

TOWN OF NORTHFIELD, VERMONT
BOARD OF SELECTMEN
Minutes of February 14, 2017

- I. ROLL CALL.** Chair K. David Maxwell, Selectmen Lynn Doney, Nathan Freeman (absent), Matthew Gadbois, and Kenneth W. Goslant. Also present were Town Manager Jeffrey Schulz, Acting Clerk Kenneth McCann, Fire Chief Peter J. DeMasi, State Representative Anne Donahue, State Representatives Patti Lewis, Stephen Fitzhugh (Chair, Planning Commission), Arlington Supplee (Planning Commission), J.C. Earle, James Baraw, Eileen Supplee, Michael Popowski, Catherine Johnston, Joan Piekarski, and Steve Davis.

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. PUBLIC HEARING

- a. Northfield Municipal Zoning Bylaws Update.** Chair Maxwell said this will be the first of two public hearings the Select Board will hold regarding revisions of Northfield's zoning bylaws. The second public hearing will be held prior to the next regular meeting (02/28/17). Planning Commission (PC) Chair Stephen Fitzhugh stated that the major revisions address changes in state statutes; account for the merger of Northfield Town and Village; the change from a Zoning Board of Adjustment to a Development Review Board (DRB); and zoning map and zoning district changes to establish five (5) acre minimum lot size requirements in areas outside the downtown and the Vermont Route 12 and 12A corridors. The revisions also conform to the latest approved Northfield Municipal Plan, which was adopted in 2014. Since municipal plans need to be updated every five (5) years, Mr. Fitzhugh said the PC already has begun work on this, including changes to the "Energy" section that will reflect the regional plan now being developed by the Central Vermont Regional Planning Commission (CVRPC). He added that the revised zoning regulations do not incorporate the recommendations from the 2014 Vermont Downtown Action Team (V-DAT) Final Report since these have not been formally adopted by the municipality. Mr. Fitzhugh said the PC did consider rezoning Northfield Falls as a high-density area but decided against this because the municipal sewer lines don't reach there yet. In addition, the Conservation Commission had recommended a requirement for fifty foot (50') riparian buffers along waterways but the PC decided to hold off on this until state law has been changed to accommodate this.

J.C. Earle owns property and pays taxes in Northfield even though he does not live here. He owns the old Microcheck building in Northfield Falls and he is hoping that the proposed zoning regulations will be changed to zone that area as high-density. He believes that Northfield Falls fits the criteria for a "Village Center" and he would like to renovate some existing structures into multi-family units. Mr. Earle would like to invest in Northfield and would like its zoning regulations more business-friendly. Chair Maxwell suggested that Mr. Earle could go before the DRB and obtain a variance. Mr. Earle said the DRB cannot change an acreage allowance unless the zoning regulations permit it. The zoning regulations in neighboring Berlin do provide its DRB with such flexibility. He encouraged the Select Board to include such language in its zoning regulations. Chair Maxwell asked Mr. Earle to forward this information to Manager Schulz.

Selectman Goslant noted the old school house in Northfield Falls has development potential that might be limited due to the lack of municipal sewer. He felt that since this building has a more than adequate private septic system, an exception should be made to allow for multi-unit conversion. Mr. Fitzhugh would have no problem with this if an engineer inspected the septic system and verified that it was appropriate for a multi-family structure. His main concern with rezoning Northfield Falls would be all the additional private septic systems in the area. It would take only one failure to cause septic runoff into the Dog River. Mr. Earle noted the State now has strict rules regarding the placement of new septic systems so he feels there is no real chance of a faulty system being installed in a high density area.

Selectman Goslant believes that the Northfield Falls Trailer Park has more vacant lots recently and he asked if the PC looked into this. Mr. Fitzhugh said the PC did not since this has been a trailer park for several years with its own private septic system. Chair Maxwell asked if the PC held its own public hearing on the zoning bylaws. Mr. Fitzhugh said two (2) were held. Mr. Earle and Nate Freeman were the only members of the public to attend.

Chair Maxwell wants to be sure that Northfield's zoning bylaws do nothing to curtail future economic development. Mr. Fitzhugh does not believe they will. There are restrictions that prevent multi-family structures from being shoehorned into one-family home neighborhoods but this is done to protect existing property values, etc. There being no other questions or comments, the public hearing closed at 7:32 p.m.

IV. SET/ADJUST AGENDA. Gordon Bock originally had asked to address the Select Board but had withdrawn his request.

V. PUBLIC PARTICIPATION (SCHEDULED)

a. State Representatives Anne Donahue & Patti Lewis: Legislative Update and Preview. Representatives Donahue and Lewis were asked to be present tonight in order to discuss what bills are under discussion during the current legislative session and how they might affect Northfield. Representative Donahue said many bills are introduced at the beginning of each session but very few will become laws. She added that now under consideration are bills that would provide municipalities with greater regulation over overweight vehicles and the roads on which they can travel; protecting municipalities from liability when hazardous materials are released from old industrial sites; revisions to the Open Meeting Law; etc. Representative Donahue added that new Vermont Agency of Transportation (VTrans) regulations regarding vehicle inspections were instituted without legislation action since VTrans already had the authority to make such changes on its own.

Representative Lewis said the legislative recount of a close Vermont House race in Orange County has been the prominent issue over the past couple weeks. Bills under consideration include a Montpelier charter change that would allow it to regain control of Berlin Pond; allowing municipalities greater leeway regarding blighted properties when public safety is threatened; permitting municipalities to lower speed limits to fifteen miles per hour (15 MPH) around schools; and granting Select Boards the ability to appoint Town Treasurers without a charter change. Representative Lewis said another bill would allow municipalities to grant \$10,000 property tax exemptions to all military veterans. Current law limits this to disabled veterans. Another bill would allow absentee ballots to be picked up by the voter's spouse.

Representative Donahue noted that many issues now being discussed in the legislature are the result of representatives being approached by constituent groups or individuals with specific concerns. Chair Maxwell asked if the other Select Board members had any suggestions. Selectman Goslant felt the decision by the State Legislature to conduct the recount itself was wrong since it took the process out of the Town Clerk's hands. Chair Maxwell then thanked Representatives Donahue and Lewis for being present tonight.

VI. DEPARTMENT HEAD REPORT

a. Fire Chief Peter J. DeMasi. Chief DeMasi reported the new fire truck should be in Northfield by mid-April. There is an agreement to sell the old vehicle being replaced for \$23,000, which is much more than had been expected. Selectman Gadbois would like these funds used to help pay for the new vehicle. There was no objection. Chief DeMasi added that call volume has been fairly steady over the past few months. A new thermal imaging camera and air pacs have been purchased for the new fire truck. Selectman Goslant asked how manpower has been recently. Chief DeMasi said there have been no problems. Chair Maxwell thanked Chief DeMasi for the departmental update.

VII. APPROVAL OF MINUTES

a. January 19, 2017 (Budget Meeting). Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the minutes. One small error was found and will be corrected. **Motion passed 4-0-0.**

b. January 24, 2017 (Regular Meeting). Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the minutes. **Motion passed 3-0-1, with Selectman Maxwell abstaining.**

VIII. APPROVAL OF BILLS

a. Warrant #16-17. Motion by Selectman Gadbois, seconded by Selectman Doney, to approve Warrant #16-17 in the amount of \$354,456.60. Selectman Doney saw another repair bill for the sidewalk sweeper. Manager Schulz noted the machine has been used a lot over the past month to remove snow and ice. Selectman Goslant feels the poor condition of our sidewalks is a factor in these frequent breakdowns. The Highway Committee will meet soon to discuss this. Selectman Gadbois saw the high expense of phone, cell, and internet for the Northfield Police Department (NPD) and asked if these services could be bundled in order to cut costs. Manager Schulz will look into this. Selectman Goslant saw a \$9,880.69 expense for the "Flood Buyout Grant." Manager Schulz said this was related to architectural work for the Dog River Restoration Project. All these expenses will be covered by grant funds with no cost to the municipality.

Selectman Goslant saw a \$12,000 purchase of road sand and asked if the municipality now has enough to last the winter. Manager Schulz said the sand pile was holding up but he has asked Highway Foreman Trent Tucker to conserve what was left. Selectman Gadbois confirmed the pile is rather big at this time. Chair Maxwell asked about the salt supply. Mr. Tucker has been asked to conserve use of this as well. **Motion passed 4-0-0.**

- b. Approval of Biweekly Payroll through January 29, 2017.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the biweekly payroll in the amount of \$84,432.54. Selectman Doney saw a higher than normal payment for NPD "Clerical" this pay period. Manager Schulz said this was related to the retirement of NPD Dispatch Clerk Eva Ciampaglia, who served over twenty (20) years in the position. Selectman Goslant noted the high cost of Highway overtime (\$4,652.74) because of recent snowstorms. **Motion passed 4-0-0.**

IX. LIQUOR CONTROL COMMISSION

a. Liquor License Renewals

- 1. American Legion Club.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. **Motion passed 4-0-0.**
- 2. Cumberland Farms.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. **Motion passed 4-0-0.**
- 3. Depot Square Pizzeria.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. **Motion passed 4-0-0.**
- 4. Falls General Store.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. **Motion passed 4-0-0.**
- 5. Norwich University.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. **Motion passed 4-0-0.**
- 6. O'Maddi's Deli & Café.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. **Motion passed 4-0-0.**
- 7. Tops Market.** Motion by Selectman Gadbois, seconded by Selectman Doney, to approve the liquor license renewal. **Motion passed 4-0-0.**

- b. Outside Consumption Permits.** Approval of outside consumption permits for the American Legion and O'Maddi's Deli & Café was tabled until additional information could be received.

X. SELECT BOARD

- a. Police Chief Search Committee.** Selectman Goslant serves on this committee and he reported it met last night to review the twenty-one (21) applications that had been received by last week's deadline. Eight (8) applicants remain under consideration. Manager Schulz contacted each of them today by telephone and the committee will meet again Thursday afternoon (02/16/17) to further narrow the short list. Selectman Goslant is very pleased with the current pool of applicants and is confident that Northfield will be able to hire a very good Police Chief when the final decision is made. He added that Montpelier Police Chief Anthony Facos was present for the meeting and provided many helpful suggestions. Selectman Doney noted that Chief Facos does have over thirty (30) years of experience as a police officer. Selectman Goslant said the Select Board will be kept informed as the process continues but noted that the actual hiring will be done by the Town Manager.
- b. Rabbit Hollow Road Bridge: Appeal to Vermont Transportation Board.** Manager Schulz sent a letter to New England Central Railroad (NECR) last month stating that according to all the evidence gathered so far the now-closed bridge and its maintenance is the railroad's sole responsibility. The letter was sent over thirty (30) days ago with no response so Manager Schulz now would like the Select Board's authority to take the next step, which is to appeal to the Vermont Transportation Board. Motion by Selectman Gadbois, seconded by Selectman Goslant, to grant this authorization. Selectman Doney asked how long the appeals process will take. Manager Schulz said the Board meets monthly so there should be no problem getting this matter on an upcoming agenda. He will contact them to get the exact timeline. Selectman Goslant has seen this drag on long enough already and wants it resolved as soon as possible. This bridge closure has been a great inconvenience to our residents. Chair Maxwell also doesn't want this matter protracted. In the meantime, the municipality may have to make temporary repairs to reopen the bridge. **Motion passed 4-0-0.**

- c. **VTrans Certificate of Highway Mileage 2017.** Manager Schulz said each year VTrans asks municipalities to formally document the exact amount of highway mileage in the community and whether any additions or subtractions were made in the past year. There were no changes here in 2016. Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve and sign the VTrans Certificate of Highway Mileage 2017. **Motion passed 4-0-0.**
- d. **Public Hearing (VCDP/CDBG Combined EMS Facility Grant): Tuesday, February 28, 2017.** Manager Schulz said the grant award for this feasibility study requires that a public hearing be held to allow for public comment. The proposal is to create a combined EMS facility (Fire and Ambulance) on Wall Street. Selectman Doney would like the project architect present so that there will be answers about how much this project will cost, etc.
- e. **Public Hearing (Warned Australian Ballot Articles): Tuesday, February 28, 2017.** Manager Schulz said state law requires the Select Board hold this public hearing before Town Meeting Day so members of the public can ask questions regarding the articles to be voted by Australian Ballot. The non-profit organizations with funding articles on the warning have been informed of this public hearing in case they would like to send someone to explain their organization's purpose and operation; how it spends public funds; etc.

XI. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Recreation Committee Repair Requests.** Selectman Doney noted the Recreation Committee has submitted a list of urgent repairs needed at Memorial Park and the Falls Field. He thinks that if interested volunteers made up a work party in exchange for free food and drink, most of these minor repairs could be done in one day. Selectman Goslant felt that the parks' playgrounds definitely need to be upgraded.

XII. TOWN MANAGER'S REPORT. There were no questions regarding Manager Schulz's written report.

XIII. PUBLIC PARTICIPATION (UNSCHEDULED).

- a. **Joan Piekarski, Lover Lane Upgrade.** Ms. Piekarski lives on Stony Brook Road and travels on Lovers Lane frequently. She asked if there any plans to pave or otherwise upgrade the road since it always seems to be full of potholes, etc. Selectman Goslant said the municipality did spend a lot of money improving Lovers Lane with a new roadbed, etc. Unfortunately, when VTrans recently did some work on Vermont Route 12A, it sent heavy trucks over Lovers Lane and tore it up. Chair Maxwell confirmed that because of the municipality's mat and gravel program, Lovers Lane actually has been much improved in recent years. Selectman Goslant feels it would be cost-prohibitive to pave Lovers Lane at this time. He will go out tomorrow to check its condition to see if anything specific needs to be done right away.

XIV. EXECUTIVE SESSION. Motion by Selectman Doney, seconded by Selectman Goslant, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss a legal/personnel issue with Manager Schulz present. **Motion passed 4-0-0.**

The Board went into executive session at 9:10 p.m.

Motion by Selectman Gadbois, seconded by Selectman Doney, to come out of executive session. **Motion passed 4-0-0.**

The Board came out of executive session at 9:24 p.m. No action was taken.

XV. ADJOURNMENT. Motion by Selectman Doney, seconded by Selectman Goslant, to adjourn. **Motion passed 4-0-0.**

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 February 28, 2017.