



**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, March 21, 2016  
7:00 PM**

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

**APPROVED MINUTES**

Call to Order

Chair Nelson called the meeting to order. Towne and Lamberton were absent.

Changes to Agenda

Hadley asked for two changes. Tom Willard was unable to attend so the recreation board discussion was postponed. Hadley also asked for the liquor commission to convene.

Public Comment

None.

Valerie Beaudet- Requesting permission to cut trees on town property for view

Beaudet is a new homeowner of 1824 Paine Turnpike South. She asked for permission to clear underbrush and trees from the parcel of land across the street that is owned by the Town. They would like to do this to give them a view of the pond. She said that a previous owner of her property had donated this parcel to the Town. She gave the Board a map and pictures of the area. The Board said that they would like to give the Town's tree wardens the opportunity to review any plans. The Town Administrator will contact the tree wardens to review the Beaudet's request.

Meeting with Berlin Sewer Commissioners-General Discussion

Rob Allen and Mary Wissell from the sewer commission came to talk with the Board about how the water system will affect changes in the sewer commission. Hansen explained discussion that has occurred exploring the possibility of having a public works department oversee the water system and sewer commission. There was concern raised about the additional responsibilities for the commission if the water system is added. Hadley addressed those concerns and explained how the system itself will be operated and maintained by a water operator as well as other information on how the system will be maintained. Mary discussed that the billing will be mostly the same customers as are already on record. Water operators will read the meters and report for billing. The question was raised about when this change would occur. Hansen explained that there is a charter change in progress which will go to state legislature next session.

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### New Town Center Designation-Karla Nuissl Berlin Planning Commission

Nuissl discussed the Berlin mall plans. The planning commission supports the proposal of making it the town center. Central Vermont Regional Planning Commission has also given its support of the plan. The consultant working with the Berlin Mall, Michael Rushman of Land Strategies of Cabot, gave an overview of a trend of town center development. He presented a conceptual plan for the board to review. It includes a hotel, retail space, residential buildings, mixed use buildings, and recreational areas. He discussed the interest in applying to the Vermont department of Housing and Community Development for a town center designation. Nelson asked what the down side is, if any. Mr. Rushman explained that the designation is most applicable to areas that were historically very rural and where there is not a natural town center. There is a need to make that formal designation at this point. Hansen asked about water and sewer implications. Mr. Rushman said that the confirmation water and sewer is availability will be necessary as development progresses. Hansen explained his concern of expanding the water system. The water system is new, bond payments have just started. There would need to be a commitment should further development of the water or sewer system be necessary. Hansen requested that documents signed with the Berlin mall be provided for review. Hadley asked about the time frame. The answer was that it is desired the pre-application process start immediately. Hadley asked if there are ramifications for the town if the application is completed but the project is not pursued. The application can be withdrawn. Hansen moved to authorize the select board chair and town administrator to sign the promotion of economic development through a vibrant and new town center resolution contingent on Berlin Mall, LLC signing a contract with the town of Berlin stating that they will provide the necessary staff support to the town for the duration of the application process and the development of the proposed multi-use development on the mall's property. Seconded by Kelley. There was further discussion regarding the Mall's commitment for the project and as a result of the discussion the motion is was rescinded. Hansen moved to apply for the New Town Center Designation contingent on Berlin Mall, LLC signing a contract with the Town of Berlin that they will provide the necessary staff support to the Town of the duration of the application for the New Town Center Designation. Seconded by Kelley.

### Treasurer's Report

Town Treasurer Isabelle provided the February trial balance budget status report and delinquent tax report to the board. She discussed accepting credit cards and explained conversations she has had with credit card companies. She will follow up at subsequent meetings on this subject. There will be a desk audit conducted by the state on Thursday for grants the town has received. Three properties are to go to tax sale. There was discussion of developing a tax sale town bid policy. Nelson reviewed some topics that he suggests be included in the policy.

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

Hansen moved to approve payroll warrant number 16-20 for March 6, 2016 – March 19, 2016 in the amount of \$39,877.61. Also accounts payable warrant number 16w12 with checks 10046-10048 in the amount of \$12,256.18 for the water division. Also accounts payable warrant number 16g21 with checks 16027-16053 in the amount of \$39,745.95. Also the February 2016 reconciled bank statements for the water division and the general fund and the February journal entries and February tax administration adjustments. Seconded by Kelley. Passed unanimously.

### Recreation Board-Tom Willard, Andrea Chandler-Discussion of Recreation Reserve Account

Topic postponed.

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### Robert Wernecke-Marian Woltz, CVTRP-Ecosystem Restoration Grant

Wernecke explained that the state of Vermont is offering grants for ecosystem restoration projects. What is being proposed is a master plan for storm water management throughout the town. The regional planning Commission will take the lead in submitting the grant application. The details need to be fleshed out but the first step is to decide if this should be pursued. Wernecke explained his support for the project. He discussed the age of infrastructure as a contributing factor to the need for storm water management. Exact numbers are not yet known. A consultant will help to determine the amount. An overview of the project plan process was given, which begins with the regional planning commission sending out an rfp for a consultant and then moving forward with identifying and prioritizing areas for improvement. Hansen moved to authorize the Central Vermont Regional Planning Commission to proceed with the ecosystem restoration grant application on behalf of the town of Berlin to develop a storm water master plan. Seconded by Kelley. Passed unanimously. A letter of support is to be written.

### Appointment of Representative to Central Vermont Planning Commission

Hansen moved to appoint Bob Wernecke to the Central Vermont Regional Planning Commission. Seconded by Kelley. Passed unanimously. Wernecke discussed the need for an alternate and suggested nominating Karla Nuissl. The topic will be added to the agenda of the next meeting and the Administrator will post the opening as per the Town's charter.

### Appointment of Representative to Central Vermont Planning Commission-Transportation Advisory Committee

Hansen moved to appoint Bob Wernecke to the Central Vermont Regional Planning Commission-Transportation Advisory Committee. Seconded by Kelley. Passed unanimously.

### Appointment of Members to Charter Committee

Hadley to ensure that the notice is released about vacancies.

### Town Highway Standards

Wernecke explained that through the RPC there was a question raised about standards for the roads. The standards help determine if a town is eligible for funds. Wernecke suggested reviewing a proposal drafted by the consultant for the town on the town zoning and sub division regulations. He mentioned her suggestions are very good but include suggestions that differ from state standards. Wernecke had with him three documents that all mention road standards in Berlin but do not necessarily agree.

### Class IV Road Policy

An application was submitted from someone wanting to build on a class IV road. He discussed the need for a class IV road policy so when topics are raised such as this there is a consistent protocol for dealing with class IV roads. Wernecke suggested that the board complete a policy.

### Town of Berlin Social Media Policy

Hadley provided a draft modeled after the policies of other towns in the area. There was discussion about responsibilities in the policy as well as specifics about posting and what material would be allowed or banned from being posted. Included discussion of having person posting a comment add their name and not allowing arrest reports to be posted. It was decided that arrest reports should no longer be posted.

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### Proposal for Six Wheel Truck-Clark's Truck Center-State Bid

The road foreman has been to Clark's to discuss the truck. Total price is \$101,000 and they are allowing \$25,000 for the trade in. There was some discussion of the differences between this transaction and the last time that a truck was purchased.

### Town Administrator Report

Hadley discussed the flood insurance rating. There is an appointment June 5 for files to be reviewed. Barre town ambulance report has been received and was provided to the board.

### Approval of Minute(s) of Previous Meetings-03/07/2016

Hansen moved to approve the minutes for the Wednesday, March 7, 2016 regular meeting with noted correction. Seconded by Kelley. Passed unanimously.

### Roundtable

Nelson discussed goals list for the year and reviewed past goals. He mentioned liking to see a five year road plan on the list and a top to bottom review of policies and ordinances with the eventual goals of getting them all on the website.

Hansen discussed an alert that the water operator was receiving that the pump was running too much. They found that the reservoir had frozen and some component had been frozen. It took 5 hours to resolve the issue. Hansen expressed the opinion that it was a long time to figure out the problem and also that it is a mild winter for it to be freezing. Hadley discussed that with the few users currently connected there is not a lot of water movement and as that increases it will reduce the likelihood of freezing. Hansen asked when Crosstown Road is set to re-open. Hadley to discuss that matter with the road foreman.

The topic of stone cutting into tires on Junction Road was revisited as a resident expressed concern. The stone that was causing that problem is no longer being used, the stone used now is rounded and double combed to help prevent that issue.

Nelson asked if the fire department audit is still set to start the 23<sup>rd</sup>. Hansen sent a message to enquire about the audit.

### Liquor Control Board

Hansen moved to recess the select board and convene the liquor control board. Seconded by Kelley. Passed unanimously. The topic of deadlines for liquor license renewals was raised. The deadline is usually April 1. Nelson requested that it be put on the record that if applications are not in there will not be additional chances for approval. Hansen agreed. After this discussion it was discovered that the deadline is April 30, so there is still time for renewals and applications until that date. Hansen moved to approve liquor licenses for Walmart in Berlin Mall and China Moon at 1400 US Route 302. Seconded by Kelley. Passed unanimously. Hansen moved to approve the request to cater a party scheduled for March 26, 2016. Seconded by Kelley. Passed unanimously. Hansen moved to adjourn the liquor control board and reconvene the select board. Seconded by Kelley. Passed unanimously.

### Executive Session

Hansen moved to find that premature discussion of the police contract in negotiation would put the town at a disadvantage. Seconded by Kelley. Passed unanimously. Hansen moved to enter executive session for a personnel issue pursuant to 1 VSA §313 (a)(1) to discuss the contract matter previously noted. Seconded by Kelley.

Before entering executive session, there was a question from a resident about an open position for adding a resident to the board of the fire department. The resident is a life corporation member and those who are

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corporation members are not able to serve on that board. There was some discussion of the board possibly deciding to waive that requirement. Hansen is to discuss that matter with the rest of the board at the fire department.

Motion to enter executive session passed unanimously.

Motion Hansen to reconvene the public session. Seconded by Kelley.

No decisions as a result of the executive session.

Motion Hansen to adjourn. Seconded by Kelley.

For the Select Board:

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Bethany A. Towne