



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

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

**Monday, November 2, 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.

UNAPPROVED MINUTES

Call to Order

Chair Nelson called the meeting to order. Haskin absent.

Changes to Agenda

Town Administrator Hadley asked to add discussion of Muzzy Road Park.

Public Comment

None.

Treasurers Report

Isabelle advised that the tax sale originally scheduled for November 5 was cancelled as there was an appeal to the board of abatement, which meets Tuesday November 10.
Review of Budget Preparation Process

Approval of Licenses, Permits, Vouchers, and Applications

Hansen moved to approve payroll warrant number 16-10 for October 18, 2015 – October 31, 2015 in the amount of \$38,564.96. Also accounts payable warrant number 16g12 with checks 15635-15676 in the amount of \$59,672.89. Seconded by Kelley. Passed unanimously.

Chuck Storrow - Tax Stabilization Request

Charles Storrow, lawyer for Berlin Mall, LLC and Kent Simon, a principal of Berlin Mall, LLC were present to discuss the tax stabilization request for the new building at the mall that will house Kohl's department store. Storrow thanked the board for their support of projects at the Berlin Mall. He discussed the application for a tax stabilization for that project. This was heard by the Economic Development Committee and the result was that the project met all criteria but one. The one issue was that site work began before the application was submitted. The criteria was voted by the Town to be applied for and approved, prior to the commencement of construction. Storrow went through a timeline of the project. He reviewed the taxes for the Mall, stating that \$289,282 in taxes paid and \$69,147 of that is to the town. Storrow explained that the tax agreement would reduce the extra taxes phased out over time

attributed to the Kohl's project (it is a temporary reduction). Assessments are made annually in April, the project work started after April so will not affect the assessment. Hansen moved to reject the tax stabilization request as it does not match the requirement by having the tax stabilization fully approved before construction. Seconded by Towne. After discussion, the motion was revised. Hansen moved to reject the tax stabilization application for Berlin Mall, LLC because the application was made after construction had begun. Passed unanimously.

Tom Badowski- Update of Community Rating System

Tom gave the Board an update on the progress of the Town being approved to participate in the FEMA community rating system. Approval to be included in this program will reduce the cost of flood insurance for residents. It has been a slow process and there are few issues to be resolved prior to the approval.

Planning Commission – Presentation of Suggested Zoning Changes

Carla Nuissl present on behalf of the planning commission to discuss an upcoming public meeting to be held November 11 at 7 pm at Berlin Elementary. Residents are being encouraged to attend to see the progress that has been made by the commission. Changes have been made to zoning and planning regulations, as they have been updated. The plan is to make zoning regulations that allow town plans to come together. Nuissl discussed that districts have been reviewed and are potentially going to be revised so boundaries will be clearer. Material is also available online at placesense.com (there is a tab for Berlin). Nuissl mentioned that most regulations will affect commercial property and will not have as much effect on residential property. Goal for bringing the proposal to public vote is fall of 2016.

Building Security Bids

Bids that were opened at the previous meeting were reviewed. The low bid was discussed. Some details were unclear in the paperwork received and not all requests were met. The topic is being tabled while references are checked. Kelley asked for a review of what is being purchased, which is a locking system for the police department so card access is required. Towne moved to table the topic. Seconded by Hansen. Passed unanimously.

Draft Audit Review

The draft audit has been sent to the board for review. Hadley discussed having a member of the auditing firm attend a meeting to review the audit with the board in person. Hadley discussed a few areas of interest in the report and explained the items. Isabelle discussed some trouble with the Nemeris system that the auditor helped her to resolve and locate an error. Nelson read a section of the audit that addressed the lack of a policy for credit risk and asked if the town should pursue enacting a policy. Isabelle said she would look into wording of policies in other towns.

Town Report Bids

Select Print Solutions- \$2,251, same price as quoted in 2014.

Re Pro Printing- 600 copies \$2,250.

Jet Service envelope- 600 copies \$2,765.

Kelley asked if there was a need for 600 as there were many left over last time. Hadley had discussed the topic with the town clerk, who felt the number should stay at 600 as they are handed out during the year as well. Hansen moved to accept the bid for RePro Printing. Seconded by Towne. Passed unanimously.

RFP- Contract Water Operator

Hadley has been trying to find a water operator to take the position part time but has not received any response to the opening. Otter Creek has suggested that for the first year or two the town go with a contract operator. RFP to be sent out.

Peddler Permit Application

Hansen moved to approve the peddler's license for Mike Muller. Seconded by Kelley. Passed unanimously.

Town Administrator Report

Hadley gave the board a reminder about a meeting at the school next Monday (11/9) evening at 6 pm. Meeting will be warned. Hadley mentioned that the guard rails on Junction Road have been completed and residents have asked if they may be extended. Would cost \$1800 to extend. The topic will be discussed during next year's budget.

There was also a brief mention of the work on exit 8 (bridge repair due to an accident) and detour route. A letter was received from Dubois and King that route 63 will be repaved next year.

Hadley gave a current report of the water project work. Discussed what is needed for operation permit. Easement for Hedges system almost complete. Towne asked when they estimate completion. Hadley replied that the project is on schedule for December completion. Will be closing on the loan at the next meeting.

Approval of Minute(s) of Previous Meeting(s)- 10/19/2015

Hansen moved to approve minutes of the Monday, October 19 regular select board meeting with noted correction. Seconded by Kelley. Passed 3-0 with 1 abstention by Selectboard member Towne .

Round Table

Hansen brought up the Berlin Fire Department Board as the resident representative, Nicole Daniels, would like to step down due to other commitments that are preventing her from making it to meetings. Asked that the opening be posted at some point. Received some responses for names for the Muzzy Road Park. One suggestion was to name the park after those who had lived at the residence prior to the flooding.

Muzzy Road Park

Hadley received the digital copy of the plans and the designer would like to begin. He asked for the approval of the board to let him proceed. Consensus was reached that he could move forward.

Convene Meeting of Liquor Board

Hansen moved to recess the select board and convene the liquor control board. Seconded by Towne. Passed unanimously.

Hansen moved to approve the request to cater liquor for Cornerstone Restaurant Group on November 15, 2015. Seconded by Kelley. Passed unanimously.

Reconvene Selectboard

Hansen moved to adjourn the liquor control board and reconvene the select board. Seconded by Towne. Passed unanimously.

Executive Session- Legal, Personnel, and Contract

Hansen moved to enter into an executive session to discuss the Police Union Contract and the premature general public knowledge would clearly place the public body at a substantial disadvantage pursuant to 1 V.S.A. §313(a)(1) Second Kelly.

Hansen moved to enter into an executive session pursuant to 1 V.S.A. §313(a)(3) Second Kelly.

Hansen moved. Second Kelly to adjourn from Executive Session and reconvene the Public meeting. No announcements were made from the Executive Session.

Hanson moved to adjourn Seconded by Towne.

For the Select Board:

Bethany A. Towne