



**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 17, 2020  
7:00 PM**

Selectboard Members: Bradley Towne, Chair; Flo Smith, Co-Vice Chair; Justin Lawrence, Co-Vice Chair; John Quinn III, Secretary. Present: Tom Badowski, Assistant Town Administrator; Diane Isabelle, Town Treasurer; Greg Gallant, ORCA. All items are unanimous unless otherwise noted.

**APPROVED MINUTES**

Call Meeting to Order

Chair Towne called the meeting to order. Capron absent.

Changes to Agenda

Acting Administrator Badowski asked to add a conversation regarding the fire department.

Public Comment

None.

Treasurer's Report

Town Treasurer Isabelle reported that taxes are coming in. She mentioned the possibility of delaying penalty a month if the board desired. The board discussed briefly and chose not to push the penalty date back.

Approval of Licenses, Permits, Vouchers, and Applications

Smith moved to approve payroll warrant 21-04 for payroll from August 2, 2020 – August 15, 2020, paid August 19, 2020 in the amount of \$39,564.08; also warrant 21-g-04 with checks 20422-20481 in the amount of \$104,541.05; July reconciled bank statements for the general fund, sewer commission, and water division; also July general journal entries, trial balance, budget status report, and delinquent tax report. Seconded by Lawrence. Passed unanimously.

Fisher Road Culvert – Robert Clark & Steve Wolfe

Robert Clark, engineer, reported to the board that the Fisher Road culvert is eroded away at the bottom. He discussed the extent of the damage to the culvert and need for action. Badowski discussed the importance of that piece of infrastructure. It is critical to repair sooner than later. Engineering and capacity was discussed. Badowski explained three options: (1) do nothing (not recommended); (2) Not do emergency repair this construction season and do more analysis before repairs (bond note in November election recommended under this option); or (3) act as an emergency and use available funds to make repairs this fall. Exact cost unknown at this point in time. The cost of repairs upon failure could reach or exceed \$1,000,000. The board began a discussion focusing on the two action options. Quinn asked Isabelle if the

bond could be voted on after the fact which was not known. Towne mentioned that if the town utilizes available funds then part of that will be the anticipated grader funds and he does not believe that equipment can be bonded. Badowski explained that expenses may be able to taken against a future bond as it is often the case that expenses are taken out against an anticipated bond before there is a vote. He will confirm with the Bond Bank. There was some discussion of pending information from the state to move forward with the project. Quinn asked if Badowski was sure they could start adding expenses against the bond before vote. Badowski answered that he is not sure but that having the board vote would act as a placeholder while he confirms that is the situation. There is currently not an opportunity for a grant; it is unlikely post-construction. The board discussed other projects to add to a potential bond. The board opted to have an assessment done of the Crosstown Road culverts to ask for an accurate bond amount and make a motion at a special meeting. Once there is an approval to continue with sleeving the culvert, the materials will be available in about a month. It does not need to go to bid because there is already a party on site completing work.

#### Brandy Saxton – Berlin Town Center

- DRAFT Authority to Adopt Town Plans, etc.

Badowski explained that the intention of this item is to have voters decide whether to return authority to the board to make changes to town plans. Currently, such changes must go to a town vote. The language changing this authority would go before the town during November voting. Karla Nuissl, Planning Commission Chair, spoke to the frustration in planning when even small changes must go to town vote which adds delay. Quinn moved to add to the November ballot an item that, if passed, would give the Selectboard authority to approve and adopt town planning changes. Seconded by Smith. Passed unanimously.

- DRAFT Official Map

Badowski reviewed the draft map with the board. Badowski asked Saxton if the map would go to town vote in November. Saxton replied that it likely will not, if it needs to go to town vote it would do so in March. Nuissl shared that the draft map includes future projects and the planning commission was modest on expectations so the map would depict realistic goals.

- Completion Schedule

Saxton shared a 29 point completion schedule for submittal of the Berlin Town Center application. Selectboard will received running versions of this schedule until application finalized

#### Fire Department

The department desires to attach to town water and sewer. The department would like to add it to the ongoing project and reimburse the town if there is additional cost. Badowski confirmed that the department can connect. The department will begin work on a report and fact finding that addresses the potential of merging the fire department with the town government.

#### Tim Davis – Road Grader

Davis returned to discuss the grader with the board. Cat provided a new proposal. Cat provided another option with a sooner turn around time and ability to borrow a grader. There was a brief discussion of funding. Quinn moved to purchase the grader for \$247,900.00 with the stipulation that Isabelle provides 2 payments options at the following meeting. Seconded by Lawrence. Passed unanimously. Lawrence moved to allow Badowski to sign the sales order on behalf of the board. Seconded by Smith. Passed unanimously. Towne asked about the follow up oil test on the current grader and it did return with other increased levels of metals in the oil.

### Police Chief Recruitment

- DRAFT Job Description

Badowski provided the board a draft job description. It is currently available on the website and labeled as a draft. After consulting with Whipple, one suggestion was made to the education portion of the description. Smith moved to move forward with the job description as presented with the noted change. Seconded by Lawrence. Passed unanimously.

- DRAFT Selection Committee

Badowski discussed the interest in participating on the committee. Quinn and Towne will be the board representatives on the committee.

### Bid Award – Repair to Wall in Town Clerk’s Office

Badowski received clarification from the bid received and recommended approval of the bid. Smith moved to approve the bid to repair the Town Clerk’s wall, presented by Connor Contracting, for \$31,000. Seconded by Lawrence. Motion modified to allow Towne to sign the affidavit. Seconded by Lawrence. Passed unanimously.

### Town Campus – Stormwater Treatment

Bids will be opened ahead of the next meeting to provide a tabulation to the board.

### Vacation Accrual

The employees impacted by policy changes due to covid are Badowski, Isabelle, and TJ. Badowski asked to change the employee vacation hours to 400. Towne proposed a payout over 220 hours (which will be reserved for vacation hours. Lawrence moved to temporarily change the personnel policy section 402 with the maximum of 220 hours unused vacation accrual and allow for payment of hours over 220, paid quarterly, until the end of fiscal year 2021. Seconded by Smith. Passed unanimously.

### Approval of Selectboard Minutes

Quinn moved to approve select board minutes for July 20, 2020. Seconded by Smith. Passed unanimously.

### Town Administrator Report

None.

### Roundtable

Smith was going to bring forward the need to talk to Wayne Lamberton about his business and the Town Plan. The topic was touched upon during discussion of the Town Plan and Lamberton has been added to the discussion.

Quinn asked for an update on the arborist viewing the town forest and area where sugar lines were added. He also asked to follow up on the trail bridge and VAST’s potential involvement. Badowski does not yet have an expected proposal regarding the town forest. Lawrence discussed his understanding of the latest action on the bridge; the recreation committee does not care to widen the bridge to accommodate VAST but it does not appear that there is any final decision. The board discussed the potential for a lot of users since residents are turning to more outdoor recreation.

### Executive Session

Lawrence moved to enter executive session for legal and personnel matters. Seconded by Quinn. Passed unanimously.

For the Select Board:

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Bethany A. Towne