



**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**

**Wednesday, September 3, 2014  
6:30 PM**

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

**Minutes Approved at Board Meeting of September 22, 2014**

Call to Order

Called to order by Chair Ture Nelson.

Changes to Agenda

Hansen moved to take the item Berlin Fire Department Board Appointment and move to right after public comment. Seconded by Towne. Passed unanimously.

Hadley had three items to add. The first was an application to work in the right of way submitted by Green Mountain Power for a gate to be located across Nelson Drive. Copy of application was provided to each member of the board. Second, minutes from a meeting held August 26 needing approval. Third, application for liquor permit for party to be held November 7 at the Hilltop for a fund raiser event. Nelson mentioned that they would be added right before the Town Administrator report.

Introduction of Dana Hadley, Town Administrator

Nelson introduced Dana Hadley, who is from New Hampshire and<sup>1</sup> has been hired as Berlin Town Administrator. Hadley expressed that he is glad to be here.

Public Comment

Question raised about Nelson Drive and Green Mountain Power. Asked if Jeff had talked to board about that becoming class 4 road. Nelson explained that's what started the process, gate being relocated so that a section of that road can remain class 3.

Berlin Volunteer Fire Department Board Appointment -- Nicole Daniels

Hansen had posted position openings for boards and committees on the Front Porch Forum, received response from Nicole Daniels expressing interest in this position (as well as the Emergency Management Committee.) Nelson asked that Daniels tell the board a bit about herself. She grew up in Jeffersonville, has been living in Berlin for around 25 years. She works full time at National Life, attends college. Hansen

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<sup>1</sup> Changed from the word but to and

<sup>2</sup>moved to appoint Nicole Daniels to the Berlin Volunteer Fire Department Board. Seconded by Towne. Passed unanimously.

#### US Route 302 Scoping Study (Warnecke)

Study is progressing well, reaching out to people about the study. Currently evaluating alternatives for pedestrian access. Anticipates there may be a formal presentation. Paving project also progressing well. Originally thought there would be right of way issues that would delay the project a year, now feel that they may get it to bid this winter. Discussed road diet plan, which would reduce 5 lane section to 3 lanes in order to make room for bike lanes. Vtrans is prepared to do this. Trial recommended by Warnecke. Hansen<sup>3</sup>moved that the town of Berlin request that the Vermont Agency of Transportation include a road diet on US Route 302 as proposed by our consultant and discussed with VTrans on a trial basis in conjunction with the proposed resurfacing/repaving project. Seconded by Towne. Passed unanimously. Warnecke suggested that a letter be sent with signature of the chair. Hadley to draft letter.

#### Treasurers Report including redundant server back-up (Isabelle)

New server received August 15, commented that it is working well. Backing up to external drive that is all on location so if fire or other problem to occur, would be lost. Brought up that a secondary back up should be considered to keep files safe. Would cost \$116 per month to back up to local server, owned by R&B Technology. Company called Carbonite, \$800 per year to have files put in cloud. Carbonite keeps data on servers in many locations to avoid losing data. Haskin asked what has been paid for to back up. Hansen explained the data is put on a removable disc but that is still on location.

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

Hansen moved to approve payroll warrant 5 in the amount of \$36,102 for the August 10, 2014-August 23, 2014 payroll paid on August 27, 2014. Accounts payable warrant 7 in the amount of \$119,884.49 to cover checks 13417-13460 with exception of checks 13422 to the Berlin Fire District number 1, check 13428 to Clark's Truck Center, and check 13431 to Diana Delude. Seconded by Haskin. Passed unanimously.

#### Tax Notice Mailings (Isabelle)

Tax bills sent out August 21, first payment due September 22. Only problem is contacting those who are no longer at address and there is no forwarding address.

#### 20 Muzzy Road FEMA Closing Anticipated 9/12/14 (Badowski)

Received notice from Department of Public Safety that funds are available for September 12. Have spoken to property owners and local councils. Scheduled for 10 am on September 12 for closing. No issues anticipated. Hansen moved to allow Dana Hadley to sign FEMA closing documents on 20 Muzzy Road. Seconded by Towne. Passed unanimously.

#### Award of 20 Muzzy Road Demolition Contract (Badowski)

Went to bid a while back in anticipation of closing, received 2 bids. Cannot award bid until closing. One received from Manufacturing Solutions, Inc. and another from Dubois Construction. Badowski recommended accepting bid from Manufacturing Solutions, Inc. for the amount of \$46,808. Both bids included hazardous assessment, but cannot bid on cost of disposal as that is dependent on the assessment. Dubois Construction bid for the amount of \$64,500. Hansen moved to award the contract for the town of Berlin FEMA demolition project located at 20 Muzzy Road to Manufacturing Solutions, Inc. of Morrisville, Vermont for the sum of \$46,808 contingent upon the closing on the property and the abatement

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<sup>2</sup> Changed from Nelson to Hansen

<sup>3</sup> Changed from Nelson to Hansen

of any environmental liabilities, including but not limited to, asbestos. Seconded by Towne. Passed unanimously.

20 Muzzy Road Development Options (Badowski)

Various options. Could be developed as solar farm. Badowski spoke to people at FEMA, they have done some solar projects. If wanting to pursue the project, they suggest to contact contractor, come up with proposal, then present to FEMA. Hansen mentioned possibly using the land for community garden space as an option.

FEMA Community Assistance Visit 9/9/14 (Badowski)

About a year ago, town started process of getting relief to constituents pertaining to flood assistance. Now scheduled to visit.

Zoning Application Fees (Badowski)

Badowski revised zoning application fees and presented to the board. Public meeting was called for. September 15 meeting date advertised.

Sewer and Cemetery Commission Vacancies (Badowski)

No update, but Hansen mentioned he may have candidate for cemetery commission.

VTLC Annual Meeting Delegate (Nelson)

League to hold annual business meeting on Thursday, October 9 at the Champlain Valley Exposition. Nelson planning to attend, mentioned to Badowski and Hadley that it would be good for them to go. Delegate appointment needed so they can vote at meeting. Hansen moved to appoint Ture Nelson as Berlin's annual meeting delegate to the Vermont League of Cities and Towns. Seconded by Towne. Passed unanimously.

Hazard Mitigation Grant Slayton Avenue (Badowski)

Town acting as project facilitator. Budget has been submitted. Waiting to see if FEMA funding to be rewarded.

Street Name Change – Green Mountain Drive Public Hearing 9/15/14 (Badowski)

Public hearing date of 9/15/14 out in advertisements.

Zoning Application 14-034 Hooker's Redevelopment

Badowski provided applications for educational purposes, so that board is aware of larger projects. Hooker's to be changing curb cut, have to apply to the state as first step. In process. To be back to DRB early October, approximately.

Zoning Application 14-040 Maplewoods Convenience Store

Second public hearing has been held. Badowski's impression of meeting was that residents who attended were pleased with redesign. Testimony open for seven days before DRB makes decision. Resident was present to tell board that there are people on Crosstown Road who are not in support of the project. Also brought up that there was discussion of having access to municipal buildings through that property.

Zoning Application 14-061 Berlin Mall Kohl's Department Store

Proposed 55,000 square foot stand alone building. October 21 is when DRB to have hearing on this project.

Animal Control Officer (Badowski)

Received email from Barre about being close to hiring someone, but have not received news since. Will most likely be known by next meeting.

Water Supply Project (Badowski)

Have received federal wetlands permit. State of Vermont wetland's permit pending. Division of Fire Safety permit received. 802 Toyota easement received. Other received as well, looking for just a couple more. Hansen asked about the probability of ground getting broken this year. Badowski explained that something will happen this year.

Request to Work in the Right of Way- Green Mountain Power

Badowski explained issue with gate and that it is across part of road in Berlin. Met with people from Green Mountain Power, gate has been removed and Green Mountain Power now asking for permission to work in the RoW to install gate. There are questions about where the class 4 road ends and where the gate could be installed. Badowski mentioned wanting to talk to Vtrans about it as well. Discussion continued about bridge on that road, location of gate, and status of that road. Hansen moved to table pending more information. Seconded by Towne. Passed unanimously.

Liquor Permit Application

Hansen moved to adjourn the select board and reconvene as liquor control board. Seconded by Towne. Passed unanimously. Request for liquor license received for fund raiser event at Hilltop, for Friday November 7, 2pm-12am. 150-200 attendees anticipated. Application is for a catering permit. Towne moved to approve the permit. Seconded by Hansen. Passed unanimously. Hansen moved to adjourn the liquor control board and reconvene select board. Seconded by Kelley. Passed unanimously.

Town Administrator Report (Hadley)

Has been in the office 2 days, reading through materials. Mentioned appreciation of Badowski's help and Isabelle's help as well as help from rest of the staff. Very interested in fully understanding water project, in process of reviewing related material. Glad to be here and getting things figured out.

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

August 18 regular meeting, special meeting August 22, special meeting August 26. Kelley moved to approve minutes for Tuesday, August 26 as presented. Seconded by Haskin. Passed unanimously. Kelley moved to approve minutes of the special meeting of August 22. Seconded by Towne. Passed unanimously. Towne moved to approve the minutes of August 18. Seconded by Kelley. Passed 4-0, with 1 abstained.

Round Table

Haskin brought up topic of homelessness in town. Family has been in the area, as well as several people near the Price Chopper. Asking that the select board consider solutions, such as where these people could go and how they may be helped. Hansen mentioned that part of the role of town service officer is to help connect people with resources. Unsure who the town service officer is currently, as previously was Jeff. Hansen mentioned reaching out to Capstone Community Action to ask for advice. Hadley volunteered to look into the topic and research what resources may be available to them.

Nelson announced that the Leagues is holding open meeting law training, which he will be attending. Also passed around draft of a Surplus Property Disposal Policy. Not in finished format, but wanted to present it for review. Wanting to approve a policy first meeting of October.

Legal, Personnel and Contract (Executive Session Anticipated)

Hansen moved to find that public discussion of the easements for the water project would be counter-productive in the negotiation process. Seconded by Towne. Passed unanimously. Hansen moved to enter executive session to discuss contract issues around easements of water project. Seconded by Towne. Passed Unanimously.

For the Select Board:

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Bethany A. Towne