



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

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

**Monday, June 15, 2015  
6:30 PM**

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

**APPROVED MINUTES**

Call to Order

Meeting called to order by Chair Nelson at 7:00 pm. Hansen absent.

Changes to Agenda

None.

Public Comment

None.

Treasurers Report

The town treasurer provided the May budget status reports and trial balance as well as current tax report. Reported that auditors were at the office June 10 and 11 to do preliminary work and are scheduled to return July 14 at which point work left will be evaluated to see how much is left to complete. Current year ends June 30<sup>th</sup> and the auditors have been given a December deadline. Isabelle also reported that she attended a workshop on June 3 about worker's compensation and health insurance.

Approval of Licenses, Permits, Vouchers, and Applications

Kelley moved to approve payroll warrant number 26 for May 31, 2015 through June 13, 2015, paid on June 17, 2015 in the amount of \$33,201.88. Accounts payable warrant number 39 with check 15256 in the amount of \$1,241.28. Accounts payable warrant number 40 with check from 15257-15292 in the amount of \$71,382.66. Water project warrant number W4 with checks 10008-10010 in the amount of \$512,642.97. Adjusting entries for the month of May 2015, entries 42-43. Tax administration adjusting entries for the month of May 2015, entry numbers 39-43. General fund reconciled bank statement for the month of May 2015. Seconded by Haskin. Passed unanimously.

Approval of Funds Requested to be Transferred from FY '15 Budget to Reserve Fund

Hadley had provided memo of the two items being requested to be held over. One is a request from the police department about replacing locks. Prices from two vendors provided, and \$8,400 estimated. Town administrator also requested a hold-over of \$5,000 for building maintenance. Also reported that the secretary of the DRB did not bill until late which effects budget, so suggested a hold-over of \$2,400 in

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anticipation of such a bill. Kelley moved to transfer \$8,400 to reserve fund for a police department security system, \$5,000 for building maintenance of the town municipal building, and \$2,400 to reserve for payment of the DRB secretary for accrued wages in the event billing does not occur before the end of the year. Seconded by Haskin. Passed unanimously.

### Approval of Employee Salaries for FY '16

Had previously discussed a 2% raise for all town staff. Town administrator provided a list of current wages and the projected wages at a 2% increase. Haskin moved to approve the employee salaries of FY '16 as stated per the budget and contract. Seconded by Kelley. Passed unanimously.

### Mark Youngstrom- Otter Creek Engineering- Comstock Road Loop and Water Project Update

Gave a positive report of the project and that it is going as planned. Comstock Road was originally included in the project, but ended up being removed to add Paine Turnpike. Now that there are enough users (378 eru's) it is being discussed to add it back into the project. Funding can be done worst case by adding loan and best case by grant. At the number of people currently on the system, the original estimate of \$600 per eru is now lower, around \$550 per eru. Adding the cost per eru of the Comstock loop will still keep the per eru cost below \$600. Updated estimate to add the loop, as the estimate is now \$200,000 and previously was \$250,000. Kelley moved to move forward with addition of Comstock Road to new water system as proposed. Seconded by Haskin. Passed unanimously.

### Appointments to DRB- John Fitzhugh- Alternate

Hadley received an email from John Fitzhugh who has offered to be an alternate to the DRB. Current alternate is unable to make all meetings. There is an open member position that will be posted again, as the current alternate and Fitzhugh do not wish to fill that position. Kelley moved to appoint John Fitzhugh as an alternate to the DRB. Seconded by Towne. Passed unanimously.

### Appointment of Selectboard and Community Member to Berlin Volunteer Fire Department- Selectboard member Hansen and Nicole Daniels

Nicole Daniels and Selectman Hansen are willing to be re-appointed. Was posted for 10 days with no additional responses. Towne moved to re-appoint Nicole Daniels and Selectman Hansen to the Berlin Volunteer Fire Department Board of Directors. Seconded by Kelley. Passed unanimously.

### Appointment of Service Officer

Towne moved to appoint Town Administrator Hadley to the position of town Service Officer. Seconded by Haskin. Passed unanimously.

### Letter Received Regarding Retirement of EMS Director

Letter received from Carl Rogers in Barre Town that Mr. Jennings is retiring from the position of EMS Director. He has been there since 1996 and his retirement is effective as of the end of the month. Information regarding the new Director will be released soon.

### 2015 Planned Paving Projects

Bid request as gone out for paving. Word received from AOT that the town was not approved for a town highway grant. Davis reviewed with the select board what projects have priority to be completed.

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### Town Administrator Report

Hadley reported that he receives weekly updates of the project on Route 62. The update reported that work was continuing as plan and the state contractor is on schedule.

Bill from surveyor at Berlin pond (regarding access) has been received and added to bills from the week. Information gathered has revealed that a lot of the surveying involves where the road used to be prior to I-89 and high water. Survey to be completed within 1-2 months. Fish and wildlife pays for half of the cost of the survey.

Assistant Town Administrator Tom Badowski went to a class regarding drug and alcohol policy for commercial drivers. Was suggested that the town adopt a policy. Hadley is working with him on a policy.

### Approval of Minute(s) of Previous Meeting(s)- 06/01/2015

Kelley moved to accept minutes as presented with noted correction. Seconded by Haskin. Passed unanimously.

### Round Table

None.

### Executive Session- Legal, Personnel, Contract

Kelley moved to find that premature general public knowledge of court cases between Louis and Laura Plude, Thomas and Sharon Willard, Geoffrey Farrell and Therese Kelley, Brian and Melanie Grearson, Abigail Jenne Shatney and Jason Batdorf (collectively, the Neighbors), Maplewood Limited of Montpelier and LaGue, Inc. (collectively Maplewood) and the Town of Berlin at a substantial disadvantage. Seconded by Towne. Passed unanimously.

Kelley moved that the Board enter into Executive Session pursuant to 1 V.S.A. §313 (a)(1)(3) to discuss employment in the Highway Department and the Police Department, and also pursuant to 1 V.S.A. §313 (a)(1)(F) to discuss a court case between the Neighbors, Maplewood and The Town of Berlin. Seconded by Towne. Passed unanimously.

### Reconvene Public Session

Kelley moved to exit Executive Session and reconvene the Public Session. Seconded by Towne. Passed unanimously.

### Authorization for Town Attorney

Kelley moved to authorize Town Attorney Joseph McLean to negotiate and sign the settlement agreement for the court case “the Neighbors” v. Maplewood and the Town of Berlin. Seconded by Towne. Passed unanimously.

### Accept Resignation of Police Officer

Kelley moved to accept the resignation of Officer Kyle Kapitanski as a full time Police Officer for the Town of Berlin. Seconded by Towne. Passed unanimously.

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Appointment of Police Officer

Kelley moved to hire William Pine of Brookfield, Vermont as a full time Police Officer for the Town of Berlin. Seconded by Towne. Passed unanimously.

Kelley moved to adjourn. Seconded by Towne. Passed unanimously.

For the Select Board:

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Bethany A. Towne