



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

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

**Monday, August 15, 2016
7:00 PM**

Selectboard Members: Ture Nelson, Chair; Jeremy Hansen, Vice Chair; Pete Kelley, Secretary; Brad Towne and Wayne Lambertson. Present: Dana Hadley, Town Administrator; Diane Isabelle, Town Treasurer. All items are unanimous unless otherwise noted.

APPROVED MINUTES

Site Visit

The Board met at 6:00 p.m. on the Mall Road and were joined by the Town Administrator, the Highway Superintendent and the Attorney for Berlin Mall. This meeting was to inspect the condition of the Route 62 side of the Mall Road if the Town were to take ownership of the road. Members recommended that core samples of the road be taken to determine if the road should be reclaimed or rebuilt.

Call to Order at Municipal Offices

Chair Nelson called the meeting to order. Hansen absent.

Changes to Agenda

Town Administrator Hadley asked to add a housekeeping item to have previously adopted policies signed.

Public Comment

None.

Treasurers Report

Isabelle provided trial balance and budget status reports for July.

Forgiveness of Late Homestead Filing Fees

Historically, the late homestead fee has been forgiven. Lambertson moved to forgive the homestead penalties. Seconded by Towne. Passed unanimously.

Approval of Licenses, Permits, Vouchers, and Applications

Lambertson moved to approve payroll warrant number 17-03 for July 24-August 6, 2016 in the amount of \$37,455.34. Also accounts payable warrant number 17G4 with checks 16364-16402 in the amount of \$139,928.57. As well as accounts payable warrant number 17W4 with checks 10085-10089 for the water division in the amount of \$171,046.69. Also the July checking account reconciliation for the general fund and the water division and tax journal entries for the month of July. Seconded by Kelley. Passed unanimously.

Selectboard Minutes

August 15, 2016

Page 2 of 3

Berlin Planning Commission- Zoning Updates

Karla Nuissl, chair of the planning commission, was present because the commission is close to having a final draft of the new subdivision and zoning regulation but they do not want to present it all at once. She discussed highlights of the new regulations, including consolidating rural zones. She reviewed the new districts and other changes made, showing the board a map of the changes. She explained that in certain zones there are properties that will be considered non-conforming as properties will be of a nature different than the zone, such as a residential building in a commercially zoned area. This will not affect homeowners' properties as they will be grandfathered in. The planning commission will hold another public hearing as will the board.

Berlin Mall- Discussion Following Site Visit

Nelson started the conversation by stating that the next step is to look into bore samples of the road to determine what condition the road base is in. Board members wanted to know if the road needs to be rebuilt or reclaimed. Lamberton asked if the town attorney has looked at this topic. The Town attorney has reviewed paperwork that was provided by Chuck Storrow, the attorney for the Mall. This paperwork indicates that it was the intention for the Town to take over the road, however what is not clear is why that did not happen as there is not a record of any further discussion on the subject, or if the road had been brought up to the Town standards to be accepted.

Sewer Commissioner- Update on Route 12 Sewer Line Extension

Rob Allen, chairman of the sewer commission, was present to discuss the sewer line project on Route 12. He reviewed with the board a map of the plans. Funding for the project was also discussed. The cost will be reimbursed by the state and some of the cost will be covered by Packard. Rob Halpert, town attorney, discussed his thoughts on the contracts as well as benefits and risks. He recommended a slight revision to the VTrans agreement. Towne moved to authorize the chair of the select board to sign the sewer line extension agreement with Weston's Trailer Park and Ellery Packard. Seconded by Kelley. Passed 3-0. Lamberton had recused himself before the motion and vote. Towne moved to authorize the chair of the select board to sign the agreement with the state of Vermont with the caveat that it include a provision requiring the state to connect to the sewer line. Seconded by Kelley. Passed 3-0.

Personnel Policy- Update Section 804- Drug and Alcohol Free Workplace

Hadley followed a previous discussion and provided the policy from Vermont League of Cities and Towns. In previous meetings there had been discussion of using the League's policy which has more in it than the current policy. This will be brought back to the Board at the next meeting.

Drug and Alcohol Policy for CMV Operators

Lamberton discussed alcohol consumption for those who are on call or not and questioned in those not on call, but who could be called on if the on call person needs help, could drink alcohol. The general consensus was that if a person who is not the scheduled on call person is called on but has been drinking there should not be a repercussion for them not being able to help. Lamberton moved to approve the commercial drivers drug and alcohol policy as printed. Seconded by Towne. Passed unanimously.

Town Administrator Report

Town Administrator Hadley reported that results of the Comstock Road traffic study are still be waited for. Friendship Park is not up to standard, the vendor will not get the remainder of payment until the project is complete.

As of May of 2017 people will be considered for qualifying for a 5% reduction in flood insurance.

Selectboard Minutes

August 15, 2016

Page 3 of 3

Hadley provided the monthly water report and mentioned that he has been pleased with the operators.

Towne asked how much allocation is left. Hadley responded that it is not very many, in the twenty to thirty range ERUs.

The town fair, held by the League of Cities and Towns, is coming up in October and a delegate will need to be voted on.

Signature Pages

The sexual harassment and class IV road policies were signed.

Approval of Minutes of Previous Meeting- 7/18/2016 & 8/01/2016

Lamberton moved to approve the minutes as presented. Seconded by Towne. There was a question raised on executive session. The minutes from July 18th were set aside to be checked as no motion into or out of executive session was noted.

Kelley moved to accept the minutes from the August 1 meeting as presented. Seconded by Towne. Passed 3-0 with 1 abstained.

Round Table

Lamberton mentioned that the only person who has been in contact with him was concerned about Friendship Park. He will respond to the email now that he has an update on the park.

Executive Session

Kelley moved to find that premature general public knowledge of the pending union contract with teamsters local number 597 and pending legal action for a related issue will clearly place the town at a substantial disadvantage. Seconded by Towne. Passed unanimously.

Kelley moved to enter executive session to discuss the town's contract with teamsters local number 597 and to discuss a pending legal issue pursuant to 1 V.S.A. 313 a 1. Seconded by Towne. Passed unanimously.

Reconvene Selectboard

Motion Lamberton. Seconded by Towne to reconvene Selectboard.

Motion Lamberton. Seconded by Towne to adjourn.

For the Select Board:

Bethany A. Towne