



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

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

**Monday, December 21, 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; ORCA; David Delcore; Phil Gentile, Conservation Commission; James Pontbriand, Chief of Police. All items are unanimous unless otherwise noted.

UNAPPROVED MINUTES

Chair Towne called the meeting to order.

FY '22 Budget Preparation

Town Treasurer Isabelle began a discussion of the office budget by reviewing revenues. The state has given the town more funds for the class 3 roads in recent years. Revenue from use of the vault and access to town records shows an increase. The checking and savings accounts interest amounts are lower. Some costs that are fixed do reflect increases, including, but not limited to, Vermont League of Cities and Towns dues, worker's compensation insurance, and ambulance services. Payroll reflects an anticipated 2% increase. The position of Town Administrator will increase 12%. The legal fees for the assessors was reduced since that part of the budget is rarely used. Tax maps show a reduction. Health insurance shows an increase; Isabelle used the family plan figures for the Town Administrator – depending on what plan the new administrator chooses, that figure could change. Pension increased for the match which increased from 6% to 6.25%. General insurance, and liability, reflect an anticipate increase. Training was reduced. Legal fees were reduced. The DRB budget decreased. Janitorial services budget remains the same. Maintenance reduced to reflect more realistic spending. One of the town vehicles is starting to need more work than seems worth the spending and Isabelle suggested selling that vehicle rather than continuing to repair it. Equipment contracts changed to reflect spending. Legal services remained the same. Selectboard minutes were reduced to reflect more accurate spending. The office budget shows an overall increase of 2%, mainly reflecting uncontrollable increases.

The board reviewed a letter from the Town Clerk requesting a full time assistant clerk as the demand is higher due to the town having a hospital within its boundaries. The Clerk also asked that the board consider a salary range closer to that in Barre Town, citing also that traditionally the Town Clerk and Town Treasurer have similar salaries. Isabelle commented that was true when the Treasurer was part time. The letter and any budget implications will be discussed further at another meeting.

Isabelle then began a review of the Highway Department budget which reflects a 7% increase overall. Wages reflect a decrease. Overtime for the summer season increased anticipating additional work from the culvert. Roadside mowing increased to account for a desire that the town add a second pass. It is common to hire out a first pass then rent a machine for the town crew to complete a second pass. This will be the first year trying that system. Asphalt marking and sealing remains the same at \$150,000. There was a brief discussion of roads that would benefit should the town receive grants to assist with repairs followed by discussion of trimming tree canopies and its benefits as compared to detriments. The budget includes \$7,500 for a blower that will help remove leaves from ditches and culverts. Davis, in discussing the use of such equipment with other towns, received positive feedback. An additional \$1,000 for signs is added to the budget for signs to be used when there is work being performed and for road closed signs which had to be

borrowed recently. Health insurance increased for the highway department because more of the staff are on family plans. The shop is in need of hand tools as many currently available are no longer useful due to wear. Training reflects a reduction. Large energy improvements shows an increase of \$5,000. Davis discussed the improvements needed in the garage building, including door casings, holes in siding, and insulation. The budget figure for uniforms the last few years has been \$7,500 but actual spending is \$10,000.

Quinn expressed a desire to reduce the budget, finding a 7% increase excessive. Lawrence was unsure about the improvements to the building, explaining that he finds other questions to be open such as how long the building is expected to remain before replacement. Davis and the board discussed Efficiency Vermont conducting an efficiency audit. There was general agreement that the audit should be performed.

Call to Order

Chair Towne called the meeting to order at 7:04 p.m. CAPRON??

Additions or Changes to the Agenda

Towne provided no changes to the agenda but did update the record to reflect that Quinn had previously joined the meeting.

Public Comment

None.

Treasurer's Report

A Contractor's application was received for DuBois Construction and was forwarded to the board. She asked for approval, it is for contract payment number 6 (for the sewer improvement project on Paine Turnpike North) with a total of \$161,596.30. It was approved by the contractor, engineer, and USDA. Quinn moved to approve the payment and to authorize Towne to sign on behalf of the board. Seconded by Smith. Quinn asked who checked the work. Badowski explained that the engineer checked the work (and was on the phone for the meeting), he himself checked the work, the USDA checked the work, and there was a meeting with the contractor. Passed unanimously. Isabelle reported that she received the paperwork for the grader earlier in the day and sent it to the board. The paperwork is for the 10 year loan with Community Bank NA at 2.05% interest for \$247,900.00, the exact amount quoted by Caterpillar. After approval and signature, that will be circulated for signature from all board members. Quinn moved to approve. Seconded by Smith. Passed unanimously. Isabelle then moved to the draft audit report which was sent to the board with highlights. The auditor will be asked to attend the next meeting to go through the audit report as she does annually. Isabelle then highlighted parts of the report. One of those was corrections, of which there were three with the changes being immaterial. The fund balance increased by a surplus of \$366,707 for FY '20. Part of that was a \$150,000 loan for equipment, an unexpected grant, and reduced spending. Unassigned balance is \$931,503. Last year it was \$603,700. Because of the surplus, that figure increased. That fund can be used to buy down the tax rate though a portion will be reserved. Lawrence asked about reserve funds and if some can be moved for projects that need the funding. Isabelle explained that the restricted ones are unable to be utilized for a purpose other than that which the fund exists for. Others are open and the funds can be moved. The unassigned is what can be used but only to buy down the tax rate. There was discussion about increasing the capital fund to pay down debt while also buying down the tax rate with the unassigned funds. Over time, the unassigned balance has increased because past boards elected to allow that account to grow as a "rainy day fund" should there be a time of need rather than continuously using the available money. Given the desired result, that there be excess for a time of need, this board can now consider the strategy of paying down debts and the tax rate.

Police Chief Pontbriand – COVID Hazard Compensation Discussion

Chief Pontbriand explained that, since COVID began, many first responders have discussed hazard pay as they are higher risk. This has been achieved by other municipalities in the form of a bonus. Members of the

Berlin Police Department have shared a desire for a similar type of compensation, being that the area is higher risk given the location of the hospital. Barre Town has increased pay for their officers in response to COVID. Towne asked Pontbriand what amount the Barre Town Department is adding to pay. The response was \$2.50 per hour added to base pay. Discussion continued, with the board considering where funds could come from if there was a desire to increase pay for the Department. Badowski and Pontbriand are encouraged to explore options to secure funds.

Fisher Road Culvert – Robert Clark, Otter Creek Engineering

Robert Clark attended the meeting to discuss. Clark provided to the board an estimate of project costs. He shared drawings with the board. The structure is about 120 feet long but will be cut to about 105 feet following conversation amongst Clark and other project participants. Clark shared that, of the shapes that are available for the culvert structure, the less expensive is likely to work which will provide a \$50,000 savings. The total probable cost opinion is \$1,329,000. Clark pointed out where the numbers are likely to be adjusted downwards due to using placeholder figures. The project is awaiting right of way information from VTrans and will then be able to determine if any permanent easements are needed for the project. Conversation continued, assisted by the provided images, regarding where size may be reduced which would also result in cost savings.

Planning Commission DRAFT Zoning Regulations, Official Map and Capital Budget

Badowski reported that the planning commission met and had their public hearing on two items, making respective changes. The board received the recommendations from the planning commission on those items and the capital budget program for the town center. At the meeting, Central Vermont Medical Center had some concerns related to zoning which were addressed and mitigated. Saxton briefly presented a map and budget information. The budget includes eight project lines. The select board will have a public hearing January 18 on these items. The board was provided comments from the planning commission's meeting.

Promissory Note Approval – Wastewater/Water Divisions

The Water Division currently has two promissory notes with the selectboard for projects undertaken. The proposal is to close the note with the selectboard and shift that note to the public works board and sewer division. This action would return \$141,578 to the general fund. Lawrence made a motion to approve. Seconded by Smith. Passed unanimously.

Conservation Commission/Selectboard Public Hearing – Use of Town Lands

Badowski explained that the Conservation Commission and VAST tentatively scheduled a joint public meeting for January 20 at 6 p.m. The Conservation Commission will prepare a presentation that overviews the town lands, existing easements, and other pertinent points regarding use of town land. VAST will then present their application and intended use of land. The meeting will then open to public comment on the application. Badowski suggests that the Conservation Commission and Selectboard then weigh the merits of the contract with VAST before completing action. The bridge materials will be provided by the town with labor completed by members of VAST. The bridge will then be the property of the town, with a letter to that effect provided upon completion of the bridge. While in the open meeting Gentile made an announcement regarding the ice rink: one recreational rink is open (the hockey rink will not be opened due to COVID restrictions), it is located next to the municipal complex (town office and Berlin Police Department). Normally there is a heating hut, that will be closed but lights will be available for evening use.

Town Attorney, Rob Halpert, prepared a letter to the individual tapping trees on the town forest. That letter has been sent. Conversation continued regarding ways in which the town may be able to expedite collection of damages, including the involvement of municipal insurance. Further conversation on the legal inquiry would require discussion in executive session.

Town Clerk - Town Meeting 2021 Recommendations

The Town Clerk recommends holding the town meeting election via Australian ballot. Quinn moved to make the 2021 town meeting all by Australian ballot this year due to COVID. Seconded by Smith. The board discussed how the town will confer regarding controversial topics or any topics that require discussion. Lawrence suggested that there should be presentations available by video for such topics so that community members may view information before voting. Towne used, as an example, is the bridge on Fisher Road and the discussion around the local options tax. He expressed some concern about the lack of discussion at Town Meeting. Lawrence shared the opinion that most people gather information ahead of Town Meeting so presentations will suffice. Badowski suggested a YouTube format video so that the information can be shared easily in a professionally developed and relatively inexpensive format. Front Porch Forum is another suggested platform for community discussion. Quinn amended his motion to add that pre-town meeting, February 27, 2021, is also to be cancelled. Seconded by Smith. Passed unanimously. Smith moved to reaffirm the following: articles requesting funding will be treated as they have been - those receiving funding the past year, and not requesting an increase, will be put on the ballot following receipt of a letter requesting the article appear on the ballot; an organization that did not receive funding last year will need a petition with signatures from 5% of legal voters to appear on the ballot. Seconded by Quinn. Passed unanimously.

The Town Clerk also asked the board to authorize the funds for postcards to be printed and mailed to all unchallenged voters on the Berlin checklist. The postcard would be informational and alert voters that there will not be an actual meeting and that all articles will appear on the ballot along with those running for office (who are to be aware of the different requirements). A portion of the postcard would be returned as a request for absentee ballot for Town Meeting and other elections held in 2021. There is not an estimate on cost. Isabelle mentioned that the Town Clerk does have a few thousand dollars in the budget. The selectboard agreed that if there are funds in the budget, the Town Clerk should move forward with that system.

Grand List – Errors and Omissions

Badowski sent the board a list from the Assessors. By his calculations, there will be a reduction of about \$8,600 in the grand list by the errors and omissions. Isabelle explained that some of them have to do with the personal property tax and a mobile home that she did not realize was torn down and removed. Smith moved to allow errors and omissions up to \$8,600 on the Grand List. Seconded by Quinn. Passed unanimously.

Use of Town Owned Coos Trail Property – Richard Riendeau

Following up on the previous discussion regarding Riendeau using a portion of town land temporarily while completing a logging project, a proof of insurance has been provided naming the town as an additional insured and supplied a performance bond. He has satisfied the desires of the selectboard. The only thing missing is an official document that the board and individual will sign. Quinn moved to approve the use of town land off Coos Trail for this purpose, contingent on the final requirement that a document be created outlining the agreement between the town and Mr. Riendeau. Seconded by Lawrence. Passed unanimously.

Minutes: November 10, 2020 & November 16, 2020

November 10, 2020 minutes were edited by the Conservation Commission and then sent to the board for review before approval. Quinn moved to approve the minutes of November 10, as amended. Seconded by Smith. Passed unanimously.

Smith moved to approve the minutes of November 16, 2020. Seconded by Quinn. Passed unanimously.

Approval of Licenses, Permits, Vouchers, and Applications

Smith moved to approve payroll warrant number 21-12 for payroll from November 22, 2020-December 5, 2020, paid on December 9, 2020, in the amount of \$48,924.99; also payable warrant number 21g13, with checks 20747-20793, in the amount of \$438,749.01; November general journal entries and tax admin

adjustments; November budget status report, trial balance, and delinquent tax report. Seconded by Quinn. Passed unanimously.

Round Table

Quinn asked when the budget needs to be finalized. It must be finalized in January. Discussion continued about how many books to print or if listing the book online may be sufficient. Normally about 600 are printed, with many left over. Quinn suggested having the book online and printing 200 copies for those who desire a hard copy. There was general agreement.

Lawrence asked a question following the assessor discussion regarding property valuation in the development rights and a reduced tax rate. The question may need to be addressed by the assessors. Towne likened it to the Land Trust buying development rights which reduces tax rate. Lawrence requested the assessors attend a meeting or compile a letter regarding the development rights and tax rate. Badowski suggested having them attend a budget meeting which was agreed to.

The next budget meeting was scheduled for Wednesday, December 30, at 6 p.m.

Lawrence moved to adjourn. Seconded by Smith. Passed unanimously.

For the Select Board:

Bethany A. Towne