

TOWN OF NORTHFIELD, VERMONT
BOARD OF SELECTMEN
Minutes of June 14, 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, Finance Director Laurie Baroffio, Utility Superintendent Patrick DeMasi, Sally Davidson (Recreation Committee), Bobby Clarke (Cornerstone Burger Company), Peter J. DeMasi (Fire Chief), Tim Davis (Fire Department), Dan Desorcie (E-One Corporation), Tina DeMasi, Brenda Chamberlin, Randall Chamberlin, Mary Dollenmaier, Fred Nadon, John Stevens, Carolyn Stevens, and Kathleen Lott (*Northfield News*).

Chair Maxwell called the meeting 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. **SET/ADJUST AGENDA.** Manager Schulz asked that "Fire Department Pumper Truck Bids" be moved forward on the agenda.
- IV. **PUBLIC PARTICIPATION (SCHEDULED)**

- a. **Sally Davidson, Recreation Committee: Recreation Committee Update.** Ms. Davidson said that the Committee is obtaining pricing for the proposed new bathrooms at Memorial Park. The Committee will provide the information to the Select Board as soon as possible. In addition, the horseshoe pits will be installed at Memorial Park and the Falls Park before the end of the weekend. Residents of the Veteran's Place were very helpful. Ms. Davidson also reported that the Committee had decided against holding a BBQ on the Common but instead will hold a chicken BBQ along with sports at Memorial Park in early August. The Committee will provide additional information as the plans are finalized. Chair Maxwell thanked Ms. Davidson and the other Recreation Committee members for their outstanding work.

V. **APPROVAL OF MINUTES**

- a. **May 24, 2016 (Regular Meeting).** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the minutes. **Motion passed 5-0-0.**

VI. **APPROVAL OF BILLS**

- a. **Warrant #24-16.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve Warrant #24-16 in the amount of \$1,457,831.49. Selectman Doney asked about a \$17,000 bill from Green Mountain Power (GMP) for a bike lane project. Manager Schulz stated that the State is realigning Vermont Route 12A for safety reasons and will be installing a bike lane at the same time. The utility poles will need to be relocated and the Town is responsible for the expense. He added that Trans-Video also has to pay part of the expense. Chair Maxwell noted that the warrant amount is larger than usual because of property taxes forwarded to the school, power purchases, payment to non-profits for the money articles approved by voters at Town Meeting, etc. **Motion passed 5-0-0.**
- b. **Warrant #24-16A.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve Warrant #24-16A in the amount of \$63,105.28. **Motion passed 5-0-0.**
- c. **Approval of Biweekly Payroll through May 22, 2016.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the biweekly payroll in the amount of \$80,263.35. **Motion passed 5-0-0.**
- d. **Approval of Biweekly Payroll through June 5, 2016.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the biweekly payroll in the amount of \$89,839.78. Selectman Gadbois noted a lot of Northfield Police Department (NPD) overtime over this time period. Manager Schulz believes most of it is related to coverage over the Memorial Day holiday, vacations, etc. Selectman Goslant asked if NPD officer participation in the Governor's Highway Safety Program resulted in overtime expense. Financial Director Laurie Baroffio said that it did not as there is a separate line item and all expenses are reimbursed by the State. **Motion passed 5-0-0.**

VII. SELECT BOARD

- a. **Fire Department Pumper Truck Bids.** Manager Schulz said that bid proposals were solicited from six (6) companies and all submitted bids. Fire Chief DeMasi has reviewed the bids and is present to provide his recommendation. Chief DeMasi said that the lowest bid did not meet the specifications and was only slightly lower than the next one. E-One Corporation had the second lowest bid (\$410,723) and met all the specs. In addition, the Northfield Fire Department (NFD) has a long and positive history of purchasing vehicles from them. Therefore, Chief DeMasi recommends purchasing the pumper truck from E-One Corporation for \$410,723. Selectmen Doney and Freeman had no problem with Chief DeMasi's recommendation. Selectman Gadbois asked if the plan was to keep this vehicle in service for twenty (20) or thirty (30) years. Chief DeMasi felt that this was a budgetary question that he could not answer at this time. Chair Maxwell felt that it was important that the new vehicle would be well-maintained in order to extend its service life. Selectman Gadbois was sure that NFD takes good care of its equipment but he is concerned about the replacement schedule. Chair Maxwell agreed with Chief DeMasi that this discussion should be held during the next budget process. Selectman Gadbois also wants to be sure that grant funds are sought before any major purchase. Chief DeMasi said that he does keep an eye out for any available grant opportunities. Selectman Goslant asked how much did Northfield voters authorize for this purchase. Chief DeMasi said that the voters authorized \$281,000 in borrowing and the balance of the purchase will be paid for with CIP funds and cash on hand. The bid amount is slightly less than the amount that had been budgeted (\$414,000). Selectman Gadbois asked how much could be obtained for the old pumper truck. Chief DeMasi said that he has someone who will come in and make an estimate of the old truck's worth before it is put out to bid. The vehicle would be sold on the condition that it remain in service until the new vehicle arrives in Northfield (February/March 2017). Motion by Selectman Doney, seconded by Selectman Freeman, to authorize the purchase of a pumper truck from E-One Corporation for \$410,723. **Motion passed 5-0-0.**
- b. **Hearing: Vicious Domestic Animal (125 Central Street).** Chair Maxwell said that this hearing had been scheduled in response to a dog bite incident that occurred on June 7, 2016. It has been reported that there had been three (3) previous incidents involving the same dog. Manager Schulz said that the NPD prepared a detailed report based on witness accounts regarding the dog's attack on an eleven-year old child. It was determined that the dog was vicious and that its owner was not in control of it. Manager Schulz spoke to the dog's owner and was informed of her intention to put the dog down. She later informed Manager Schulz that her husband did put the dog down himself. The next step in the process is to get verification that this is what happened. The owner was supposed to wait until ten (10) days after the latest incident so that it could be determined whether or not the dog was rabid. Chair Maxwell said that in the absence of confirmation, the Select Board still may want to take action tonight. Selectman Goslant felt that this matter should have been resolved earlier so that animal was not involved in four (4) separate incidents. Selectman Freeman felt that the NPD response to the latest incident was prompt and professional. Also, there is no evidence that the three (3) previous incidents had been reported. Motion by Selectman Freeman, seconded by Selectman Goslant, to task Manager Schulz to verify that the dog in question has been destroyed. In the absence of current proof, the Select Board authorizes that the dog should be destroyed no later than noon on Sunday, June 19, 2016, which would be after the completion of the ten (10) day rabies observation period. **Motion passed 5-0-0.**
- c. **Cornerstone Burger Company: Outside Seating Lease Agreement.** Manager Schulz stated that the Cornerstone Burger Company's request also includes the use of the two (2) parking spaces in front of the restaurant. The draft lease agreement is for a trial period from mid-June through mid-December 2016. There are no plans to put any tables or chairs on the sidewalk. This lease agreement is based on the one that the municipality had with the previous restaurant (The Knotty Shamrock) at this location. Motion by Selectman Gadbois, seconded by Selectman Goslant, to authorize Manager Schulz to enter into a lease agreement with Cornerstone Burger Company. Chair Maxwell would like the end date of the lease period changed to mid-November, which is when the winter parking ban goes into effect. Manager Schulz will make this change. **Motion passed 5-0-0.**

- d. **Approval of FY 2016/2017 Water, Sewer, and Electric Budgets.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the budgets as presented by the Utility Commissions. Selectman Gadbois believes that the utility budget process should be moved up in the calendar so that Northfield residents can ask questions about it during Town Meeting. Manager Schulz noted that the utility budgets are not subject to voter approval. Therefore, any discussion of utility budgets during Town Meeting would be informational only. Manager Schulz will discuss this possibility with the Utility Commissioners at one of their upcoming meetings. Chair Maxwell added that the meetings at which the Utility Commissioners drafted the budgets were open to the public so ratepayers had the ability to ask questions at any time in the process. Selectman Goslant serves on the Water & Wastewater Commission and he stated that there had been some prolonged discussions regarding whether the Utility Commissions or the Select Board had the ultimate authority over the utility budgets. He would like this matter clarified before the next budget process begins. Chair Maxwell said that Attorney Paul Giuliani helped the municipality at various times through the merger process and it was his opinion that the commissions do have final authority. Chair Maxwell also spoke to residents who served on the committee that drafted the merger documents and this was their opinion as well. **Motion passed 5-0-0.**
- e. **Approval of FY 2016/2017 Water and Sewer Rates.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the rates as presented by management. Manager Schulz said that there would be no change in the sewer rates but the average water customer would see a rate increase of 9.22%. This would result in an additional \$3.08 on the average customer's monthly water bill. Selectman Freeman commended the Water & Wastewater Commissioners for their hard work and the difficult decisions that had to be made to keep these rates as low as possible. Chair Maxwell said that it was unfortunate that the municipality lost one of its major customers this past year. The rate increase was kept relatively low through the use of budget surpluses and Chair Maxwell asked that the commissioners look at all options in order to avoid a larger increase next year. He added that the best solution would be for Northfield to attract another major business that would make up for the lost revenue. Northfield does have a modern wastewater treatment facility so there is more than enough capacity for local commercial and/or industrial expansion. Selectman Freeman serves on the Economic Development Committee and attracting new businesses has been a major topic of discussion. Selectman Gadbois asked about setting the electric rates for the coming fiscal year. Chair Maxwell noted that these rates are set by the Public Service Board. Manager Schulz added that the Electric Utility Commission does not recommend any rate change for the foreseeable future. **Motion passed 5-0-0.**
- f. **Brown Public Library (BPL) Roof Repair Bids.** Manager Schulz stated that bids were solicited to address the many problems with the roof. There is some sagging and some beams need to be replaced. However, since there was such a poor response (one bid), he met with BPL representatives and they agreed with him that the project should be rebid. Chair Maxwell agreed with this but noted that given the roof's state, there is a real need to get the repairs done before next winter.
- g. **Approval of Northfield Electric Department (NED) Bill Abatements.** Manager Schulz asked that consideration of this matter be tabled until it can be determined whether or not the Select Board is the proper body to make this decision. Chair Maxwell served on the Board of Trustees for several years and he noted how low the amount was compared to past abatements. Manager Schulz said that the major reason was that with merger the NED gained the ability to place liens on delinquent accounts.
- h. **Capital Expense Note (2014 Ambulance Unit).** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve and sign the Capital Expense Note in the amount of \$46,795.91 at 1.99% interest; to approve and sign the Capital Expense Borrowing resolution; and to approve and sign the No-Arbitrage and Use of Proceeds Certificate. **Motion passed 5-0-0.**
- i. **Northfield Observances Request to Hold Car Show (09/04/16).** Northfield Observances has made its annual request to hold a car show in the Kenyon Hardware parking lot on the Sunday of Labor Day Weekend. This would require closing down Water Street from North Main Street to Carpenter Street while the event is going on (9:00 a.m. to 4:00 p.m.). Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the request. Chair Maxwell noted that this car show has been held for over five (5) years and there has never been any problems. **Motion passed 5-0-0.**

VIII. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Town Highway Vacancy.** Selectman Doney asked about the status of the job search. Manager Schulz said that four (4) applications had been received before the deadline last Friday (06/10/16). He and Highway Foreman Trent Tucker are reviewing the applicants.
- b. **Water Fountain on the Common.** Selectman Doney asked if the water in the fountain is being recirculated. If not and the water is just being wasted, he would like the fountain shut down. Manager Schulz said that he and Utility Superintendent Patrick Demasi looked into installing a recirculator and found that it was much more difficult and expensive than anticipated. Also, the circulator runs on electricity so there would be that additional cost. Manager Schulz added that the fountain is in operation for only about four (4) months each year. Chair Maxwell would like Manager Schulz to research how much it costs the municipality to run the fountain each year to help the Select Board decide whether to keep it operating.
- c. **Combined Fire/Ambulance Facility.** Selectman Doney would like the Town Buildings & Energy Committee to look into this and make a recommendation whether to pursue this possibility or look at other options. If the combined facility is built, Selectman Doney would like it large enough to accommodate any future local growth.
- d. **Economic Development Committee update.** Selectman Freeman said that the Committee was working on possible Brownfields projects in Northfield. Any action will require public input so the Committee is looking to hold an event on Depot Square on Tuesday, July 19, 2016 in conjunction with the Northfield Farmers Market, etc.
- e. **Zoning Administrator Search.** Selectman Gadbois asked if Manager Schulz had contacted the Town of Berlin regarding the possibility of sharing its Zoning Administrator. Manager Schulz has not but will do so soon. Selectman Gadbois suggested checking with other neighboring towns as well, i.e., Williamstown, Roxbury, etc.
- f. **Select Board Committees.** Selectman Goslant thinks that there is a problem with Select Board members asking to be placed on certain committees but then not showing up for meetings. If this persists, he suggested that some committee appointments should be reassigned. He himself pledged to do a better job on the Water & Wastewater Commission in the coming year.
- g. **Kenyon's Hardware Drainage Project.** Selectman Goslant is very pleased with the way this project is turning out. Manager Schulz agreed that it has worked out well. Chair Maxwell noted that the construction firm doing the project is the same one that will be doing a similar drainage project on Holland Place later this year,
- h. **"Welcome to Northfield" Signs Update.** Chair Maxwell asked if there was a holdup in getting the new signs installed. Manager Schulz said that one of the properties that would host a sign now is in foreclosure so he can't get permission. Chair Maxwell suggested that it may be time to look for a new location.

IX. **TOWN MANAGER'S REPORT.** There were no questions regarding Manager Schulz's report.

X. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. **Mary Dollenmaier: Planned Roadside Tree Removal.** Ms. Dollenmaier lives on Smith Hill Road and is very concerned about the Highway department's plans to clear cut the sides of her road as well as other backroads. She has not seen any written plan for this project and would not like the trees alongside Smith Hill Road removed without any public input as has already happened on Little Northfield Road. Ms. Dollenmaier would like this project put on hold until more information has been provided to the public. Chair Maxwell said that Manager Schulz has already agreed to suspend the tree cutting until there has been a public discussion at the next Select Board meeting (06/28/16). Selectman Gadbois noted that although contracting out this roadside clearing normally costs about \$300 per hour, the company doing this project is willing to do this at no cost to the municipality. It only asks that it be able to keep the lumber created in the form of wood chips. Selectman Gadbois is concerned that any delay in the project will cause the company to pull out and make the municipality responsible for future tree clearing costs. Chair Maxwell said that one reason behind the tree clearing is to open up the roads to direct sunlight, which would dry them out faster during mud season. The trees involved are all in the Town Highway's right-of-way. Selectman Gadbois added that there are safety issues as well as the trees are crowding the roads, which limits visibility around corners and can damage vehicles as well. Ms. Dollenmaier does not believe that clear cutting healthy trees is a good policy.

Carolyn Stevens also lives on Smith Hill Road and is concerned that the public has not been better informed of this project. She also believes that there are several factors that have not been considered, such as the tree removal causing erosion on the roads, the lack of any solid evidence that removing the trees will help maintain the roads, etc. She also felt that this “free” service may not be a bargain after all since someone else might be willing to do the work and pay for the wood chips.

Ms. Davidson said that a similar project was done on Lovers Lane and actually made the road passable during mud season. Selectman Goslant believes that the affected trees should have been cut down years ago before the situation got out of hand. There is an additional safety concern that emergency vehicles might not be able to access some backroad locations due to the overgrowth. Selectman Freeman would like to see a written plan for this project before it is restarted. He also has concerns about whether the municipal bid process was followed, whether the work done is in compliance with state law, etc. He also would like to see better communication with the affected property owners. Superintendent DeMasi said that another unanswered question is who owns the trees located in the right-of-way. Chair Maxwell would like Manager Schulz and Mr. Tucker to engage with the backroads residents in order to address any concerns they might have. Manager Schulz said that when Mr. Tucker first discussed this project with him, Manager Schulz made clear that Mr. Tucker should reach out to the property owners before any work was done. Manager Schulz will look over the process to make sure that everyone is on the same page and that there is a written agreement with the contractor before work restarts.

Randall Chamberlin is another Smith Hill resident and he said that Mr. Tucker worked with him to make sure that the tree removal by his property was done properly. Also, when his neighbor wanted to have a few roadside trees preserved, Mr. Tucker asked that these trees be tagged so that the contractor would know not to cut them down. Mr. Chamberlin agrees that there are serious safety concerns with the overgrown trees. He added that the trees removed do not have high-quality wood and are only good for chipping.

Selectman Doney said that he and the other Select Board members were not informed of this project until Manager Schulz sent them an email earlier today. He believes that Mr. Tucker has years of experience in such matters so he knows which trees should be removed in the interest of public safety, proper road maintenance, etc. Selectman Doney does not want to delay this project too long so he asked that a Special Select Board Meeting be scheduled for next Tuesday night (06/21/16) so that this can be resolved as soon as possible. Selectman Freeman believes that this would not provide management with sufficient time to contact the property owners, address all the concerns raised tonight, etc. Chair Maxwell also would like this matter resolved next week if possible.

- b. **Sally Davidson, Landlord Responsibilities.** Ms. Davidson watched the last Select Board meeting at home and was concerned about a discussion in which it was suggested that landlords who rent to Norwich University students should somehow be held accountable for any excessively loud and disruptive parties held. Chair Maxwell said that he raised the idea himself after attending a public meeting focused on off-campus student renter issues. He learned at that meeting that apparently party organizers aren't deterred by paying a small fine after being cited for noise and other violations by the police. Chair Maxwell brought up the possibility of putting some culpability on landlords as one possible option. He believes that other college towns have looked into this as well. Ms. Davidson believes that landlords are already burdened in this community by being held ultimately responsible for their tenant's unpaid utility bills. She would not like any further sanctions on those who rent out their property.

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

The meeting adjourned at 9:28 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 June 28, 2016.