

**TOWN OF NORTHFIELD, VERMONT
BOARD OF SELECTMEN
Minutes of March 8, 2016**

- I. **ROLL CALL.** Selectmen Lynn Doney, Nathan Freeman, Matthew Gadbois, Kenneth W. Goslant, and K. David Maxwell. Also present were Town Manager Jeffrey Schulz, Acting Clerk Kenneth McCann, Gerald LaVarnway, and Kathleen Lott (*Northfield News*).

The meeting was called to order at 7:00 p.m.

- II. **PLEDGE OF ALLEGIANCE.** The Board members and the public were asked to rise and recite the Pledge of Allegiance.

III. **ORGANIZATIONAL MEETING OF THE SELECT BOARD**

- a. **Election of Chair.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to appoint K. David Maxwell as Chair. **Motion passed 4-0-1, with Selectman Maxwell abstaining.**
- b. **Election of Vice-Chair.** Motion by Selectman Gadbois, seconded by Selectman Doney, to appoint Kenneth W. Goslant as Vice-Chair. **Motion passed 4-0-1, with Selectman Goslant abstaining.**
- c. **Select Board Committee Assignments.** Selectman Gadbois suggested that the committee assignments be filled as follows: **Budget and Financial Review** (Selectmen Freeman and Maxwell); **Town Buildings & Energy** (Selectmen Doney and Gadbois); **Economic Development** (Selectmen Freeman and Maxwell); **Norwich University** (Selectman Maxwell); **Highway Planning & Project Oversight** (Selectmen Gadbois and Goslant); **Public Safety Oversight & Planning** (Selectmen Doney and Gadbois); and **Labor Agreement & Bargaining** (Selectmen Goslant and Maxwell).

In addition, Selectman Goslant will serve as the Select Board's representative on the Water/Wastewater Utility Commission and Selectman Freeman on the Electric Utility Commission. Selectman Gadbois and Manager Schulz will serve as Northfield representatives to the Mountain Alliance. Stephen Fitzhugh will continue to serve as Northfield's representative to Vermont Public Power Supply Authority (VPPSA) and Manager Schulz will remain the VPPSA alternate representative. Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve the appointments listed above. **Motion passed 5-0-0.**

- d. **Regular Meeting Schedule (Dates, Time, and Location).** Motion by Selectman Gadbois, seconded by Selectman Doney, for the Select Board to continue holding its regular meetings on the second and fourth Tuesday of each month at 7:00 p.m. in the Community Room located in the Brown Public Library. **Motion passed 5-0-0.**
- e. **Designation of Official Newspapers.** Motion by Selectman Gadbois, seconded by Selectman Freeman, to designate the *Northfield News*, the *Times Argus*, and the *Washington World* as the official newspapers. In addition, the Select Board will use the social media website Front Porch Forum for additional community outreach. **Motion passed 5-0-0.**
- IV. **SET/ADJUST AGENDA.** Manager Schulz stated that Fire Chief Peter J. DeMasi was scheduled to provide a report tonight but has had to cancel due to a family emergency. Chief DeMasi will attend a future meeting to provide the Select Board with a status report on the fire truck purchase process.

- V. **PUBLIC PARTICIPATION (SCHEDULED):** None.

VI. **APPROVAL OF MINUTES**

- a. **February 23, 2016 (Regular Meeting).** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the minutes. **Motion passed 3-0-2, with Selectmen Freeman and Goslant abstaining.**

VII. **APPROVAL OF BILLS**

- a. **Warrant #18-16.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve Warrant #18-16 in the amount of \$1,459,014.05. Selectman Doney asked about an expense for programming the voting machines. Manager Schulz stated that this was the normal cost when Town Meeting Day coincides with a U.S. Presidential Primary election. Selectman Doney then asked about a Ford Explorer "visor" that had to be replaced. Manager Schulz stated that when the Police cruiser was brought in for service, the mechanic recommended that the cracked windshield be replaced.

Selectman Goslant saw the various payments for streetlights and noted how much the costs have gone down since the LED streetlights were installed a couple years ago. **Motion passed 5-0-0.**

- b. **Approval of Bi-Weekly Payroll through February 28, 2016.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the biweekly payroll in the amount of \$85,064.51. Selectman Doney wanted to know why there was a sudden increase in Northfield Police Department (NPD) overtime. Manager Schulz said the amount goes up whenever a full-time officer takes vacation or sick time. Manager Schulz said he is having ongoing discussions with NPD Chief James Dziobek to keep this under control. Selectman Doney asked why Chief Dziobek could not work the shift. Manager Schulz stated that according to the current NPD union contract, the other officers are given precedence in filling the slot. This provision can be discussed during the upcoming NPD union contract negotiations. The current contract is set to expire on June 30, 2016. Selectman Doney asked if there remain concerns that the NPD will go over budget at the end of this fiscal year. Manager Schulz said this was a distinct possibility. However, there have been savings in other departments (i.e., Zoning) as well as additional revenues coming in (i.e., Amtrak accident reimbursements) so the overall budget should remain in the black. Chair Maxwell said that the current budget concerns should be a factor when the NPD union contract is negotiated. **Motion passed 5-0-0.**

VIII. LIQUOR CONTROL COMMISSION

- a. **Liquor License Renewal Applications**
1. **American Legion Club.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the liquor license renewal. **Motion passed 5-0-0.**
 2. **Champlain Farms.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the liquor license renewal. **Motion passed 5-0-0.**

IX. SELECT BOARD

- a. **DRAFT Fireworks Display Application Policy.** Manager Schulz stated that over last year's Labor Day Weekend, there was a fireworks display launched from Cheney Hill that disturbed the neighboring residents. A major concern was a lack of notification before the event. Manager Schulz has revised the permit form to include a new stipulation that neighboring property owners must be informed fifteen (15) days in advance. Manager Schulz also provided some documentation from the State of Vermont that shows that local governments actually are quite limited in regulating local fireworks displays. Chair Maxwell assumes that this is a first draft subject to discussion and possible revision. Manager Schulz said he would welcome any suggestions. Gerard LaVarnway and his wife were the neighbors most adversely affected by the Cheney Farm fireworks display. He thanked Manager Schulz for his efforts on this matter. He would like some clarification regarding the aforementioned fifteen (15) day notification period. He noted that this is the same deadline for a fireworks display application to be presented to the municipality. In addition, the permit requires the approval of the local fire chief and police chief. Mr. LaVarnway would like additional persons involved in the decision process. In addition, Mr. LaVarnway would like the Town to develop an overall fireworks display policy, especially when municipal property is involved. He still believes that Cheney Hill Farm is not a suitable location for any fireworks display. Chair Maxwell said more work will be done on the application form before it is ready for formal adoption. He also would like a fireworks display policy ready for discussion by the first regular meeting in April (04/12/16).
- b. **Turkey Hill Maple – Request for Lease of Town Property.** Manager Schulz noted that at the last meeting (02/23/16), representatives from Turkey Hill Maple requested permission to tap maple trees on the municipal property on which their tubing equipment had been installed by mistake. The Select Board authorized Manager Schulz to negotiate a lease agreement with Turkey Hill Maple after a local forester had inspected the trees on the site to determine if any were of high logging value. Manager Schulz reported that the forester did find some high value trees on the municipal parcel. Turkey Hill Maple has no objections if the forester does mark these trees to prevent them from being tapped. Manager Schulz said that the Northfield Conservation Commission (NCC) has expressed some concerns about this lease and he has been in contact with them.

Selectman Freeman would like a municipal policy in place covering such circumstances before any lease agreement is signed. He also believes that the NCC should have been a part of this discussion from the beginning. In addition, due to the fluctuating price of maple syrup, Selectman Freeman does not want the Town locked into a ten (10) year lease agreement at a set payment price of \$1.00 per tap. Selectman Gadbois said that as spring approaches, there is a closing window of opportunity for tapping the trees. He added that Turkey Hill Maple has done its best to rectify its mistake as well as providing additional revenue for the municipality. Selectman Freeman would favor granting a one year lease while a policy is being developed. Selectman Doney does not want the Select Board to revoke its previous authorization for Manager Schulz to negotiate a lease agreement. Manager Schulz said that the lease agreement is nearly complete. He can add an opt-out clause in case there are problems. Selectman Freeman doesn't believe that the Town is obligated to this company because of their mistake. Chair Maxwell believes that the Select Board can develop a policy should similar situations arise in the future and that the NCC will be kept in the loop. Selectman Goslant has no objection to a lease agreement and sees no reason to further delay tapping the trees. Chair Maxwell said that since authorization was given at the last meeting, there is no need for further Board action on this matter.

- c. **Establishment of Development Review Board.** Manager Schulz said that he has been working with the Planning Commission (PC) and the Zoning Board of Adjustment (ZBA) regarding the establishment of a Development Review Board (DRB). Both groups endorse this action. This would allow the Planning Commission to focus on long-term planning, updating the zoning regulations, etc. and allow developers to go before a single board rather than two. Motion by Selectman Gadbois, seconded by Selectman Doney, to approve and sign the resolution that would establish a Development Review Board in Northfield. Selectman Freeman said that the establishment of a DRB is a long overdue step in promoting local economic development. He does have some reservations regarding such issues as conflicts of interest, the terms of DRB members, etc. He would like these matters resolved before the DRB is put in place. Chair Maxwell feels that these are valid concerns but believes that they can be resolved after the resolution has been approved and the DRB established. This is a very important step in making Northfield more business-friendly. Kathleen Lott noted that the current zoning regulations have stipulations regarding PC and ZBA appointments, etc. Manager Schulz said that the PC is updating the zoning regulations to accommodate the DRB. A draft revision should be ready for public hearings in the next month or so. Selectman Gadbois asked if the Select Board should hold off until these issues have been resolved. Manager Schulz does not see a need for delay. Ms. Lott has concerns that the resolution will conflict with current zoning regulations. Chair Maxwell would like to table the resolution until Manager Schulz can provide a definitive opinion on whether this is a valid concern. Selectman Gadbois withdrew his motion.
- d. **Appointment of Darlene Goodrich to Planning Commission.** Chair Maxwell said that Darlene Goodrich has submitted a letter of interest regarding one of the vacant positions on the Planning Commission. The commission members met with Ms. Goodrich last week at a special meeting and they recommend her appointment. Motion by Selectman Gadbois, seconded by Selectman Freeman, to appoint Darlene Goodrich to the Planning Commission for a full four-year term. **Motion passed 5-0-0.**

X. **BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS**

- a. **Neighborhood Noise Problem.** Selectman Doney stated that a Jarvis Lane resident has repeatedly complained about noise in the night and other problems coming from a house occupied by Norwich University students. This rented property has been a problem for almost ten (10) years. The NPD does respond to noise complaints but that does not stop them from reoccurring once the officers leave the scene. Manager Schulz added that the property owners live out of state. They have been informed of the problems their tenants are causing but have taken no action. Selectman Doney would like the NPD to start effectively enforcing the local noise ordinance and start issuing citations. The situation has gotten totally out of control and Manager Schulz needs to inform Chief Dziobek of this.

- b. **New Cumberland Farms Sign.** Selectman Doney is very concerned about the LED gas price sign that Cumberland Farm recently installed. The owner of the neighboring property believes the sign is far too bright and has adversely affected repeated attempts to sell his house. Manager Schulz said that the Planning Commission did grant permission for the new sign but this was conditional on the brightness level, etc. Manager Schulz did contact Cumberland Farms about the neighbor's concerns and they did slightly lower the brightness. Manager Schulz has contacted them again about the need for further action and let them know that the sign permit might be revoked if there is no compliance. Selectman Doney wants Cumberland Farms sent a letter insisting that the neighbor's concerns be addressed within the next couple weeks or the sign will be shut down.
- c. **Town Mechanic Search.** Selectman Gadbois asked how the search was going. Manager Schulz said that only two applications were received before yesterday's deadline. It may become necessary to re-advertise the position. Selectman Goslant knows of a couple people who might have applied except for the requirement that the mechanic plow roads after snow events. In many towns the mechanic just works in the shop. Chair Maxwell suggested that this requirement might be removed from the job description.
- d. **Water Street Municipal Property.** Selectman Gadbois asked if there really was the possibility of selling this property for \$15,000. Manager Schulz said this is the listed price that the broker has recommended. Selectman Gadbois would like this parcel sold and put back on the Grand List as soon as possible. Selectman Goslant suggested that instead of using a broker, the Town should consider putting the property out to bid (as was done with the East Street property). Chair Maxwell would like Manager Schulz to present the options at the next meeting.
- e. **Town Buildings & Energy Committee.** Selectman Gadbois would like the committee to have a walkthrough of all municipal facilities as soon as possible. Manager Schulz will arrange this.
- f. **Economic Development Funds Request.** Selectman Doney asked if there were any updates regarding Cornerstone Burger Company's request for \$10,000 in economic development funds. Manager Schulz said that the Economic Development Committee reviewed the request and it was not comfortable in making a recommendation to the Select Board that the full amount be provided. Manager Schulz is looking into the existing revolving loan fund to see if there are possibilities there. It is still conceivable that part of the request amount could be granted.
- g. **Northfield Winter Carnival.** Chair Maxwell noted that the Winter Carnival will be held this coming weekend (March 12-13, 2016). There will various activities held including snowshoeing; a chili cook-off; indoor volleyball and basketball; etc. Chair Maxwell thanked the Recreation Committee and Conservation Commission for setting this up.

XI. **TOWN MANAGER'S REPORT.** Manager Schulz had nothing to add to his written report.

XII. **PUBLIC PARTICIPATION (UNSCHEDULED).** There was none.

XIII. **EXECUTIVE SESSION.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss a contract matter with Manager Schulz present. **Motion passed 5-0-0.**

The Board went into executive session at 8:50 p.m.

Motion by Selectman Doney, seconded by Selectman Goslant, to come out of executive session. **Motion passed 5-0-0.**

The Board came out of executive session at 9:25 p.m. No action was taken.

XIV. **ADJOURNMENT.** Motion by Selectman Doney, seconded by Selectman Gadbois, to adjourn. **Motion passed 5-0-0.**

The meeting adjourned at 9:27 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

An audio recording of this meeting is available in the Town Manager's Office.

These minutes were approved at the regular Select Board meeting of March 22, 2016.