



Town of Berlin  
Municipal Office Building  
108 Shed Road, Berlin, VT 05602  
Selectboard Meeting  
Monday, August 18, 2014  
6:30pm

APPROVED MINUTES

In attendance:

Selectboard Members: Ture Nelson, Chair; Roberta Haskin, Vice Chair, Secretary; Pete Kelley, and Brad Towne. Absent: Jeremy Hansen; Acting Town Administrator: Tom Badowski; Treasurer: Diane Isabelle  
Others: David Delcore, Times Argus; Tom Atkins; and Walter Abe Lewis

(All motions are unanimous unless otherwise noted)

Ture Nelson called the meeting to order at 7pm and introduced those at the table.

**Agenda Additions**

Add approval of minutes for August 14th  
Work in Right of Way Request for Marvin Road

**Public Comment**

Tom Atkins asked about the road change name to Calendonia Drive which will be discussed later in the agenda.

**Treasurers Report**

Installation of new server on Friday went well. Most information has been migrated successfully. A few email glitches are being resolved.

**Setting FY15 Tax Rate**

Ture Nelson went through the budget numbers: the approved town budget is just over 2.5 million dollars, special appropriations of \$28,320, plus the Berlin Volunteer Fire Dept. of \$236,700, with total expenses \$2,790,899. The estimated budget income is \$383,356, estimated PILOT \$114,585, and the State of VT current use \$42,302 totaling \$540,243. Health deductible is \$14,489. Expenses minus the estimated income leaves approximately \$2.2 to be raised via the property taxes. Grandlist 4.7 million. Tax rate of .4707. Pete Kelley made a motion to set the FY2015 tax rate to .4707, seconded by Brad Towne.

Motion passes.

The treasurer believes that the time frame for sending out tax bills will be Tuesday or Wednesday. The Town Clerk and Assessor are ready to assist so they will go out quickly. The due date for first installment will be around September 20 or 21st, 30 days from the date issued.

**Equipment Financing Bids**

Town Treasurer Diane Isabelle received bids from four banks - Community National Bank, Mascoma Savings Bank, Merchants Bank, and Northfield Savings Bank. Best rate was 1.99% with Northfield Savings Bank. Spreadsheet shared with board compares five year and seven years and the monthly payments for \$200,000. This is to finance the truck, plow equipment, and chipper. Motion to accept bid from Northfield Savings Bank at 1.99%, not to exceed \$200,000 made by Pete Kelley. Seconded by Brad Towne. None of the bids had a prepayment penalty. Motion passed.

Note from Tom Badowski - About a month ago, the board spoke of possible arbitraging with tax anticipation notes. Went through some exercises and the town cash flow is too good for this to be an option at this time.

### **Vermont Municipal Bond Bank Refunding**

Treasurer, Diane Isabelle, reported that the Vermont Municipal Bond Bank has issued a Series 4 Refunding Bond. The Town of Berlin would realize a savings of \$1,146.85 in FY2015. Letter and documentation was with the board packet. A form needs to be signed to approve the municipality certificate as to the municipal bond to allow Diane to complete the paperwork needed. Pete Kelley made a motion to accept the Vermont Municipal Bond Bank Refunding document as presented. Seconded by Brad Towne. Motion passed.

### **Reservation of Funds Record Restoration**

Motion made by Roberta Haskin to reserve funds for Records Restoration in the amount of \$2,316. Seconded by Brad Towne. Motion passed.

### **Approval of Licenses, Permits, Vouchers and Applications**

Payroll	\$37,765.78		approved 8/18/14
Warrant #5	\$300.00	check #13384	approved 8/18/14
Warrant #6	\$64,615.69	check #13385- 13416	approved 8/18/14

Motion made to approve. Seconded by Pete Kelley. Motion passed.

### **Zoning Application Fees**

Tom Badowski reported that the last time Zoning fees were changed was in October of 2005. Jeff Schulz (former Town Administrator) had tasked Tom with updating the zoning fees. In the board packets Tom included a spreadsheet with current and proposed fees. If the board grants this, he recommends to have it become effective October 1, 2014.

Currently our fees are less than in other areas. Ture Nelson suggested putting this out for public comment. Some of the fees are close to doubling. Brad Towne would also like to hear public comment. Post in Front Porch Forum, the Town Office, town website, and in the Times Argus.

### **Health Officer**

Tom Badowski reported there was a dog bite incident with one of police officers. The procedure is to notify the Health Officer. The Health Officer listed with the Board of Health is Jeff Schulz. The Board of Health recommended a letter of resignation from Jeff since he has left the Town of Berlin. That was requested and has been received. The Health Dept. makes appointments at the beginning of the month. Until that time, the chair of the Selectboard is the Health Officer for the Town. Brad Towne made a motion to accept Jeff's resignation as the Health Officer. Seconded by Pete Kelley. Motion passed. Pete Kelley made a motion to appoint Tom Badowski in the interim, seconded by Brad Towne. Motion passed.

### **Sewer and Cemetery Commission Vacancies**

Several postings but nobody has stepped forward. How else can folks be solicited? Looking for ideas on filling positions, especially Sewer Commission which will be Sewer & Water. Are any current people on the Water Committee willing? A write-up in the local paper may be helpful. Two vacancies on Sewer and three on Cemetery Commission.

### **Ratification of Unauthorized Wood Chipper Purchase**

Ture Nelson stated that it had been narrowed down to two bids on the Wood Chipper. The previous Town Administrator had signed a contract with Lewis Equipment out of Middlesex and sent the copy of the signed contract to them prior to the bid actually being awarded. Have checked with town attorney and it was his advise to go ahead and ratify this award. Ture Nelson said that Tim Davis, Road Superintendent, has said it does meet his needs and he can work with it. It is the less expensive model by about \$600. Motion to ratify this contract by Brad Towne to purchase this chipper. Second by Pete Kelley. Motion passed. Ture Nelson requested the Interim Town Administrator send a note to the auditor that there was a breakdown in the internal controls and this did happen and we are working on controls to the purchasing process to prevent this from happening in the future.

Chipper salesman was at the meeting and stated he would have it to the town within 60 days.

### **Street Name Change, Green Mountain Drive Public Hearing**

Green Mountain Drive is the stretch of road from Hersey Road to Bennington Drive. The problem is there is also a Green Mountain Drive in Montpelier, which is commercial, so a lot of truck drivers are blindly following their GPS and ending up on the Green Mountain Drive in Berlin. The board was under the assumption that by changing the name to Bennington Drive no addresses would have to change but the 911 board did come back and say that since there was a numbered lot on the corner, all of Bennington Drive would have to change their numbering. This is why we're addressing this issue again and would like to change the name to Caledonia Drive. There is no conflict in Montpelier, Barre City, or Northfield.

Tom Atkins, resident on Hersey Road, spoke and thought it should be a local name, Washington Drive. Of note there is a Washington Street in Barre. Board members spoke about the potential of more conflicts of additional Washington streets since it is Washington County and even with just the Washington Street in Barre, which is a heavily traveled street and the town could end up with the same problem. Would also like to honor the interest of a town resident in what to name the road.

The resident noted that it was good to have the addition of a sign at the corner of US 302 and Hersey Road that says "No Tractor Trailers" but the brush had to be cleared away from it so it could be seen.

A Public Hearing for the 3rd Monday in September regarding the Street Name Change of Green Mountain Drive will be warned. The resident requested notice of the meeting.

### **20 Muzzy Road FEMA Buyout**

Tom Badowski reminded the board that at the last meeting the paperwork had just been received for the FEMA Buyout of 20 Muzzy Road. Started process for title search and almost ready to set date for the closing. Tom Badowski spoke to Miles Silk, Fire Chief, Berlin Volunteer Fire Department and the department would be interested in using the building for training purposes (not burning) before demolition contractor needs to start. There will be a specific set date. FEMA has a requirement of when the building must be removed by.

### **Hazard Mitigation Grant Slayton Avenue**

Tom Badowski reported that the paperwork is about done for the Hazard Mitigation Grant for Slayton Avenue. The budget has been submitted to the state. The state now has everything needed to move forward. There is no cost to the town for this, locally the land trust is picking up the other piece of the cost with the town acting as the mechanism to receive the funding.

### **Animal Control Officer**

Tom Badowski stated that the town has been contracted through Barre Town for an Animal Control Officer. Barre has lost this employee, Justin Pikel. With a recent incident, Tom was in touch with a Paula Russell who has submitted her résumé for consideration in filling the Animal Control needs. Paula has applied and interviewed for the Barre Town position. Paula has experience with this type of work in Williamstown. Rate of pay would be the same as what was being paid to Barre. The Police Chief would like to see the position filled. Will wait to see if Barre Town are quickly filling it. If it won't be filled right away, we could be back in touch with Paula and would like to see a formal proposal with what equipment she has available, what vehicle would be used, hours, pay requirements, insurance, proof of insurance before considering outsourcing. Need to double check the status of our contract with Barre Town.

### **Water Supply Project**

Tom Badowski reminded the board that the Water Supply Project is in the phase of getting easements. Draft agreement has been reviewed by the Vermont Agency of Transportation regarding the airport, Berlin Mall, 802 Toyota had some comments, CVMC coming in on Tuesday. The Armory had no issues with the agreement. Will meet with Henry LaGue again. Talking with Berlin Health & Rehab. Hopefully by the next meeting will have them all. Rural Development says they must be in place before going to bid.

### **Planning Commission Appointment**

Tom Badowski will contact Geoff Farrell and ask that he send in a letter of interest if he is indeed interested in serving on the Planning Commission. Jeremy Hansen had sent an email saying Geoff was interested but haven't received anything directly from Geoff yet.

### **Request to Work in Right of Way (ROW)**

Ture Nelson received approval from the board to be a part of this discussion, although in the past he has recused himself in discussions of one of their cell towers.

Verizon Wireless has made a request to Work in the ROW on Marvin Road

Hook up power and phone on Marvin Road, will directional drill into the road, have paid their bond. Motion by Brad Towne to approve the request for Verizon Wireless to for Work in the Right of Way on Marvin Road, seconded by Roberta Haskin. Motion passed.

### **Acting Town Administrator Report - Tom Badowski**

Berlin Mall has submitted an Act 250 application for a 55,502 square foot building. Development Review Board will receive information this week but with booked agenda it will probably start hearing this in October. The board requested Tom look at the original Act 250 permit for the mall. Wondering if the mall is expanded would another entrance be required? There have been previous attempts for a building in the same spot, the board recalled Sun Foods and a restaurant.

Notice from Public Service Board of a Solar Farm application in Berlin on Airport Road and the corner of Scott Farm Road. A piece owned by Superior Development who also own the hotel down the road. It's across from the Dodge Farm. The application to the Public Service Board says that this would produce 80% of electricity that the hotel uses. There is a public comment period of 45 days. Would reflection off the solar array create a problem for aircraft? Airport has also received notice. Tom will draft a letter and the board can include any further comments they may have.

Vermont Agency of Transportation has an Alternative Transportation Program for pedestrians, bicycles no motorized transportation, sidewalks Have reached out to Bob Wernecke and Regional Planning for any ideas. Where should we be looking? Not sure if we could buy a sidewalk plow if a sidewalk is added to the US 302 project, don't think this would allow that type of purchase. Due October 16th.

### **Approval of Minutes of Previous Meetings 7/21/14; 8/4/14; and 8/7/14**

July 21, 2014

Ture Nelson had addition for the July 21st minutes - Met at 5pm and Jeremy Hansen made the motion, Pete Kelley seconded, to go into Executive Session for personnel for the purpose of appointing interim town administrator and search committee for the permanent town administrator. Jeremy made a motion Pete seconded to exit executive session at 6:20pm. Pete Kelley made a motion to approve 7/21/14 minutes as amended, Brad Towne seconded. Motion passed. One abstention (Roberta wasn't at that meeting)

August 4, 2014

Pete Kelley made a motion to accept the August 4th, 2014 minutes as presented. Brad Towne seconded. Motion passed.

Thursday, August 7, 2014 minutes - special meeting for personnel

Brad Towne moved to approve the minutes of August 7th. Pete Kelley seconded. Motion passed.

### **Roundtable**

**Brad Towne** - no comments;

**Roberta Haskin** - resigned from Berlin Economic Development Committee, citing too many other obligations, Pat has accepted her resignation. Jeremy Hansen is on that committee therefore the selectboard is represented. The September meeting date needs to be set since the regular meeting is on Labor Day.

**Pete Kelley** - heard from a resident by phone today who felt that with a lot going on in Berlin - bike path, hiking path, Maplewoods, public authority, etc a moderated public forum should be held. Not with an agenda, have selectboard, development review board, and planning commission there to join in the discussion. Tom is aware of towns that have such public forums, for instance in Moretown, in months with five Mondays they use the fifth one to have a public forum. Works out to be quarterly. The board feels there needs to be some type of structure or topics. Pete pointed out that on Front Porch Forum Pat McDonald was interested in a public meeting, although nobody at this meeting was contacted by her.

**Ture Nelson** - The Police Department was awarded 2nd Place in the category for Law Enforcement Challenge put on by Vermont Governor's Highway Safety Program sponsored by the National Hwy Traffic Safety Administration. They look at traffic safety initiatives - Click It or Ticket campaigns, DUI enforcement patrols, Child Safety Seat training sessions, etc. Received a radar unit as a reward. Ture would like to congratulate the department on this and appreciate all the hard work they do.

**Note a change in date for the next Selectboard Meeting, it will be on Wednesday, September 3rd** (since 9/1/14 is Labor Day).

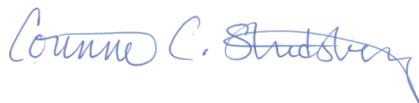
### **Executive Session**

At 8:30 pm Brad made a motion to go into Executive Session for the purpose of contract, Roberta seconded. Motion passed.

Roberta Haskin made a motion at 8:58 to exit executive session, seconded by Pete Kelley. Motion passed.

Roberta Haskin made a motion at 8:59 to adjourn, seconded by Pete Kelley. Motion passed.

Respectfully submitted,



Corinne Stridsberg