

**TOWN OF NORTHFIELD, VERMONT**  
**BOARD OF SELECTMEN**  
**Minutes of April 26, 2016**

- I. **ROLL CALL.** Chair K. David Maxwell, Selectmen Lynn Doney, Nathan Freeman, Matthew Gadbois, and Kenneth W. Goslant. Also present were Town Manager Jeffrey Schulz, Acting Clerk Kenneth McCann, Police Chief James Dziobek, Utility Superintendent Patrick DeMasi, Tina DeMasi, Bobbi Underhill, and Kathleen Lott (*Northfield News*).

Chair Maxwell called the meeting to order at 7:02 p.m.

- II. **PLEDGE OF ALLEGIANCE.** The Board members and the public were asked to rise and recite the Pledge of Allegiance.
- III. **SET/ADJUST AGENDA.** Manager Schulz thought that representatives from Cornerstone Burger Company would be present to make their request for outdoor seating but they don't appear to be here tonight.
- IV. **PUBLIC PARTICIPATION (SCHEDULED)**

- a. **O'Maddi's Deli & Café: Water Bill Dispute.** Manager Schulz read an email from the owners of O'Maddi's (Shaun and Kaylan Sweet) stating that they had wanted to be here tonight but were unable. Manager Schulz added that the Utility Department further researched the water usage spike that occurred at O'Maddi's in November 2015 and determined that the water did go through the system and was used. He asked if the Select Board members would like to delay consideration of this matter until the Sweets can be present. Selectman Doney noted that water use for O'Maddi's seems to have risen to a higher normal level since November. Selectman Gadbois asked when the municipality was informed of the problem. Manager Schulz said that the relevant utility bill was sent out in mid-December 2015 but the Sweets did not contact the Utility Office to contest the amount until a month later. After the matter was reviewed by the Utility Office, which concluded that the billing was correct, the Sweets contacted Manager Schulz about the dispute. Selectman Gadbois would like a standard complaint form used in the future so that similar concerns can be tracked. Manager Schulz will look into establishing a more formal complaint process.

Chair Maxwell said that it was his opinion, based on past practice, that this bill should not be abated. It is clear that the water went through the meter. He suggested that Manager Schulz could work with the Sweets on a payment plan in case a lump sum payment would adversely affect their business. Selectman Goslant asked if anyone from the Utility Office would like to address this matter. Bobbi Underhill has worked as a Customer Service Representative since June 2005. She confirmed that the bill in question was mailed out in mid-December 2015 and that the Sweets did not contact the office until a week after the bill was due about a month later. Utility Superintendent Patrick DeMasi then inspected the water meter and found that it was operating correctly. It was at that point that the Sweets appealed the bill to Manager Schulz. Selectman Goslant noted that the disputed bill keeps rising since interest charges are added each month. He does not want payment delayed any longer. Motion by Selectman Doney, seconded by Selectman Goslant, to deny the abatement of the disputed water bill and to authorize Manager Schulz to work with the Sweets to arrange a payment plan. **Motion passed 4-0-1, with Selectman Gadbois abstaining.** Selectman Gadbois explained that since his business (Gadbois Plumbing & Heating) has done work at O'Maddi's, he felt he should recuse himself in this matter.

V. **DEPARTMENT HEAD REPORT**

- a. **Police Chief James Dziobek.** Manager Schulz noted that Northfield Police Department (NPD) statistics for the first quarter of 2016 (January through March) had been distributed in the Board packets. Chief Dziobek will comment on them and answer any questions the Board members might have.

Chief Dziobek stated that based upon first quarter financial statements indicating that the NPD had \$150,000 remaining in its FY 2015/2016 budget as of March 31, 2016, he now projects that the NPD will complete the current fiscal year in the black by about \$1,200. He then supplemented the first quarter statistics by noting that the NPD has had over 200 calls for service in April, which is a considerable amount but part of an annual trend. He expects that this number will decrease after the Norwich University school year ends in mid-May.

Chief Dziobek then thanked management for the new phone system that was recently installed. Despite some initial problems with the advanced technology, it has been working excellent and a great improvement over the old system.

Chief Dziobek noted that there are eighteen (18) registered sex offenders now residing in Northfield. Although not required to do so, the NPD checks on them every quarter to make sure they are living where they are registered, etc. These individuals are not all pedophiles but they have been convicted of a sex crime.

Chief Dziobek stated that Drug Recognition Experts are police officers who have been trained and certified to tell by observation whether or not a person is under the influence of drugs as well as what drug(s) are involved. They also can evaluate whether someone is operating a motor vehicle in an impaired condition due to drug use. In the absence of such a certified expert, the subject(s) would have to be taken to a local hospital so that blood tests can be taken at a cost of about \$250 each. Chair Maxwell asked how drivers later suspected of drug use are pulled over in the first place. Chief Dziobek said that it is usually due to speeding, improper lane change, or other moving violations. Once the vehicle is stopped, the officer will evaluate the driver's behavior, check to see if there is any visual or aromatic indication that drugs have been in the vehicle, etc. As regards the current legislation under consideration that would legalize marijuana use, the Vermont Police Chiefs Association has asked the state legislature to put this on hold until law enforcement agencies have had sufficient time to prepare for all the logistic ramifications of legalization.

Chief Dziobek confirmed that NPD vehicles do not currently carry Narcan, which is used to treat suspected opiate overdoses, even though he has been considering it. There have been recent news stories of it being used to save children who had gotten into their parents' drug stash. The cost of Narcan varies but the average price is about \$150 per unit. Stocking each of the four (4) NPD cruisers would cost about \$1,200 each year. Other than the expense, Chief Dziobek sees no downside to it. He added that there might be outside funding sources (i.e., grants, donations, etc.) that might cover the costs. He already has gone through the training himself, which takes about one and one-half (1½) hours. Chair Maxwell would like the NPD to start stocking Narcan and NPD officers trained in its use as soon as possible. He suggested that Chief Dziobek could work with Manager Schulz regarding the budgetary implications. Selectmen Freeman and Goslant agreed that this should be done.

Chief Dziobek had a couple more announcements. This coming Saturday (04/30/16), residents can drop off any expired or unneeded prescription drugs at the Northfield Police Station (110 Wall Street) from 10:00 a.m. to 2:00 p.m. In addition, NPD Officer Michael Gero was recently commended by the Animal Control Association for his investigation of a suspected case of animal cruelty here in Northfield.

Selectman Freeman asked Chief Dziobek how the crime situation was in Northfield compared to previous years. Chief Dziobek stated that this time of year usually is the busiest but nothing sticks out as particularly unusual. Selectman Goslant asked why there was the big jump in calls for service the past month. Chief Dziobek said that there is an increase in outside activity with the warmer weather and this often involves college-aged residents.

Selectman Goslant asked what a “directive patrol” was. Chief Dziobek said that if a resident complains about speeding vehicles on a certain street, NPD officers will be asked to patrol in the area to ascertain if there is a real problem, make arrests, etc. In addition, there is a NPD officer at the Northfield schools in the morning because there have been past concerns regarding child safety during “drop offs” as well as parking problems.

Given the recent increase in calls for service, Selectman Gadbois asked if any work schedules would have to be adjusted for the NPD to remain in the black. Chief Dziobek didn’t think this would be necessary. There are a number of seasonal events coming up (i.e., graduation ceremonies, etc.) for which the NPD would be compensated for providing stand-by services. This added revenue is always a great help as the end of the fiscal year approaches.

Selectman Freeman asked how the Northfield community fared in regards to the regional opiate crisis. Chief Dziobek believes that Central Vermont probably is doing better in handling the situation than the rest of the state. This is mainly due to better and more available treatment programs that users can access when they want to quit. When users have to wait to get into a program, quite often problems will develop in the interim. Selectman Gadbois noted that two (2) “possession/sale of heroin” cases were listed in the incident reports summary. He asked if these events occurred within Northfield town limits. Chief Dziobek said that one was a well-publicized discovery of heroin bags in a vehicle that had been previously stopped on the interstate. The other case did occur in town but he cannot discuss the particulars at this time.

Selectman Doney asked if there would be additional NPD patrols this summer. Chief Dziobek said that was the plan. Selectman Doney lives across from Convenience Plus on North Main Street and he believes it has gotten much worse in recent weeks with nighttime noise, speeding cars, loud conversations, etc. Chief Dziobek will keep an eye on the situation.

## VI. APPROVAL OF MINUTES

- a. **April 12, 2016 (Regular Meeting).** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the minutes. **Motion passed 5-0-0.**
- b. **April 18, 2016 (Special Meeting).** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the minutes. It was noted that a couple of motions were incorrectly attributed. These will be corrected. **Motion to approved amended minutes passed 5-0-0.**

## VII. APPROVAL OF BILLS

- a. **Warrant #21-16.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve Warrant #21-16 in the amount of \$123,582.46. Selectman Doney saw that Tomco Excavating was paid to do work on Lovers Lane; why wasn’t the Town excavator used? Manager Schulz said that a stubborn piece of ledge was encountered that couldn’t be shifted with our equipment so the work had to be subcontracted. Selectman Doney saw that the Town paid to have a load of shingles removed from the Town Garage. He does not believe the garage has any shingles. Mr. DeMasi explained that hauling companies often use the general term “shingles” for any construction material. Selectman Goslant noted a number of payments for culverts. He hopes that the Highway Foreman is tracking these expenses for the Highway Committee. **Motion passed 5-0-0.**

- b. **Approval of Biweekly Payroll through April 10, 2016.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the biweekly payroll in the amount of \$79,354.46. Selectman Gadbois saw “BC Employee Buyout” listed for the Ambulance Department and would like to know what this was. Manager Schulz is not sure but he will check it out and report back. **Motion passed 5-0-0.**

#### VIII. LIQUOR CONTROL COMMISSION

- a. **Liquor License Renewal: The Woods at Wihakowi.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. Chair Maxwell noted that there was a section where a couple of boxes were not checked. He is reluctant to give approval until it can be verified that there is no problem with the application. Without objection, the motion was amended to include the provision that the application be held until Manager Schulz can confirm that this was merely an oversight and there is no problem. **Motion passed 5-0-0.**

#### IX. SELECT BOARD

- a. **Local Emergency Operations Plan Update.** Each year municipalities are expected to update their Emergency Operations Plan. Among other things, this document creates a chain of command and a number of procedures to follow in case of a local or regional emergency. Manager Schulz worked with Emergency Management Coordinator Lawton Rutter on updating the plan. Having an up-to-date plan in place ensures that state and federal disaster relief funds will not be withheld due to an outdated one. Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the Emergency Operations Plan as presented. One minor typo was found that will be corrected. **Motion passed 5-0-0.**
- b. **Green Up Day 2016.** Chair Maxwell noted that Green Up Day will be held on Saturday, May 7, 2016. Northfield residents wishing to take part should meet behind the Fire Station (128 Wall Street) at 9:00 a.m. Collection bags should be returned there by noon. Light refreshments will be available for participants. Please call Megan Cicio at 793-0822 for more information.

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

- a. **Cumberland Farms LED Sign.** Selectman Doney thanked Manager Schulz for getting Cumberland Farms to agree to turn off the fuel price sign on the abutter side from 7:00 p.m. to 5:00 a.m. The neighboring property owner had requested assistance from the municipality in getting the sign dimmed as it was hindering efforts to sell his house. Selectman Freeman also commended Manager Schulz for his efforts.
- b. **Labor Day Fireworks Display.** There had been some concerns expressed about the lack of local police response to the 911 calls the LaVarnways made about the firework display being launched next to their property last Labor Day weekend. Selectman Doney has reviewed the recordings related to this and believes that the matter now has been resolved.
- c. **Northfield Conservation Commission Budget.** At the previous meeting, Selectman Gadbois had suggested that some of the funds generated from the Turkey Hill Maple lease agreement be forwarded to the Northfield Conservation Commission (NCC) to cover operating expenses. He then learned that the land being leased belongs to the Water Department so this cannot be done. Chair Maxwell felt that there should be discussion of creating a NCC budget when the 2017/2018 fiscal year budget is developed. Manager Schulz will inform NCC Chair Pam Knox of the Select Board's intention.

- d. **Town Common Flags.** Selectman Gadbois noted that some of the flags displayed around the Common are in pretty bad condition. If new ones were purchased, he would be pleased to install them himself.
- e. **Zoning Administrator Search.** Selectman Gadbois asked about the status of the search. Manager Schulz said a couple applications had been received by the deadline. Selectman Freeman asked if these were qualified candidates. Manager Schulz is unsure. If not, the position will be re-advertised.

**XI. TOWN MANAGER'S REPORT**

- a. **New Municipal Building Front Doors, etc.** Manager Schulz said there are plans to replace the current front doors with ADA-compliant automated doors. The estimated cost is \$2,800 and there is over \$90,000 in the CIP account for building renovations. There also is a plan to spend \$800 on new hallway mats.
- b. **Computer Server Update.** Manager Schulz said that quotes have been solicited for the replacement of the municipality's computer servers. Servers usually have a lifespan of five (5) years and the current ones have been in place for over six (6) years. The expense will be split between Town General and the utility budgets. Selectman Goslant noted that a local computer specialist did not take part in the bidding process because of concerns about an apparent conflict of interest. Was that really necessary when low bids are being solicited? Manager Schulz said the individual himself made the judgement not to participate since he is an elected official.
- c. **FY 2016/2017 Utility Budgets.** Manager Schulz reported that the Utility Commissions have been working on the budgets during their joint meetings. The next meeting will be held next Monday night (05/02/16). The Northfield Electric Department budget is in very good shape but the water and sewer budgets will be more of a challenge.

**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 personnel and legal matters with Manager Schulz present. **Motion passed 5-0-0.**

The Board went into executive session at 8:25 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 8:55 p.m.

Motion by Selectman Gadbois, seconded by Selectman Goslant, that in accordance with the evidence received during a confidential grievance hearing, a letter of reprimand dated February 9, 2016 be removed from the affected employee's personnel file after six (6) months (08/09/16). **Motion passed 5-0-0.**

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

The meeting adjourned at 9:06 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 May 10, 2016.