



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

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

**Thursday, November 7, 2019  
7:00 PM**

Selectboard Members: Bradley Towne, Chair; Jeremy Hansen, Vice Chair; Angelina Capron, Secretary; Flo Smith and Justin Lawrence. Present: Dana Hadley, Town Administrator; Diane Isabelle, Town Treasurer. All items are unanimous unless otherwise noted.

**UNAPPROVED MINUTES**

Call Meeting to Order

Meeting called to order by Chair Towne. Capron absent.

Changes to Agenda

Town Administrator Hadley asked to add an additional peddler's permit application, for Mike Molleur, to the peddler's permit topic on the agenda. Hadley asked that the board take time to sign appointments made at the last meeting. Hadley asked to add a discussion on the new sewer ordinance and process. He also asked to add a discussion on the budget schedule and town meeting. Additionally, he asked to add a topic for a letter of resignation from the Development Review Board.

Public Comment

None.

Treasurer's Report

Town Treasurer Isabelle reported that she has scheduled two properties for tax sale, to take place December 12. She explained that there may not be a sale as the parties are trying to pay the money due. She reported what she learned after going to three lenders about a bridge loan or arbitrage for the sewer project. Northfield savings bank was not interested in arbitrage. They offered 4.25% for a straight line of credit. Community National Bank was interested in either approach and offered a 2.05% rate for straight line of credit of 2.25% for the investment rate. Community Bank NA would do 2.95% for the loan and 3.25% for the investment. Community Bank's line of credit was 1.85%. Town Administrator Hadley recommended pursuing line of credit rather than arbitrage.

Approval of Licenses, Permits, Vouchers, and Applications

Hansen moved to approve general fund accounts payable warrant number 20g08 with checks 19684-19741 in the amount of \$168,804.63; also payroll warrant number 20-09 for payroll from October 13, 2019 – October 26, 2019 in the amount of \$42,161.05; also October general journal entries and tax admin; also October reconciled bank statements for the general fund, sewer commission, and water division. Seconded by Smith. Passed unanimously.

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### Economic Development Council – Dousevicz Tax Stabilization Application

Ture Nelson discussed the application with the board for the 88-unit housing project next to the Berlin Mall. He explained their process in completing the application. Hansen expressed a strong opinion against the plan due to the loss of \$160,000 in revenue that comes from the reduced rate in the application. Nelson highlighted the tax incentive program as a perk to doing business in Berlin. Smith asked for a clarification of the tax stabilization program and how it operates. Discussion continued about the benefits and potential harms from the tax incentive. Lawrence moved to approve the Dousevicz tax stabilization application and financing. Towne asked for Nelson's recommendation on approval and town policy. Nelson recommends the application. Motion carried 2-1.

### Municipal Ticketing for Zoning Infractions – Trevor Whipple VLCT

Whipple discussed the statutes that allow towns to issue tickets for zoning infractions. The ticketing provides a step between written warnings and environmental court. The process can be used for fines up to \$800. The town drafts the ordinance and therein designates enforcement officers. Discussion continued about how to create the ordinance. Whipple directed the board to resources available to towns writing municipal ticketing ordinances. Bob Wernecke spoke in support of municipal ticketing for zoning infractions. There was brief discussion of allowing zoning administrator, Tom Badowski, to act as an enforcer. When asked if Badowski supports the ticketing, Hadley said that he does.

### Planning Commission – New Town Center

Planning commission representatives again came before the board to inquire about a designated person to work on the town center designation project. Hadley had questions about the logistics of hiring an additional person. Smith asked if the individual from South Burlington who took on a similar position to what the commission now proposes might be willing to speak with the board about the work she completed. The commission plans to reach out to her to inquire if she would be interested in speaking to the board about the importance of a designated employee.

### Recreation Committee Appointment – Geoffrey Farrell

Hansen moved to appoint Geoff Farrell to the recreation committee. Seconded by Smith. Passed unanimously. The board also signed the appointments from the previous meeting at this time.

### Cross Vermont Trail Support Request – Greg Western

Western discussed briefly the location of the trail and the process completed so far to establish the trail. Hansen moved to authorize the town administrator to write a letter expressing that the town of Berlin is supportive of the cross Vermont trail project. Seconded by Smith. Passed unanimously.

### Consolidated Communications Working in Town ROW Application 19-062

Consolidated Communications applied to work in the right of way to bury wire. The depth is 36". Hansen moved to approve the permit for digging in the town right of way for Consolidated Communications as presented. Seconded by Smith. Passed unanimously.

### Vermont Association of Snow Travelers – Landowner Permission – Josh Walker

Hansen moved to extend permission to use town rights of way from December 2019 to December 2020. Seconded by Smith. Hansen amended the motion to include authorizing the town administrator to fill in the landowner permission form. Seconded by Smith. Passed unanimously.

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### Peddler's License – MVP Healthcare & Mike Moeller

Hansen moved to approve the peddler's license for Sarah DeJohn with MVP. Seconded by Smith. Passed unanimously.

Hansen moved to approve the peddler's license for Mike Molleur for the sale of Christmas Trees at the Mall. Seconded by Smith. Passed unanimously.

### Small Business Saturday – November 30, 2019

Hansen moved to authorize the Selectboard chair to sign the Small Business Saturday resolution. Seconded by Lawrence. Passed unanimously.

### Sewer Commission

Hadley informed the board that the Public Works Board is working on a rewrite of the sewer ordinance. The existing one is fragmented from changes and additions that have occurred over a period of time. The rewrite is more precise. The final version is not yet available but will forward to the Board as soon as it is available.

### Budget Schedule

Hadley provided the board with copies of a tentative budget schedule. He reviewed the deadlines and meeting times.

The board continued discussion about a designated employee to progress the town center designation. They discussed part versus full time positions. There was consensus that a job description, which the board asked the planning commission to create, will be helpful to understand the needs of the job. There was also discussion of partnering with another town also desiring a part time person to share the employee who would work half time at each town.

Hadley also discussed a conflict with pre-town meeting to begin discussing scheduling an alternate day and location.

### Development Review Board Resignation Letter

A note was received from Josh Fitzhugh. He will be unable to attend several meetings and has chosen to resign as a member but is willing to serve as an alternate. Hansen moved to accept Josh Fitzhugh's resignation from the DRB and appoint him as an alternate to the DRB. Seconded by Smith. Passed unanimously.

### Approval of Selectboard Minutes -

Smith moved to accept the Thursday, September 5, 2019 minutes with noted changes. Seconded by Hansen. Passed unanimously.

Smith moved to approve Thursday, October 2, 2019 minutes as presented. Seconded by Hansen. Passed unanimously.

### Town Administrator Report

Hadley thanked the board for allowing him to take a long leave and praised all those who remained for their work in his absence.

Hadley reiterated plans for the budget.

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Roundtable

Lawrence circled back to the tax stabilization subject and discussed reviewing procedure. Discussion continued about the need for incentives to get businesses to occupy unused store fronts rather than incentivizing new development.

Smith discussed being contacted by a resident on East Road concerned about the left on Scott Hill Road. There is a hedge row and camper that the individual feels are obstructing the view of traffic coming from the left.

Executive Session

Hansen moved to enter into executive session to discuss a personnel issue. Seconded by Smith. Passed unanimously.

For the Select Board:

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Bethany A. Towne