

TOWN OF NORTHFIELD, VERMONT
BOARD OF SELECTMEN
Minutes of December 13, 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, Chris Bradley (Chair, Water & Wastewater Commission), Steve Fitzhugh (Chair, Electric Utility Commission), Casey Scandore CPA (Kittell Branagan & Sargent), William Veve (VWSD, LLC), Victor Veve (VWSD, LLC), and Steve Davis.

Chair Maxwell called the meeting to order at 7:03 p.m.

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

III. **PUBLIC HEARING**

- a. **Town Sewer Ordinance Amendment.** Chris Bradley is Chair of the Water & Wastewater Commission and at the last Select Board meeting (11/22/16) he explained the Commission has been working for several months on amendments to the Town Sewer Ordinance. The main intention of these changes is to revive some of the language contained in the separate Village Sewer Ordinance that expired upon municipal merger in July 2014. This includes a section specifying what can and cannot be discharged into the municipal sewer system; mandating the installation of grease, oil, and sand interceptors should the Utility Superintendent believe it is needed at a certain location; etc. The Commission also added some new items such as clarifying that the utility customer is responsible when a sewer line fails between the structure and the sewer connection. Mr. Bradley said the lack of clarity on this has caused disputes when a sewer line failure resulted in sewage backups, etc. Also, some pre-merger nomenclature (i.e. Inter-Local Agreement Committee, etc.) has been updated for the now merged community.

Selectman Freeman is pleased overall with the amendments but he suggested a few changes of his own. For example, he would like the voice of utility customers strengthened in regards to governance of the municipal sewer system. Stephen Fitzhugh, who also serves on the Water & Wastewater Commission, noted two of the three members of the Commission are water/sewer users who are elected by ratepayers. Mr. Bradley noted the third member is an appointed Select Board member who is not required to be a customer but this has been the practice. Selectman Freeman still feels there should be a greater role for the ratepayer beyond the elected commissioners. Chair Maxwell believes such a change would require an amendment to the municipal charter (not just this ordinance). Selectman Freeman would like conditions clarified when the Utility Superintendent (or other authorized employee) can enter a property in order to inspect, sample, test, etc. the sewer system. Chair Maxwell noted there already is a separate departmental policy covering this in some detail. Mr. Fitzhugh wanted it known Mr. Bradley was the driving force behind these ordinance amendments and he commended him for his hard work on this. There being no other questions or comments, the public hearing closed at 7:30 p.m.

- IV. **SET/ADJUST AGENDA.** There were no changes to the posted agenda.

V. **PUBLIC PARTICIPATION (SCHEDULED)**

- a. **Casey Scandore CPA, Kittell Branagan & Sargent (KBS): FY 2015/2016 Financial Audit Reports.** Ms. Scandore had provided the Select Board members with copies of the audit beforehand so she wanted to provide a brief overview tonight as well as answer any questions. She made it clear the audit was an "unmodified" (or "clean") opinion and no problems had been encountered in the process. Ms. Scandore noted the financial statements often were split into two columns: government activities (i.e., municipal operations) and business-type activities (municipal utilities). There was a net increase in municipal assets over the fiscal year. She also explained the levels of funding that are restricted to specific departments and those that were not. Ms. Scandore then went over the extensive "notes" that explained and provided detailed narratives for the various financial tables. She concluded by saying the audit went very well and any adjustments made were for clarification only and were not corrections of errors, etc.

Chair Maxwell asked if local financial policies are reviewed for fraud prevention during the audit process. Ms. Scandore said the review was not done specially to find fraud but the policies are reviewed thoroughly. If any abnormalities are discovered, there would be further investigation. She then explained that a fraud audit is a different (and more expensive) type of audit. Selectman Freeman noted KBS has been sued by the Hardwick Electric Department for not discovering that a longtime employee had embezzled more than \$1,600,000 over a ten-year period. Ms. Scandore said she cannot speak to that specific case but there are instances when long-term collusion would not be found during a standard audit. Chair Maxwell then thanked Ms. Scandore for her presentation tonight.

- b. William Veve and Victor Veve, VWSD LLC: Proposed 500kw Net Metering Solar Project (Bull Run).** Brothers William Veve and Victor Veve are the owner-operators of VWSD, a solar development company based in Jericho, Vermont. They have presented their forty-five (45) day notice of Filing for a Certificate of Public Good for a proposed net-metered solar project at a former sand pit on Bull Run Road. Even though they are not required to do so, Messieurs Veve have made a practice of addressing local governing boards to explain their projects and have come before the Select Board tonight for that purpose. William Veve said his company looks around Vermont for parcels that don't have many uses but could be used to site a solar farm. The former sand pit on Bull Run is such a property. He added much of the preliminary engineering (environmental, civil, electrical, etc.) has been completed and they met with the Electric Utility Commission last week (12/05/16) to discuss how this net metering project would affect the Northfield Electric Department (NED), etc. They next will meet with Utility Superintendent Patrick DeMasi and Green Mountain Power (GMP) representatives on the project site regarding the proposed route for the three-phase power lines that would connect the solar farm to the NED electric grid. Selectman Gadbois asked who would pay for this connection. William Veve said VWSD would cover all the engineering, equipment, and installation costs. Since the sand pit already has buffering in place, he does not anticipate any aesthetic concerns from neighboring property owners, etc. The solar farm should be both unseen and unheard when it is in operation.

Mr. Fitzhugh said since this project does not meet fast-tracking criteria, a system impact study will be performed. There currently are no power lines to the site so how this new installation might affect the NED system will be determined during this study. Mr. Fitzhugh said there also is some uncertainty over how this project might impact ratepayers since this is a relatively small power system. William Veve said VWSD has worked with municipalities of a similar size to Northfield (i.e., Barton, etc.). This project would produce power that can be sold to NED as well as net meter and renewable energy credits that will be controlled by the facility's owner. He is not seeking anything tonight except to inform the Select Board as the feasibility study continues.

Selectman Freeman was grateful for the presentation and was generally supportive of the project. He asked who would own the finished facility. William Veve said VWSD develops such facilities, handling the engineering, permitting process, etc. but the completed solar farm would belong to the Green Lantern Group, which is based in Waterbury and operates several solar arrays around the state (including the nearby one in Williamstown by I-89 Exit 5). The Green Lantern Group would control the aforementioned credits that could be sold to New England utility companies. Mr. Fitzhugh said NED would be eligible to purchase these credits but may defer if they are too expensive. He added that new Vermont net metering rules that take effect next year would impose new fees on these credits so it is good VWSD has filed its applications under the current rules. William Veve agreed the new state laws may result in slower development of private solar arrays.

Selectman Doney asked if the solar farm would be fenced. William Veve confirmed it would have fencing and other safeguards to keep out intruders. Chair Maxwell looks forward to seeing the completed study that will indicate the local impact of this project, etc. Selectman Freeman wished them good luck with the Public Service Board.

VI. APPROVAL OF MINUTES

- a. November 3, 2016 (Special Meeting).** Motion by Selectman Doney, seconded by Selectman Goslant, to approve the minutes. **Motion passed 5-0-0.**
- b. November 22, 2016 (Regular Meeting).** Motion by Selectman Doney, seconded by Selectman Goslant, to approve the minutes. **Motion passed 4-0-1, with Selectman Freeman abstaining.**

- c. **December 6, 2016 (Budget Meeting).** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the minutes. **Motion passed 5-0-0.**

VII. APPROVAL OF BILLS

- a. **Warrant #12-17.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve Warrant #12-17 in the amount of \$1,634,351.82. Selectman Doney asked about a payment for ARC GIS maintenance. Manager Schulz said this was computer software shared by several departments. Selectman Goslant asked why the Highway Department was purchasing so many tires at this time. Manager Schulz said Highway Foreman Trent Tucker contacted him about this purchase beforehand so he could inspect the old tires himself and see their bad condition. Manager Schulz agreed new tires were needed. Selectman Goslant saw another FEMA buyout on the warrant and asked how many more could be expected. Manager Schulz said the purchase of two additional properties now is being negotiated and should be completed in a couple months. As the Tropical Storm Irene flooding was over five years ago, Selectman Goslant asked how long the program would continue. Chair Maxwell felt it would happen when the FEMA money bankrolling the buyout program was finally depleted. Manager Schulz said local elected officials do have the right to set a deadline for any additional buyout applications. **Motion passed 5-0-0.**
- b. **Approval of Biweekly Payroll through November 20, 2016.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the biweekly payroll in the amount of \$88,516.05. Selectman Doney saw a \$1288 expense for Northfield Police Department (NPD) "Special Details." Manager Schulz said the Town is fully reimbursed by the entity requesting this service. **Motion passed 5-0-0.**
- c. **Approval of Biweekly Payroll through December 4, 2016.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the biweekly payroll in the amount of \$89,789.57. Selectman Gadbois noted a \$1707 payment for NPD "Holiday Pay." Chair Maxwell said the Town is required to pay this due to provisions in the current NPD union contract. Whether such provisions are retained in the next union contract is being negotiated. **Motion passed 5-0-0.**

VIII. SELECT BOARD

- a. **Approval of Town Sewer Ordinance Amendment.** Due to the length of the amended ordinance and the complex issues incorporated in it, Selectman Gadbois asked approval be tabled until the next regular meeting (01/10/17) so he (and the other Select Board members) can have more time to review it. There was no objection.
- b. **Computer Server Maintenance Agreement.** Chair Maxwell had asked at the previous meeting (11/22/16) that the awarding of the maintenance agreement be delayed so additional experts could be consulted about the three (3) bids received to date. Chair Maxwell got confirmation that the bids received, which were all in the \$1000 to \$1400 per month range, were appropriate. Manager Schulz added since these bids were under consideration, an additional proposal from a local company had been submitted at a slightly lower price. Chair Maxwell asked the bid award be tabled until this last proposal, which is not as compete as the others, could be reviewed properly.

Manager Schulz is concerned further delay in this matter may expose the municipality's computer system to the risk of hacking, etc. Selectman Freeman suggested the Select Board could pass a resolution to authorize Manager Schulz to reach an agreement after determining the optimal provider based on price, level of service, etc. It then was suggested Chair Maxwell should have a role in this process. Motion by Selectman Freeman, seconded by Selectman Doney, to authorize Manager Schulz, working in conjunction with Chair Maxwell, to negotiate the Computer Server Maintenance Agreement after further investigation. Manager Schulz noted in recent years the municipality had been paying \$299 per month for this service but this was no longer a realistic price (as the consulted experts confirmed). **Motion passed 5-0-0.**

- c. **Approval of Resolution to Designate a Public Agency.** As indicated in Michele Braun's memorandum covering this and the next agenda item, the municipality has to pass this resolution in order to be eligible to receive federal grant funds for the upcoming Water Street hazard mitigation project. Manager Schulz noted this resolution merely confirms the Town of Northfield is the entity that will receive and manage these funds. Motion by Selectman Gadbois, seconded by Selectman Freeman, to approve and sign the Resolution to Designate a Public Agency. **Motion passed 5-0-0.**

- d. **Approval of Residential Anti-Displacement and Relocation Plan.** Manager Schulz said approval of this plan would put the municipality on record that no housing units would be displaced by the hazard mitigation project. This is separate from the FEMA buyout program and the proposed project site already is a vacant lot. Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve and sign the Residential Anti-Displacement and Relocation Plan. **Motion passed 5-0-0.**
- e. **Recreation Committee Appointment.** There currently are two (2) vacant positions on the Recreation Committee and Susan Wright has submitted a letter of interest to be appointed to one of them. Her husband, Bruce, already serves on the Committee. Motion by Selectman Gadbois, seconded by Selectman Doney, to appoint Susan Wright to the Recreation Committee. **Motion passed 5-0-0.**

IX. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Rabbit Hollow Road Bridge.** Selectman Freeman noted in the packet was a \$31,400 quote from Blow & Cote to repair the bridge on Rabbit Hollow Road that VTrans asked be closed due to its deteriorated condition. The bridge spans the Dog River and railroad tracks and there is documentation indicating the bridge belongs (or belonged) to the New England Central Railroad (NECR). Manager Schulz has reached out to NECR to get it to take responsibility for the bridge repairs (or replacement). However, NECR has taken a hard line, saying that it neither owns nor is responsible for the bridge or its maintenance. Local attorney William Smith is doing further research on the Town's behalf in order to determine how to proceed. In light of this, Manager Schulz obtained the quote to get some idea of how much it would cost to get the bridge back in operation. Highway Foreman Tucker also has been looking at options, such as renting a temporary bridge from the state. Selectman Goslant is not pleased NECR is avoiding its responsibilities. Selectman Freeman noted Roxbury residents also are affected by the bridge closure. Since NECR and its lawyers might try to drag this out as long as possible, Selectman Freeman liked the idea of installing a temporary bridge until a long-term solution is found. He also suggested the Highway Committee could look into the various options and provide its recommendation on what to do in the short-term.
- b. **Police Chief Search Committee.** Selectman Doney was pleased with the wording of the notice seeking volunteers to serve on the search committee. His only suggestion was to add a deadline for the submission of letters of interest. Manager Schulz will update the notice to include a closing date.
- c. **Robinson Road.** Chair Maxwell noted the eastern loop of Robinson Road finally has been closed to traffic (as requested by the residents). However, he would like to see a "Dead End" sign and more substantial barriers installed at the point where the road has been discontinued.
- d. **Northfield Falls Speeding Concerns.** Selectman Freeman met with Chair Maxwell, Manager Schulz, and Police Chief James Dziobek regarding the problem of speeding on Vermont Route 12 near the Falls General Store. There was discussion of installing the speed display sign that shows how fast an approaching vehicle is travelling. He asked if this could be done soon. Manager Schulz said the holdup is VTrans says the display sign cannot be installed on a state highway without a written permit. He is working on the paperwork now to get this resolved. Selectman Doney also would like a NPD cruiser stationed at this location from time to time in order to issue warnings or citations to offenders.

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

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

XII. **ADJOURNMENT.** Motion by Selectman Freeman, seconded by Selectman Gadbois, to adjourn. **Motion passed 5-0-0.**

The Board adjourned at 9:25 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 January 10, 2017.