



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

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

**Monday, March 16, 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.

Selectboard Organization

Kelley nominated Ture Nelson for Chair. Seconded by Towne. Nelson handed meeting over to Haskin.

Motion passed unanimously.

Chair Nelson entertained motion for vice chair. Haskin moved to nominate Jeremy Hansen for Vice Chair.

Motion passed unanimously.

Nelson opened nominations for Secretary. Kelley nominated Haskin. Seconded by Towne. Passed unanimously.

Changes to Agenda

Removed E911 topic.

Public Comment

Matt Levin mentioned that he would be happy to go early, there were no objections.

Matt Levin- Update of Central Vermont Solid Waste Management District

Clear bag and variable pricing ordinance received good report in local paper. Variable pricing does not strongly affect Berlin. Clear bag helps to manage because there are things that can no longer be thrown out, such as food scraps or yard waste. Clear bags allow for transparency so waste management personnel know what material they are handling. Discussed mandatory recycling, which is currently in place, and composting. Unsure currently of how it will go making the mandatory composting work. Legislation was passed without a definitive budget for the program. Made clear that there will not be anyone policing garbage and looking for compostable material but there is now legislation in place that states compostable material, such as table scraps and yard waste, should not be thrown into garbage. Will update as plans are made for how this topic will be managed.

Treasurers Report

Provided February budget report and trial balance as well as delinquent tax report. Started sending tax sale notices, sending a few each day to get the process started. To get to tax sale, people fail to pay and then she sends the case to attorney who researches the land and contacts the person. It then gets posted. There are many follow ups with the attorney. Takes 2-3 months to go to sale. Last time there was a tax sale in Berlin, 3 properties were listed and one sold. The largest delinquent account has been paid in full.

Hansen asked about a note in the budget status report about the cemetery. Hansen referred the question to Hadley. There was an accident at the West Berlin Cemetery where someone drove through the gate and broke some monuments. Got a quote of what it would cost to fix and the insurance of the driver is covering that.

Approval of Licenses, Permits, Vouchers, and Applications

Hansen moved to approve accounts payable warrant 29, check 15018 replacing voided check 14995 in the amount of \$1,005.80. Accounts payable warrant 30, check 15019 in the amount of \$11,580.01. Accounts payable warrant 31, checks 15020-15069 in the amount of \$122,938.38. Void checks 15070-15073. Payroll warrant 19 for February 22, 2015 through March 7, 2015 and paid on March 11, 2015 in the amount of \$39,277.11. Approve the reconciled bank statement from February 2015. Approve the adjusting entries from February 2015, entries 32 and 33. Approve the tax administration entries from February 2015, entries 11-15. Seconded by Haskin. Passed unanimously.

Bob Wernecke- Update activities of the regional planning commission- Land Use map changes- State

Report on two subjects. First that the commission has been told they must have a land use map and therefore is in the process of adopting one. Must be done by June to comply with deadline. Circulating to the selectboard and planning commission. Can impact Act 250 permits and town planning decisions. As a base, did not use zoning map but used resource data. Second, Susan Clear is retiring in April and has been the executive director for 28 years. Have been in the process of searching for a replacement and do have a candidate. That person will be scheduling a tour of communities and could meet with the board. State responded to comments on paving project on 302 and received mostly comments about it being "outside the scope". Hadley to send that letter to the board members. Project most likely not to happen in 2015.

Crosstown Road Mud Season Closure

Tim said that as of now the road is good. Hansen had heard from two people who were displeased about closing for mud season. Will need to close it when the frost starts to leave the ground. When getting ready for closure, road crews will notify and display signage. Often people will go around the road closed sign. As long as it stays cold enough at night to freeze the road, will stay open. Once it stays warm overnight is when the roads get worse and need closing. Hansen moved to authorize the highway foreman to close Crosstown Road, barricade it, and post as necessary to avoid damage during mud season. Seconded by Towne. Passed unanimously. Tim mentioned he will wait as long as he can since he's aware it inconveniences people.

Discussion Regarding Junction Road- Guard Rails

Last discussed about a year ago, and money has been put in the budget. Hansen asked when to expect the new guard rails to go in. Tim will contact about the price again, was quoted last year at around \$6200 and it will have to go to bid. Hansen asked if the town should consider long term fixes to the road, through digging and adding drainage below the road. Tim believes it would be easiest and least expensive to do work on the river bank. Paving was mentioned but is not a good idea because of the difficulty in fixing pavement if it cracks due to the frost. There was discussion about grants that may be available for long term fix on Junction Road.

Proposed Soliciting Ordinance

Ordinance would be used with the intention of preventing aggression from those panhandling. Has not been sent to the town lawyer as of yet, is a first draft. Haskin mentioned a conversation she had with one of the Berlin PD officers. It was discussed that a single group is rotating between areas in the town, the PD is aware of who they are. They have been offered help and seem to want to be panhandling instead. Food is not taken but money is asked for. When one woman refused, her car was kicked. The PD cannot currently do anything because there is no ordinance. Nelson mentioned that it is eliminating the aggression that is the goal of an ordinance, so that shoppers do not feel threatened. When Rob Halpert is back, the draft will be sent to him. Hansen mentioned that there is vague language that could easily be legally challenged and there are sections that do not seem could be enforced. The goal is not to tell them they cannot be there but rather to curtail aggressive behavior that makes the general public feel uncomfortable. Kelley mentioned that there is no need for the aggressive behavior to de-escalate unless the board does something to reduce such behavior.

Continue Review of Personnel Policy

Hadley has incorporated the changes from discussion at other meetings and is now wondering if the policy is ready to go into effect. It had been suggested to include that employees using town vehicles should check the condition of the vehicles and that has been added. The other area with several changes was sick leave. The board discussed other corrections and changes.

Review and Signature for Annual Financial Plan- Town Highways

Hadley explained that the town is expecting a state grant of \$114,000 which will be divided between class 2 and 3 roads. The town funds are \$881,933 for a total of \$995,933. Hansen moved to approve the annual financial plan for town highways in Berlin with the total listed as \$995,933. Seconded by Towne. Passed unanimously.

Recommendation from Planning Commission: Consultant for Sub division re-write

Planning commission met and are recommending the board hire Place Sense, which is owned by Brandy Saxon to help with rewriting of the code. Hansen moved to award the bid for rewriting sub division rights to Place Sense/ Brandy Saxon in the amount of \$12,500. Seconded by Kelley. Hadley mentioned that there is a grant for \$11,000 so the town will pay \$1,500. Passed unanimously.

Committee/Board/Commission Appointments

Hansen asked if all positions had been posted. They have not as of yet. Hadley asked whether or not to wait on posting sewer commission opening since there could be changes to how the commission is set up (pending charter change). Was advised to move forward with the appointment of Matt Levin. Hadley will put notice up for others.

Town Administrator Report

DRB meeting April 7 to hear application from Malone Properties about the former Hooker's Furniture site. Water project: Calls have been made to individuals who had not signed up for connection yet. Some did not want to but there are others who have signed on. Currently at 650 ERU and have others signing on. Met with Guy Rouelle about flight path at the airport. Tank permit had been applied for by the company installing it. Was unclear to airport that part of it will be below ground and was concerned it would be completely above ground. A resident from Crescent Lane talked to Hadley about her property that shares a drive with a motel and was wondering if there could be a 'Residents Only' sign. Hadley was hesitant because it's a public highway. Towne asked if it is a city or private right of way where the town line is and if it is deeded. If not, a barrier could be erected. Will need the records to know what can be done.

Hadley let the board know that Brian Morse is planning to hold auctions in a field on his property in the summer. Unsure if permitting is required through the DRB or if it is a selectboard issue.

Approval of Minute(s) of Previous Meeting(s)

Towne moved to approve minutes of February 18 with noted corrections. Seconded by Kelley. Motion carried 3-0 with 1 abstained.

Hansen moved to approve the minutes of the Wednesday, February 25, 2015 special selectboard meeting. Seconded by Towne. Passed unanimously.

Hansen moved to approve the minutes of the Monday, March 2, 2015 selectboard meeting. Seconded by Towne. Passed unanimously.

Round Table

Nelson has been in contact with Vermont Emergency Management about the VT alert system which has been in operation for a while (possibly up to 2 years) and are opening it up to municipalities for use at the local level. A representative, Rob Schell, would like to make a presentation to the board.

Liquor Control Board

Hansen moved to exit selectboard and reconvene as liquor control board. Seconded by Kelley. Passed unanimously. Hansen moved to approve the liquor licenses for Pizza Hut of Berlin, Shaw's, and the Steakhouse Restaurant. Seconded by Towne. Passed unanimously. Hansen moved to convene the liquor control board and reconvene the selectboard. Seconded by Towne. Passed unanimously.

Legal, Personnel and Contract (Executive Session Anticipated)

Hansen moved to enter executive session to discuss a personnel matter. Seconded by Towne. Passed unanimously.

For the Select Board:

Bethany A. Towne