting the budget then expenditures like that will become more important to look at. Lawrence asked Hadley if he knows of areas in the budget where expenses could be cut. Hadley mentioned that the gravel and gravel is probably a good place to start and that a weekly report from the road crew is a good place to start to evaluate where expenses may be cut. He then mentioned that he can have a conversation with department heads to discuss ways to economize. His opinion is that there is not a lot of wiggle room. Smith asked what his thoughts are for an across-the-board cut in July. Hadley responded that it would mean letting go of people. Wolfe mentioned that there are a lot of costs built in so there is not a lot of room to save money. Towne asked Isabelle what is in the budget for new equipment this year. Isabelle mentioned that Tim wanted a grader but that is all for equipment. There is a culvert that will need repair. Lawrence asked Chief Wolfe if there is the option to cut coverage so that officers remain safe and implement a contingency plan for instances when town officers are not available. Wolfe explained that he is down one officer until August and others are stalled in academy because that training is halted. He has seen an increase in calls recently. Quinn asked what a fully fitted officer costs the town for pay and benefits. Wolfe explained the options for an officer that depends on what level at which they enter the department. The starting salary is normally mid-40s. He did not immediately know what the benefits add. Isabelle mentioned that it is in the annual report. Hadley said he thinks the total averages \$80,000 per officer (pay plus benefits) but that was an estimate. Smith mentioned that she is leaning toward a 15% cut. Lawrence asked how the board should approach research on the subject to determine how to make an educated decision regarding the budget. Towne asked Isabelle if she could produce a recording of money that the board is able to reduce since there is a big difference between 15% of the total budget and that percentage of what the board can immediately manage. She discussed briefly the types of projects that she believed the board has the most immediate control of, like culvert fixes and equipment purchase. Lawrence asked about having department heads join the conversation. Joe Staab joined the conversation to discuss the fire department budget. Theirs is lean but they did meet and come up with something less than 10% if the board is interested to know their process. Towne asked that the next step be to determine what percentage of the budgets can be changed. Towne explained that the police

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department is conducted through contract and that for the police and road departments the most immediate cuts are likely to be found through equipment purchases. Quinn discussed the idea of gathering employees to discuss a voluntary pay cut for the year to prevent layoffs. Lawrence asked if the new cruiser was ordered. (The audio was garbled but the date mentioned was July 1). Wolfe concluded that it had not yet been ordered. Towne mentioned that the difficulty is not having enough information now whether economies will be behind by a month, a few months, or a year. Quinn asked if Hadley had looked into funds for municipalities, but Hadley did not feel the town will qualify until showing a loss of some sort. Towne expressed concern about making abrupt changes and then finding out that it was an overreaction. Towne mentioned that instead of a pay cut he would suggest implementing such a cut for a number of months to be revisited in a number of months to determine the necessity of that. Towne asked about the cost of the Richardson Road project. That will cost about \$150,000-160,000 of money already budgeted. Towne asked Hadley to get reports from department heads on cutting the budget and impacts to public safety (he used culvert failure as an example and inability for people to get to their homes). Hadley said he will have information for the next meeting or earlier if the board would like. Towne said that the next meeting is acceptable.

Approval of Licenses, Permits, Vouchers, and Applications

Hadley read what the motion would approve:

General fund accounts payable warrant number 20g19 with checks 20146-20175 in the amount of \$43,517.22; also, payroll warrant number 20-21 for payroll from March 19, 2020-April 11, 2020, paid on April, 2020 in the amount of \$41,941.82; also, to approve March general journal entries; to approve the March reconciled bank statements general fund, sewer commission, and water division; and the March budget status report, trial balance, and delinquent tax report.

Smith moved to approve the licenses, permits, vouchers, and applications. Seconded by Quinn. Passed unanimously.

Public Works Board – Discussion Regarding Change of Allocation Charges

Rob Allen and Tom Badowski joined the meeting to discuss the changes. There are 60,000-70,000 gallons of allocations issued to people that are unused. The Public Works Board wants to charge for those town assets through a fee to hold unused allocations. Lawrence asked about connected versus unconnected properties. Allen discussed that the plan is to reimburse if the allocation is returned. Allen explained that their plan is to charge for unused allocation or reimburse people who have paid and return their unused allocation. Tom explained that this plan is meant to aid in paying for the cost of the system by charging for unused allocation. Tom further explained the allocation system and thoughts behind the charge for unused allocations and changes that the board is looking to implement over the next few years. Typically, people are overallocated because allocations are based on a state formula that produces that outcome. Towne asked how much cost is fixed on 1000 gallons. Tom explained that that formula is not how he thinks about it but that it is .01/gallon and half of that is fixed cost. Towne asked if this means that, for those who do not want to give or sell back the allocation, if the fee is meant to cover the 50% fixed cost. Tom affirmed that understanding. Allen explained that it is meant to prevent a free rider dilemma. Some of these changes are being implemented with the new town center project in mind. Currently, with no other new development in town, there will be a shortage of 110,000 gallons. There is currently about 70,000 gallons of allocated sewer not being put to use. Smith asked how the change has generally been received. Tom explained that a handful of people hold the unused allocations and some have said they plan to give it back while others plan to hold onto the allocation and pay the fee.

Jeffrey Olesky – P.E. from Catamount Consulting – Marvin Road Project

- Extend Water and Sewer Service to New Facility

Olesky, of Catamount Consulting Engineers, is working with Capital City on new construction and they wish to extend sewer and water lines to the new site. He explained the site and a proposed services extension to connect to Montpelier water and sewer. Olesky shared the site plan with the board and

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explained the proposed site plan for the project. Smith made a motion to grant preliminary approval. Seconded by Quinn. Passed unanimously.

Approval for Local Emergency Plan Update

Bruce Richardson, member of the emergency membership team, explained that the update before the board is a state requirement to update information annually. Lawrence moved to approve the local emergency management plan and authorize Hadley to sign on behalf of the board. Seconded by Smith. Passed unanimously.

Selectboard Liaisons to Committees, Boards, or Commissions

This conversation carried over from the last meeting. At that time, Quinn expressed interest in acting as liaison for the Economic Development Board, Lawrence expressed interest in Highway, Planning, and Public Works. Other boards include the Cemetery Commission, Conservation Commission, Recreation, the Fire Department, and the police Department. Smith mentioned that she is also interested in Public Works. Towne clarified that there will only be one liaison for each board to minimize any confusion. Hadley briefly discussed the status of each commission and their need, or lack thereof, for an acting liaison.

Cemetery Commission – no interest

Conservation Commission – (Hadley recommended having a liaison) Lawrence moved to appoint Towne to Conservation Commission as liaison. Seconded by Smith. Passed unanimously.

Economic Development Board – Smith moved to appoint Quinn as the select board liaison to the Economic Development Board. Seconded by Lawrence. Passed unanimously.

Highway Department – Smith moved to appoint Lawrence as the select board liaison to the Highway Department. Seconded by Quinn. Passed unanimously.

Planning Commission – Smith nominated Lawrence as the select board liaison to the Planning Commission. Seconded by Quinn. Passed unanimously.

Berlin Police Department – Lawrence moved to appoint Quinn as the select board liaison to the Police Department. Seconded by Smith. Passed unanimously.

Public Work Board – Quinn moved to appoint Smith as select board liaison to the Public Works Board. Seconded by Lawrence. Passed unanimously.

Recreation Board – (newly formed, has not yet met)

Berlin Fire Department – Quinn moved to nominate Lawrence as the select board liaison to the Berlin Fire Department. Seconded by Capron. Motion carried.

Reappointment of Tree Warden and Deputy Tree Warden

The Tree Warden, Beth Dout, and Deputy Tree Warden, Dave Dout, both expressed interest in reappointment to a one-year position. Quinn moved to reappoint. Seconded by Lawrence. Passed unanimously.

Town Road Policy

As part of a continuing conversation on changing road classifications, the board discussed a new policy generally. Lawrence discussed including existing roads changing classification as well as new roads and that it should work with zoning. Lawrence also discussed keeping in mind the cost to maintain class 3 roads and others. He is of the opinion that the policy should encourage development. Towne asked that trails be tracked in the town road policy also with an option for people to bring the roads back by absorbing costs if they would like to have the road more easily passable.

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Approval Annual Highway Financial Plan - Vtrans

The total this year is \$1,319,775. That is considering some paving work that may not happen this year. Capron moved to approve. Seconded by Lawrence. Passed unanimously.

Discussion on Crosstown Road

The road crew closed the road last week, Hadley received calls from concerned residents. Lawrence explained that he drove the road recently and the road was in good condition. He was surprised the road was barricaded. After reviewing the weather forecast, Towne recommended reopening the road Wednesday or Thursday. With consensus, Towne asked Hadley to relay the message to Davis.

Conservation Commission Footbridge

Hadley shared with the board that a member of the Conservation Commission shared the poor condition of the footbridge on the Darling Road trail. There is a lot of rot on the bridge and the Commission would like it repaired. The estimate is \$4,500 and they suggested that the cost come out of the conservation fund. They feel it is an emergency, as a public safety hazard, and needs repair. Lawrence suggested exploring options to have that trail added as the VAST connector to Northfield and inquire if VAST will help cover expenses for a bridge. Hadley shared concern because he is unsure how the connector will be made as there are landowners in that area who were adamant that they did not want snowmobiles on their property. The bridge spans a brook and getting around the bridge is a difficult crossing. Towne asked to see what information is provided by VAST and to revisit this subject at the next meeting.

Mirror Lake Parking

A resident, Ellen Drysdale, sent an email to the board discussing the parking at the north end of the pond to utilize as parking for exercise. Drysdale expressed shock that the road has been blocked. She asked that the block be removed. Wolfe explained that he drove Mirror Lake Road earlier in the day and it was open. As far as the towing, he believed the highway foreman may have towed during highway maintenance, but the police department has not been towing vehicles but have encouraged ways for residents to safely get out of their homes. On the north end, there are marker cones but no blocked parking. The only block they are aware of is right after the boat access (before getting to the boat house). Towne asked if that would be the highway department or if Montpelier may have placed that. Quinn thought it may mark the end of the parking area because cars were parking on the grass on Montpelier property. Hadley confirmed that he believed cars were towed. Hadley was informed after the fact and encouraged the highway department to contact himself and the police department first. It appears that the car was blocking the ability of the grader to complete work on the road. The current policy for calling the tow company is that any agent of the town, which includes highway foreman, can call if there is interference with the ability of town crews to complete the work they need to. Hadley volunteered to drive over to look at the block/sign and discuss it with Davis. If it is on Montpelier property there is no more that Hadley can do but if it is something that the town can modify, they will. Hadley will get details on the incident before anyone responds to Drysdale.

Approval of Selectboard Minutes – 4/6/2020

Quinn moved to approve. Seconded by Lawrence. Passed 4-0 with 1 abstained.

Liquor Control Board

Lawrence moved to recess the select board and enter into liquor control board. Seconded by Smith. Passed unanimously.

The board received a second-class liquor license for a new business, Thomas Farm and Garden on Route 302. He will have a farm store with some groceries and would like to sell beer and wine.

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Lawrence moved to approve. Seconded by Capron. Passed unanimously.

Quinn moved to adjourn the liquor control board and reconvene the selectboard. Seconded by Smith.

Passed unanimously.

Town Administrator Report

Hadley sent the minutes of the emergency management team.

He also shared that it has been a stressful time during the pandemic and town employees are really working to get everyone through the time, both town employees and the public.

Quinn asked Wolfe if the officers are concerned with health and safety through contact. He affirmed, since they are the first line to interact with people in the town. He said there is now a decent supply of PPE for employees so they are equipped but stressed. He noted that nearly 85 transient people are now housed, per state initiative, at the Hilltop Inn which is increasing activity and creating difficulty having those housed there practice social distancing. Capron asked if domestic violence incidences are on an increasing trend.

Wolfe has not seen an increase to a great degree but acknowledged the possibility. Lawrence asked Wolfe if he believes this will change how the department polices. Wolfe responded that in the long run it is not likely to change but it has in the short term with added precautions.

Roundtable

Smith brought up an email sent to Hadley from a resident about Pine Hill Drive. The resident noted that road materials were pushed to the side in the process of plowing and normally is cleaned up in the spring but has not yet been cleaned up. She just wanted to share that note.

Capron again discussed swim lessons and, if they are still able to have swim lessons, she does not want to see that assistance taken from children after being inside during pandemic precautions. She noted that the money is there and if not used then that is fine but it is there for this use.

Executive Session

To maintain the executive session, Hadley explained that he will pause recording and then ask those on the call who are not normally permitted in executive sessions to sign off before beginning the discussion.

Lawrence moved to enter into executive session for a personnel matter. Seconded by Smith. Passed unanimously.

Adjournment

There was no action as a result of the Executive Session.

Lawrence moved to adjourn. Seconded by Quinn.

For the Select Board:

Bethany A. Towne