

**TOWN OF NORTHFIELD, VERMONT**  
**BOARD OF SELECTMEN**  
**Minutes of June 28, 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, Ambulance Chief Lawton Rutter, Utility Superintendent Patrick DeMasi, Russ Barrett (Tree Warden), Kyle Daniels, Mary Dollenmaier, Fred Nadon, Theresa Elmer, Rodney Elmer, Lynn Barrows, Michael DeMasi, Rena DeMasi, Nelita Pecora, Frank Pecora, Steve Tiersch, Melinda Appel, Jason Endres, Tina DeMasi, Sheila Gould, Carolyn Stevens, John Stevens, Greg MacMartin, Mary McDaniel, Mel Adams, Carl Pinkham, Chris Pinkham, John Quinn III, Patricia Coppolino, Nathaniel Miller, Conrad Motyka, Joseph Zuaro, 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.** Since the VTrans TA-65 grant reimbursement form has not been received, its approval will be postponed until the next meeting (07/12/16).
- IV. **PUBLIC PARTICIPATION (SCHEDULED):** None.
- V. **DEPARTMENT HEAD REPORT**

- a. **Ambulance Chief Lawton Rutter.** Chief Rutter distributed a short handout to the Select Board members that included tables and graphs comparing the number of Northfield Ambulance Service (NAS) calls for service during FY 2014/2015 to the numbers for the first eleven (11) months of the current fiscal year. After the June 2016 figures are included, Chief Rutter expects that the call volume may go down slightly by comparison but there should be more billable calls, resulting in additional revenue. He added that NAS has been very busy this month with several non-emergency transfers.

Chief Rutter reported that NAS equipment is doing well but he will need to discuss a proper replacement schedule during the next budget sessions. He now is looking to remount existing boxes on a new chassis, which is a cost saver. Chief Rutter also has performed a major revision of E-911 addresses. Several structures on the Norwich University campus, including Kreitzberg Library, had incorrect address numbers. Some new house lots also were built, which required generating new E-911 addresses.

In addition, Chief Rutter has worked with Finance Director Laurie Baroffio and the NAS billing office to create revisions to the fee schedule. Some fees have been raised slightly in order to match what the other regional ambulance services are charging. There also would be a difference between what residents and non-residents would be charged. He would like to bring the proposed changes to the Select Board at a future meeting for approval. Chair Maxwell asked why the changes were being done at this time. Chief Rutter stated that billing rules have changed so that some services and medications could not be billed separately before now can be. By itemizing the bill and clarifying which medications were employed, it is more likely that insurance companies will provide full payment in a timelier manner. This new fee schedule should generate additional NAS revenue in the long term. Selectman Gadbois asked about how the NAS is compensated for providing coverage for West Berlin (Riverside) and Roxbury. Chief Lawton said that the towns themselves pay a per capita payment for the coverage and NAS also is able to bill individual patients for service.

Chief Rutter stated that Vermont EMS District 6 will implement a new plan starting July 1, 2016 that would clarify the conditions for paramedic intercepts. The goal is to provide patients that require the presence of a paramedic with one as soon as possible. The plan specifies six (6) patient complaints, i.e., cardiac arrest, unresponsiveness, etc., that would require that a paramedic be dispatched "at the time of dispatch." There are other complaints listed that may require that a paramedic be dispatched after the initial responder has made an assessment. This plan will have a ninety (90) day test period to determine whether or not it is working as intended.

Chief Rutter also reported that Northfield Ambulance Volunteers, Inc. (NAVI) will hold an invitational golf tournament at the Northfield Country Club on Sunday, September 18, 2016. Registration forms are available around town and online. The proceeds will benefit the Betty Podgwaite Scholarship Fund as well as EMS training activities.

Selectman Goslant has been very pleased with NAS performance under Chief Rutter's leadership. The levels of professionalism and morale have been exceptional. Chief Rutter thanked him and noted that he does have a great team. Chair Maxwell also thanked Chief Rutter for his service.

#### VI. APPROVAL OF MINUTES

- a. **June 14, 2016 (Regular Meeting).** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the minutes. **Motion passed 5-0-0.**
- b. **June 21, 2016 (Special Meeting).** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the minutes. **Motion passed 5-0-0.**

#### VII. APPROVAL OF BILLS

- a. **Warrant #25-16.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve Warrant #25-16 in the amount of \$504,848.31. **Motion passed 5-0-0.**
- b. **Warrant #01-17.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve Warrant #01-17 in the amount of \$41,508. **Motion passed 5-0-0.**
- c. **Approval of Biweekly Payroll through June 19, 2016.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve to biweekly payroll in the amount of \$80,329.73. **Motion passed 5-0-0.**

#### VIII. SELECT BOARD

- a. **Plan to Remove Trees from Town Right of Way.** Chair Maxwell said that this is the third meeting in as many weeks that has addressed this matter. In the process, a lot of information has been received from the public and additional research has been done on roadside tree management. Select Board members, especially Chair Maxwell, have been working with Manager Schulz and Highway Foreman Trent Tucker to create a detailed plan for roadside tree removal in the interest of safety while also respecting the concerns of the adjacent property owners.

Manager Schulz stated that a number of questions had been raised at last week's special meeting as to how trees would be identified for removal or preservation, proper outreach to the community, etc. He has prepared a draft letter to property owners that would assist the municipality in identifying problem areas where there is no objection to tree removal, those areas where the roadside trees should be left as is, etc. Tree Warden Russ Barrett will be helping Mr. Tucker in identifying trees for removal and with contacting property owners.

Manager Schulz said that another question that arose is who would own the wood after the trees are cut down. His research indicates that the property owner can claim it if he/she chooses. This might cause a problem with the proposed agreement with the tree removal contractor (Limlaw Pulpwood & Chipping) as the understanding was that the contractor would be able to keep all the wood generated in exchange for not charging for the service. The issue regarding whether this matter required a formal public hearing was also raised. Manager Schulz said that state law is vague and he believes that the aforementioned three (3) public meetings on this matter were properly warned and publicized. Another question asked was whether the municipality would be required to obtain a stormwater permit before this work is done. He has looked into this and found that the new state regulations that might require this do not go into effect until next year. In addition, he believes that riparian buffers would not be required but only recommended. The municipality will make every effort not to disturb any roadside rivers or streams.

The draft contract has been reworked to include the municipality's right to mark trees to indicate which ones are to be cut down and which will be preserved. In addition, the municipality would retain the right to halt the project and terminate the contract if the work is done improperly. A list of roads to be done this year has been created and it will include Stony Brook Road, Smith Hill Road, Dole Hill Road, Winch Hill Road, Bull Run Road, and (perhaps) Messier Hill Road.

Chair Maxwell has researched the proposed contractor and has received nothing but positive reports. He then opened the meeting to anyone present who would like to speak on this matter.

Nathaniel Miller lives on Freeman Road and he is glad to hear that the property owners will first refusal regarding the downed trees since he heats his house with a wood stove. He has no objections should Limlaw take all the soft wood.

Mel Adams lives on Bear Farm Road and he appreciates the comments tonight from Manager Schulz and Chair Maxwell. He and other property owners on the backroads were upset by initial reports that the municipality's plan was to conduct massive clearcuttings. However, it now seems that the municipality is targeting certain areas where the roadside foliage is so overgrown as to create safety hazards. Mr. Adams would like to have specific conditions put in the final contract that would prevent any wholesale clearcutting that is unrelated to identified safety and other road maintenance concerns. Chair Maxwell said it was never the municipality's intention to engage in clearcutting roadsides. There was some language in the original contract that suggested clearcutting but this has been removed from the current draft. The municipality does not plan to remove all trees within its right of way but instead will determine which trees should be removed.

Kyle Daniels lives on the Loop Road and while he agrees that some of the roadside foliage needs to be removed, he would like this done on a limited case-by-case basis. He is glad that the original contract has been revised. He is concerned, however, that the municipality has only been dealing with one tree removal service rather than putting the contract out to bid. Manager Schulz said that since this project had no expenditure of municipal funds but only granting Limlaw the right to take the downed trees, putting the project out to bid was not seen as necessary. Mr. Daniels thought it was possible that another contractor might take the wood and also provide the municipality with funds for the opportunity. Mr. Barrett said that this was unlikely as this normally is work that municipalities would pay to get done. It is a unique situation that the contractor would expect no other payment than the wood generated by the tree removal. Mr. Daniels asked if an attorney has revised the contract yet. Chair Maxwell said that the municipality will have an attorney review the contract once it has been finalized.

Rodney Elmer lives on the Loop Road and he asked if the municipality has a budget for tree removal. Manager Schulz said that there is a budget but not a lot of money is set aside for this. In the case of declared natural disasters, i.e. ice storms, etc. FEMA has reimbursed Northfield for the work that had to be done afterwards. Mr. Elmer believes that there are a number of logistical concerns associated with this project that have not been addressed such as what will happen with the older trees that may be too large for Limlaw to grind once they are felled, what would the total volume of wood expected to be generated by this project, what protections are there to keep invasive plants from taking over the areas that have been cleared, etc. He then asked if the contract would be available for public review. Chair Maxwell said that the draft contract probably would be revised further based upon comments made tonight but once it has been executed it will be a public document. Manager Schulz added that whether additional problem roads are done in future years depends on the quality of the work done this year as well as adherence to the contract.

Frank Pecora lives on Turkey Hill and he wanted to know whether property owners would have the right to dispute whether or not a tree is a safety hazard and should be removed. Mr. Barrett said that if the municipality can provide solid proof that a certain tree constitutes a risk to the travelling public, it should be removed. Mr. Pecora added that the trees along his road provide some protection from road dust that would otherwise land in his yard. His main concern is who should have the final say on tree removal: the municipality or the property owner.

Conrad Motyka lives on Apple Lane, which is located off Loop Road. He has issues regarding the area between his house and Vermont Route 64. There is a sharp drop-off along one side of the road and he feels that the trees now provide protection for motorists who might otherwise go over the side. In addition, he believes that the trees' roots help keep the road from breaking up by preventing erosion. Mr. Motyka feels that removing these particular trees would cause more problems than might be solved. He also would like to have any useful firewood generated by the project. Chair Maxwell reiterated that adjacent property owners would be individually contacted regarding which trees are planned for removal and whether they want to keep the wood themselves.

Melinda Appel lives on Winch Hill Road and she said that the roadside mowing along Winch Hill has been rather aggressive the past couple years and that is what raised her concerns about this new project. She also would like all properties around Northfield treated the same in regards to roadside tree trimming.

Mr. Miller and Mr. Adams both expressed concerns on how the municipality's rights-of-way will be determined. Some roads have shifted considerably over the years so the original surveys cannot be relied upon. Chair Maxwell said he had this discussion with Manager Schulz and Mr. Barrett the other day. It is Mr. Barrett's recommendation that the municipality consider specific road circumstances rather than insist on the standard twenty-five feet (25') right-of-way from the center line.

Since this project was first brought up, Selectman Gadbois has travelled various backroads himself and he found some definite safety hazards. He noted that the Town of Barre was successfully sued by a driver who claimed that he went off the road because the municipality's improper roadside tree maintenance had created a public hazard. Selectman Gadbois does not want Northfield left exposed to the threat of a similar multi-million dollar lawsuit should someone be injured or killed. He feels that we should let the Highway Foreman and Tree Warden do their jobs and have them work with the affected property owners to get this project completed as soon as possible.

Joseph Zuaro lives on Dole Hill Road and he felt that the municipality appears to have done a lot of additional research on this matter since the property owners raised concerns about this. He is in favor of this project so long as it is done properly as it should save taxpayers a considerable amount of money.

Theresa Elmer lives on Loop Road and she asked what would be the total miles of roadside tree removal done this year and the amount anticipated for future years. Chair Maxwell does not have the exact figure. Ms. Elmer also would like to know what would happen if Limlaw decides that it does not want to do selective tree removal. Chair Maxwell said in that case the contract would need to be reworked.

Patricia Coppolino lives on Stony Brook Road and noted that several of the targeted roads have streams running alongside them. She would like some assurance that stormwater and erosion concerns are addressed in the contract. Ms. Coppolino also would like the contractor held to the terms of the finalized contract.

Mary McDaniel lives on Wheeler Road and she noted that many of the Northfield backroads have scenic vistas that are enhanced by roadside foliage. She hopes that this will be taken into consideration before trees are removed. Chair Maxwell said that this was part of his conversation with Manager Schulz and Mr. Barrett.

Selectman Freeman noted that the State of Vermont has passed new stormwater regulations regarding road drainage systems. He would like Northfield to develop long-term road maintenance plans to assure compliance with the new rules. Manager Schulz said he has reached out to Dan Currier at the Central Vermont Regional Planning Commission on getting the compliance process started. Selectman Freeman felt it was important to have long-term plans in place so that road work done one year does not have to be torn up the next in order to meet new regulations.

Mary Dollenmaier lives on Smith Hill Road and she asked previously how many property owners would be affected by this proposal; does Manager Schulz have this number now? Manager Schulz does not have the exact figure but he again promised that all affected property owners would be directly contacted before the work begins.

Carolyn Stevens lives on Smith Hill Road and she would like to be sure that the final contract will follow all state and federal environmental regulations. She also would like shade trees protected whenever possible. Ms. Stevens shares the concerns previously expressed about determining the municipality's rights-of-ways based on old surveys rather than current conditions. She also fears that if backroads are widened in the process, it might encourage some drivers to go faster than they should. Ms. Stevens thanked the Select Board and Manager Schulz for responding to the property owners' concerns.

John Quinn lives on Bull Run Road and he thanked the Select Board for looking into alternative ways to get the backroad maintenance work done while saving the taxpayers some money. He hopes that with the revised contract in place the project will go well.

Chair Maxwell thanked those present who made contributions to this discussion. The municipality will provide due diligence to make sure the public concerns that have been raised will be reflected in the final contract. He added that the Select Board members do have the responsibility to make decisions on behalf on the community, especially when public safety is involved.

Selectman Doney believes that the intentions behind this project were good. Many of the backroads have gotten out of hand for some time with overgrown foliage, etc. There are real safety concerns and Limlaw has done similar work in other communities and have done a good job. Selectman Doney has seen vehicles damaged by trees due to lack of clearance. This problem is even worse when emergency vehicles are involved. Clearcutting was never intended and with Manager Schulz, Mr. Tucker, and Mr. Barrett working on the project, he believes that it will be done properly.

Selectman Freeman noted the number of persons who have spoken about this issue tonight (14) and he said he personally learned a lot during the process. There is still a lot of work to be done in reestablishing public trust. Many fears are based on the unknown. Selectman Gadbois again suggested that the Highway Foreman and the Tree Warden should be allowed to do their work.

Selectman Goslant said the Northfield Highway Department has neither the time nor equipment to take on such a project itself. He noted this was never intended to be a logging operation but simple roadside clearing. There are numerous complaints each year about how bad the backroads are during Mud Season and by letting some additional sunlight on the roads, this is one way to address this problem. Selectman Goslant also felt that some persons jumped to wrong conclusions, i.e. "clearcutting," due to misinformed social media postings. This is a great opportunity to get this needed work done at minimal expense to the taxpayers. It is possible that not everyone will be completely happy when the project is completed but it is the Select Board's responsibility to consider the concerns of the entire community.

Chair Maxwell feels this is a worthy project and the work should have been done much earlier. Based upon tonight's comments, the contract will be revised further and Winch Hill Road will be used as a trial location. So long as the property owners are kept in the loop, Chair Maxwell believes that this should be a successful project.

- b. Road Paving Projects.** Manager Schulz said that quotes have been solicited and received in order to deal with the roads considered to be in the most need. These include Cox Brook Road, Slate Avenue, Union Street/Union Brook Road, and Winch Hill Road. This priority list is based on the RSMS inventory as well as Mr. Tucker's observations. Chair Maxwell noted there were proposals received from S.T. Paving and Pike Industries and the combined quoted amount to complete all these paving projects is rather high ( $\pm$ \$2,000,0000) when there is only about \$85,000 in the CIP road paving account. Selectman Gadbois asked if there was an attempt to obtain grant money to fund this. Manager Schulz said a couple of grant application have been made to the Vermont Agency of Transportation but nothing has been awarded for this year. He added that Slate Avenue was a high priority as some Village Highway funds were earmarked to pave it prior to merger.

Chair Maxwell said there are some drainage issues related to the poor condition of Slate Avenue's sidewalks and this should be addressed as part of the project. There also has been a lot of chatter about the poor condition of Union Street/Union Brook Road. Manager Schulz confirmed that there had been much public feedback about dips in the road, pot holes, etc. In a perfect world the road would be ground down to its base but this would be very expensive. It is possible to treat the problem areas only. Chair Maxwell believes there are some very bad spots indeed. Selectman Goslant believes that the covered bridges on Cox Brook Road need to be fixed as soon as possible as there are problems with bad planking, etc. Chair Maxwell would like the Highway Committee to schedule a meeting to discuss these concerns and prepare a recommendation to the full Select Board.

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

- a. **Village Center Designation (Northfield Falls).** Selectman Freeman has been in contact with Richard Amore from the Vermont Department of Commerce & Community Development in regard to having Northfield Falls declared a second Village Center in Northfield (along with the downtown area). Selectman Freeman, Mr. Amore, and Planning Commissioner Aaron Rhodes made a site visit to the Falls and later made a presentation to the Planning Commission. Selectman Freeman would like this possible designation on a future Select Board meeting agenda because, if successful, Village Center Designation would make the Northfield Falls area eligible for grant funds for better road signage, etc.
- b. **Crosswalk Markings.** Selectman Gadbois noted the poor condition of the crosswalk marking at various locations and asked when they would be repainted. Manager Schulz said there was no money in the Highway Department budget to subcontract the work so Mr. Tucker has ordered new stencils and will start the work as soon as they arrive. Chair Maxwell said that the work really needs to get done each summer. Manager Schulz also contacted VTTrans about the crosswalk in Northfield Falls, which is located on a state highway. A VTTrans crew should be coming to repaint it in a week or so.

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

**XI. PUBLIC PARTICIPATION (UNSCHEDULED)**

- a. **Tina DeMasi: Road Maintenance Funding.** Ms. DeMasi asked if there were any plans to increase the budget for road projects. She travels on Union Brook Road every day and noted that it has been allowed to get in a terrible condition. Selectman Gadbois would like to have the municipality hire a dedicated grant writer who would seek out available state and federal funding. Ms. DeMasi believes that Northfield should be able to pay to maintain its own roads (rather than rely on outside assistance). Chair Maxwell said with the end of the current fiscal year this week, the Select Board plans to hold a retreat in order to prepare for the next budget sessions. Highway funding could be one of the discussion topics.

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

The meeting adjourned at 9:46 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 July 12, 2016.