



**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, October 5, 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. Town Treasurer left the meeting after the discussion on the homestead filings. Police Chief William Wolfe arrived prior to the Town Administrator's report.

### **APPROVED MINUTES**

#### **Call to Order**

Meeting called to order by Chair Nelson.

#### **Changes to Agenda**

Order of agenda changed as representative present for right of way permit application, which was moved up in the agenda to be discussed after public comment.

#### **Public Comment**

None.

#### **Right of Way Permit Application- Stone Underground Construction at Mall & Fisher Roads**

Hansen moved to approve the permit for digging within the town right of way for Stone Underground Construction. Seconded by Towne. Passed unanimously.

#### **Treasurers Report**

Town Treasurer Isabelle reported that the first draft of the audit has been received. It will be reviewed by the town treasurer and administrator who will compile a list of questions. The board will also receive the draft and a member of the audit firm will be at a meeting to present it. Isabelle provided a first quarter report of activity from accounts payable and plans on presenting such a report each quarter.

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

Hansen moved to approve payroll warrant number 16-8 for September 20, 2015 – October 3, 2015 payable on October 7, 2015 in the amount of \$39,266.17. Also accounts payable warrant number 16g8 with check 15553 in the amount of \$26,712. Also accounts payable warrant number 16g9 with check 15554 in the amount of \$37,960. Also accounts payable warrant number 16g10 with checks 15555-15588 in the amount of \$65,453.86. Seconded by Kelley. Passed unanimously.

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### Discussion Regarding Forgiveness of Penalties for Late Homestead Filings

Isabelle has received several late tax submissions. The state fines for late taxes and in the past penalties have been forgiven. The amount is under \$1300. Asked if the select board would like to waive it. Hansen moved to waive the penalty for late homestead filing for this year. Seconded by Haskin. Passed unanimously.

### Sick Leave Policy Discussion Continued

Language in the policy is being revised to more clearly explain the policy. The revision includes that using sick leave time to bring a child or family member to an appointment is permitted. Hansen moved to approve the updated policy concerning sick leave. Seconded by Kelley. Passed unanimously.

### Workers Compensation Policy Continued

The proposed amendment is to add wording suggested by workers compensation for clarification of what is included in a workers compensation claim. Hansen moved to approve the updated policy concerning workers compensation. Seconded by Haskin. Passed unanimously.

### Medical Card Policy

After discussion at last meeting, Hadley inquired about a list of towns that require medical cards. Policies from a couple of other towns were available for review and did not have wording regarding current employees. Hansen moved to table. Seconded by Towne. Passed unanimously.

### Signature for Amended Personnel Policy 308

Hadley would like to bring this up at the next meeting since other items have passed so it will need revision.

### VLCT- Municipal Policy Amendments- and Voting Delegate Designation

Town fair is Thursday, and part of the fair is the annual meeting regarding the policy and what municipalities would like to have them support in the legislature. Hadley inquired with the board if there was anything that they would like added. The town will also need a delegate. Hansen noted his reluctance to vote on these issues. He referred to the Town Charter §101 No. 6. That states ***“the sole and exclusive body authorized to make decisions relating to issues of statewide or national interest, including positions on pending legislation, shall be the voters of the Town at Town Meeting”***. Discussion continued on this point. There was discussion that the charter seemed to mean direct involvement in legislation whereas this topic is to designate someone to have input in VLCT in regards to legislation and that it may be far enough removed as to be outside the scope of the charter language. Kelley moved to designate Nelson to be the designee from the town of Berlin. Seconded by Towne. Passed 4-0 with Selectboard Member Hansen abstaining from the vote.

### Small Business Saturday Proclamation

Hansen moved to adopt the proclamation. Seconded by Kelley. Passed unanimously.

### Appointment- Tom Willard- Berlin Conservation Commission- Easement Burns Property

Tom Willard present as a representative of the conservation commission. Discussed conservation fund and that the commission makes recommendations to the select board, who has the authority over the account, about how to use the funds. Also discussed why the commission supports the easement and recommended

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on behalf of the commission that \$5,000 be contributed and that terms not preclude drilling of a well in the future. Hansen moved to authorize spending of \$5,000 as a donation to the Vermont Land Trust for the Burns property easement provided that the easement doesn't preclude future municipal well drilling. Seconded by Towne. Passed unanimously.

### Town Administrator Report

Town Administrator Hadley discussed the Berlin Pond survey which is complete. Vermont Fish and Wildlife have the survey and will be requesting that their engineers conduct a topographical survey of the site to delineate wetlands and work on a design this winter to have a plan for spring time. There was a concern voiced about people accessing the pond from the south side via a culvert. There was some discussion about previous times the topic had been addressed. Nelson explained that the north end parking and access would hopefully relieve the issue of people accessing from the south end of the pond. Hadley has found out that the Muzzy Road property cannot be sold to an abutter because it can only be sold to another public entity with a conservation easement that has the same restrictions that it currently has. The topic of meeting with the school board was discussed. An email has been sent to the super intendants office to schedule.

Received feedback from a resident concerned with the area where there was recently a school bus accident. The resident asked about having signals at that intersection. Police Chief Wolfe discussed the topic and felt that the accident would likely have not been prevented by a light because of the nature of the accident. No action is being taken at this time.

RFPs have been sent out for repairing the heating system at the office and building security.

Discussed concerns that have been raised about the water system not being in service until later than the deadline but Hadley reported that water service will be available as scheduled and he has been reassuring those who have expressed concern. Crews are working diligently and a third crew is expected to be working as well.

Reported that he is still working with Munson on the driveway that had previously been discussed.

Has been asked by two residents about a stump dump. To be put on next agenda.

Received a report on Airport Road and other roadwork consistent with past reports.

Discussed a list of tasks that the Town Administrator is working on so that topics do not go unaddressed. The list includes the amusement ordinance to include an event ordinance, animal control ordinance, and charter committee. Reviewed with the board so that more could be added if need be. Added flood insurance/community flood rating topic that had been discussed previously. Haskin asked about the status of Scott Hill Road paving. Hadley reported that the paving has come to a stand-still because the plant is not making the proper mix. Work will continue when that mix is available. Also asked about follow up on tax stabilization application. It will be on the November 2 agenda.

### Approval of Minute(s) of Previous Meeting(s)- 9/9/2015, 9/21/2015, 9/24/2015

Hansen moved to approve the minutes of the Monday September 9, 2015 Berlin Selectboard meeting as presented. Seconded by Towne. Passed 4-0 with 1 abstained.

Haskin moved to approve the minutes of Monday September 21, 2015. Seconded by Kelley. Passed 3-0 with 2 abstained.

Kelley moved to approve the minutes of the September 24, 2015 as presented. Seconded by Towne. Passed 3-0 with 2 abstained.

Vote in the affirmative

### Round Table

Hansen asked Hadley about the guard rail project, which is in progress. Also asked about trespassing on Montpelier land by a pump house. People have been parking and picnicking at the area. Chief Wolfe has not heard from Montpelier about it. Also read part of an email about target shooting near the pond, which lasts several hours and a resident has submitted a concern that it is becoming a nuisance. Chief Wolfe

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addressed the topic and disagreed with the hours claimed in the letter, explaining that those who use the area do attempt to be courteous.

Nelson received an email from the Department of Public Service regarding Comcast renewing their certificate of public good. A focus group is to be held October 20.

Motion: Hansen to enter into an executive under a personnel issue pursuant to 1 V.S.A. §313(3)  
Seconded by Kelley.

Executive Session- Legal, Personnel, and Contract

Motion: Hansen/Kelley to exit executive session and re-convene the public session.

Adjournment

Motion: Hansen/Kelley to adjourn.

For the Select Board:

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Bethany A. Towne