



**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, July 20, 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, Tim Davis, Highway Superintendent, Also present Gerry Markham, Highway Department. All items are unanimous unless otherwise noted.

Absent: Selectboard Member Kelley  
Selectboard Member Towne

**APPROVED MINUTES**

Call to Order

Meeting called to order by Chair Nelson.

Changes to Agenda

None.

Public Comment

None.

Treasurers Report

Town Treasurer Isabelle provided budget status report for June and delinquent accounts as of July 15. Auditors will be at the town offices the week of August 3 to perform the audit. Nelson asked about a couple of expenses listed in the budget status report. Isabelle to look into one of the categories that was budgeted for but had no expenses.

Jeff Theis- Vermont League of Cities and Towns- Drug and Alcohol Policy

Specific discussion about medical card which is not required for municipalities but is suggested. As of now, 1 of 3-4 town drivers currently have a medical card. Card shows that the driver is in good health and capable of performing their job.

Bob Warnecke- Route 302 Scoping Study- Follow Up to Public Hearing

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Since the hearing, Bob Wernecke has talked to the project manager from VTrans. The project manager has advertised the project and will award the bid soon. The contract will not begin until spring 2016 and the road diet would start June/July. Wernecke suggested making a motion to accept the conceptual plan and suggestions as presented by the study.

Town Administrator Hadley discussed the survey of property along Berlin Pond. The topic was going to be discussed during the Town Administrator Report but was moved to this time as Wernecke asked about the topic. Hadley provided a map of the survey though it has not yet been finalized. The town owns the right of way and is shown on the map. There is a question still about ordinary high water that is being discussed with the town attorney. It is easy to see that people have been accessing the water from the parking lot, by taking canoes in from that area which is minimally disruptive. Wernecke suggested increasing the amount of parking as it is often full.

Bid for Aggregate Trucking

Received one bid, from Newton Construction of Barre. Quote of hauling item 1, sand, from McCullough to Berlin garage, total of \$21,250 (\$4.25 per cubic yard). Item 2, 5,000 tons of ¾" stone, total price \$15,750 (\$3.15 per ton). Item 3, 5,000 tons of 1 ½" stone, total price \$15,750. Total for all items is \$52,750. Hansen moved to approve the bid for Newton Construction for all three items and to amend previous award for winter sand to McCulloch of South Barre at \$6.75 per cubic yard for 5,000 cubic yards and Newton delivering at \$4.25 per cubic yard; 5,000 ton of ¾" plant mix from Pike in Williamstown, hauling price \$3.15 per ton; 5,000 tons of 1 ½" plant mix from Pike in Williamston hauling price \$3.15 per ton for total price of all aggregate trucking of \$52,750. Seconded by Haskin. Passed unanimously.

Pick Up Truck for Highway Department

State bid was with Shearer Chevrolet of Burlington, sent a memo outlining what the state bid would be. Was approached by Capital City to ask if they may match the state bid so the town would consider purchasing from them. Shearer quote for 2015 Silverado 2500 HD with plow installation for \$43,909 of which 5404 is for plow installation. Capital City would sell a 2015 GMC Sierra 2500 HD \$45,160 with plow, with installation subbed to another company for \$7,200. Iriquois Manufacturing would do the plow installation for \$5400 if the town would like to purchase truck from Capital City and have Iriquois install the plow the total would be \$43,360.

Hansen moved to purchase a 2015 GMC Sierra 2500 HD from Capital City GMC for the total cash price amount of \$37,960. Seconded by Haskin. Passed unanimously.

Hansen asked about some work happening on Black Road. There is currently work being conducted in the right of way without the proper permits. It is internet cable being added underground. The work has currently been suspended due to not having permission to work in the right of way.

Contract for Central Vermont Humane Society

Hansen moved to authorize the town administrator to sign the stray animal holding agreement with the Central Vermont Humane Society, effective July 1, 2015-June 30, 2016. Seconded by Haskin. Haskin pointed out a section stating that when a person brings a stray after hours they must take a 15 minute stray animal training and asked if the police have or will do the training. All were in agreement that if they have not then it should not be a problem to do so and those that have left animals after hours have more than likely already completed the training. Passed unanimously.

Letter Received From Winooski Hydroelectric Company- re: Net Metering Application

This topic was found not to be needing to be pursued as there is no benefit to the town.

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Town Administrator Report

Still awaiting test results from well on Airport Road. Tests take about 2 weeks.

Town Administrator Hadley attended a webinar on a company called Agility (which is provided through the League) which, if there is a disaster incident, can quickly get the town office space, generator, computers, etc to get running again quickly.

Met with representatives from Vermont Environmental Conservation in the Drinking and Ground Water Division to discuss permits needed pertaining to the water project.

There was a meeting with prospective bidders about the Muzzy Road project. They were able to take a tour of the site and 5 landscape architects attended. Plans are due back on July 24.

Approval of Minute(s) of Previous Meeting(s)- 7/6/2015

Hansen moved to approve minutes with noted corrections of the Monday, July 6, 2015 regular selectboard meeting. Seconded by Haskin. Passed unanimously.

Round Table

Nelson reported that the training for VT alert has happened and named those who are trained for emergency management. Thanked the police and fire department for watching the waterways and roads for high water and flooding.

Approval of Licenses, Permits, Vouchers and Applications

Motion: Hansen to approve payroll warrant number 16-2 for June 28, 2015 to July 11, 2015 in the amount of \$38,381.98, accounts payable warrant number 16-W1 with checks 10011 to 10012 in the amount of \$379,662.20, account payable warrant Number 16G1 with checks 15331 to 15367 in the amount of \$48,877.70 less check #15348 for LaRoche Towing in the amount of \$95.00 waiting to clarify that bill and also reconciliation of June 2015 bank statement and the adjusting entries for June, numbers 45 and 46. Seconded by Haskin. Passed unanimously.

Second by Haskin.  
Passed unanimously.

Executive Session- Legal, Personnel, and Contract

Hansen moved to enter executive session to discuss a personnel matter. Seconded by Haskin. Passed unanimously.

Meeting with Gerry Markham

Prior to the start of the Executive Session, Gerry Markham of the Highway department who was at the meeting asked if he could speak with the Board.

Hansen moved to reconvene the public session of the meeting second by Haskin. Passed unanimously.

Gerry Markham said that he wanted follow up with the Board his situation with his medical leave. He has been contacting his physician in Burlington to receive the paperwork that he needs to come back to work. He said that his Doctors need to consult with one another to determine if he is cleared to return work. He stated that his right leg is "messed-up" (sic) since they operated, his right leg is numb all the way to the tip of his toes. Something happened during his operation. He has had two MRI's and the Doctors cannot figure it out. He said that the Doctors were supposed to get together today to discuss it.. He doesn't know what

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they will say maybe they are getting ready to send him to Dartmouth for another scan to determine if he is safe to come back to work.

Town Administrator, Dana Hadley asked if the Doctors had given him a time frame for this to happen. He said that they had not but he thinks it may be a couple weeks due to the Doctor's vacation schedule. He said that there is something wrong and he believes that during his neck surgery something happened that is causing his leg to be numb to the tip of his toes. He said that it does not affect his driving. The Town Administrator asked which leg it was. Gerry said it was his right leg. He asked Board if they would hold on another few weeks until he had an answer from his Doctor. Town Administrator Dana Hadley asked if Gerry really believed that he was able to drive with this condition. Gerry said that he was. He said that the Doctors had said that the feeling might never come back.

Chairman Nelson asked if Gerry felt that he could pass a DOT physical. Gerry said yes. He asked the Chair if one would keep this condition "hidden"(sic) during the examination. Chair Nelson noted that if something such as this were not disclosed he would be falsifying a Federal form and that would not want to travel down. Chairman Nelson advised Gerry that the Town Administrator needs clearance from the Doctor before he would be able to come back to work. Gerry Markham left the meeting.

Hansen moved to re-enter executive session to discuss a personnel matter. Seconded by Haskin. Passed unanimously.

Hansen moved to reconvene the public session of the meeting second by Haskin. Passed unanimously.

Appointment of Highway Personnel

Motion by Hansen to authorize the Town Administrator to fill the position in the highway department caused by the absence of Gerry Markham. Passed unanimously.

Adjournment

Motion by Hansen to Adjourn. Seconded by Haskin.

For the Select Board:

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Bethany A. Towne

Minutes for the Gerry Markham meeting for the Select Board:

Dana I. Hadley