



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

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

**Monday, August 3, 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: Tom Badowski, Assistant Town Administrator; Diane Isabelle, Town Treasurer; Greg Gallant, ORCA. All items are unanimous unless otherwise noted.

**UNAPPROVED MINUTES**

Call Meeting to Order

Chair Towne called the meeting to order. Capron absent.

Changes to Agenda

Assistant Administrator Badowski asked that the liquor control board convene to approve permits and asked to add a contractor's payment request for the Paine Turnpike North sewer project.

Public Comment

None.

Treasurer's Report

Town Treasurer Isabelle informed the board of the audit timeline, with the completed audit available end of September.

Approval of Licenses, Permits, Vouchers, and Applications

Smith moved to approve payroll warrant number 21-03 for payroll from July 25, 2020 – August 1, 2020, paid August 5, 2020, in the amount of \$41,178.37; also, payroll warrant 21-03 with checks 2399-2421 in the amount of \$90,126.36. Seconded by Lawrence. Passed unanimously.

Wayne Lamberton – Discussion in Regard to New town Center Designation

Lamberton wanted to discuss the town center designation with the board as he was unable to attend the joint meeting. Lamberton's business was initially to be part of the town center zoning but the property was removed from the zoning. He was concerned that the project is becoming a mall project and asked who is determining the zoning of the town center and why his business was removed. Badowski discussed the process that led to removing that property. Discussion continued concerning the joint meeting and zoning discussions. Karla Nuisl explained that one of the larger issues concerning the property is connectivity when designating the town center area. There is also a focus on residential development. Badowski asked the board to review the current document available. In continuing discussion, the potential boundaries and difficulty in designating the area continued at length. Quinn expressed an interest in having another

meeting with Lamberton (who had left the meeting) to discuss that property's inclusion in the town center area.

#### Brandy Saxton – Place Sense – Berlin Town Center

Saxton reviewed the DRAFT Community Investment Agreement which states “The undersigned, by executing this Agreement, hereby affirm their commitment and willingness to participate, to date as well as in the future, in activities and programs that will support and enhance the economic and social health and viability of the area proposed for new town center designation in Berlin, Vermont.” The CIA is a critical step in the Berlin Town Center and those project land owners are being asked to review the DRAFT.

Saxton reviewed the DRAFT Selectboard Return of Authority to Adopt Ton Plan and Bylaws. As background, the voters approved an article more than 20 years ago requiring a townwide vote by Australian ballot to adopt the town plan, bylaws and related regulatory tools. This article will stand until rescinded by the voters. The Berlin Planning Commission chair Karla Nuissl was present to ask the Selectboard to place an article on the November ballot to return adoption authority to the Selectboard. Nuissl stated that as the Berlin Town Center evolves, having Selectboard authority to approve regulatory changes allows for faster response.

#### Tim Davis – Road Grader

Discussion continued from previous meetings regarding the need for repairs on the existing grader or potential purchase of a new one. A representative of Cat was present to discuss the grader generally and answer questions. He expressed that now is a good time to purchase because there are discounts available for the year. The maintenance costs to repair are \$42,000. Additionally, the tires will cost \$8,000-9,000. After incentives and trade-in the cost for a new machine would be about \$235,000. A rental machine is \$11,000 per month which is reduced to \$9,000 per month when there is a machine in for repair and the rental is acquired while repairs are completed. Before making a decision about where to purchase it will need to go to bid. Discussion continued regarding limited places to purchase and quotes received from those places. The quotes received upon inquiry were \$278,500 from John Deere and \$235,000 from Cat. Towne asked that the second oil sample be taken before the next meeting (the second test was already planned at previous meetings) and a sales agreement be drawn up to review.

#### Fisher Road Culvert – Robert Clark – Otter Creek

Clark was unable to attend. Badowski discussed the culvert and the need to replace it. A new box culvert is preferable but the timing is bad as it will take months before it could be installed. The recommendation was to install a sleeve. The sleeve itself is \$75,000 and the installation will be added. There is \$96,000 in the budget. The board agreed that Badowski should continue with researching the options available.

#### Police Chief Recruitment

Badowski discussed the assistance that Trevor Whipple has offered to the board. Whipple was South Burlington police chief and is knowledgeable in police recruitment. Badowski will facilitate the preparation of a job description and advertising, consulting with Whipple, and the board will plan to approve an advertisement at the next meeting.

#### Bid Opening – Repair to Wall in Town Clerk's Office

The board received one bid.

Connor Contracting, Incorporated – total cost of \$31,000.

Towne asked Isabelle what cost the insurance company will cover. She believed \$20,000 and offered to contact the insurance agency to discuss. Towne followed by asking to wait and discuss with Mr. Connor what insurance he carries.

Town Campus – Stormwater Treatment – Chris Rivet, Dubois and King

Pam DeAndrea attended telephonically. She discussed the status of the project and it is currently awaiting a contractor. Quinn moved to put out RFP for the garage stormwater improvements. Seconded by Lawrence. Passed unanimously. The board will be sent a final contract, it will also need to be reviewed and the board will need to move to sign once they approve.

Request for Payment

Dubois sent a request for payment in connection to the sewer project. Quinn moved to appoint the chair to sign. Seconded by Smith. Passed unanimously. Badowski provided a brief update on the project. The only concern at this time is a delay in finishing paving due to setbacks from Covid. Paving may be completed next year.

Liquor Control Board

Lawrence moved to recess the Selectboard and convene the liquor control board. Seconded by Smith. Passed unanimously.

Permit applications received for Twin City Lanes and China Moon Buffet. Smith moved to approve both licenses as presented. Seconded by Lawrence. Passed unanimously.

Lawrence moved to adjourn the liquor control board and reconvene the Selectboard. Seconded by Smith. Passed unanimously.

Approval of Selectboard Minutes – 07/20/2020 & 7/22/2020

Minutes were not available for approval at the time of the meeting.

Town Administrator Report

Lawrence expressed an interest in ensuring that the board touches on outstanding subjects, such as the road policy. Badowski also mentioned the tree tapping issue. Quinn brought up an article from the news of the business tapping trees discussing the issue. Towne asked if anything has been heard about the walk through with Rose Beede. No report has been received from the conservation committee regarding that walk through.

Richardson Road culvert and Lover’s Lane bridge were other subjects to update.

Smith discussed a brief visit with Hadley at his home who shared his appreciation for the town and its employees.

Roundtable

Executive Session

For the Select Board:

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Bethany A. Towne