

TOWN OF NORTHFIELD, VERMONT
BOARD OF SELECTMEN
Minutes of April 11, 2017

- I. ROLL CALL.** Chair Kenneth W. Goslant, Selectmen Lynn Doney, Nathan Freeman, Julie H. Goodrich, and K. David Maxwell (absent). Also present were Town Manager Jeffrey Schulz, Acting Clerk Kenneth McCann, Police Chief William Jennings, William Smith (Chair, Development Review Board), Arlington Supplee (Planning Commission), Mary Nadon Scott (Northfield Farmers Market), Clare O'Shaughnessy (New Life Community Church), Min Ku (New Life Community Church), Yangmo Ku (New Life Community Church), William Veve (VWSD LLC), Victor Veve (VWSD LLC), Stephen Fitzhugh (Chair, Northfield Electric Utility Commission), Ruth Ruttenberg (Conservation Commission), Sally Davidson (Recreation Committee), Steve Davis, Elroy Hill, and Chris Bradley.

Chair Goslant 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.** The Select Board had scheduled two (2) public hearings on proposed revisions to the municipal zoning bylaws that the Planning Commission (PC) had drafted and recommended. The first public hearing was held on February 14, 2017 and the second was warned for February 28, 2017 but was tabled until after the Development Review Board (DRB) had the opportunity for its own review of the proposed revisions. The DRB met a couple weeks ago and DRB Chair William Smith is present tonight to present their recommendations. Mr. Smith noted that in his ten (10) years serving first on the Zoning Board of Adjustment (ZBA) and now the DRB, the zoning regulations were revised only once in 2011. He said the DRB recommends that in the interest of economic development some of the new regulations in Article VI (Zoning District Regulations) should be removed or altered. For example, the DRB would like the thirty-five foot (35') height restriction eliminated in the high-density areas. He noted that the Northfield Fire Department's ladder truck can reach heights of seventy-five feet (75') so fire suppression should not be a concern. In addition, the high-density areas are covered by municipal water and sewer. The DRB would retain the ability to impose height restrictions on a case-by-case basis due to neighborhood aesthetics, etc. The DRB also would like stipulations regarding the minimum number of parking spaces attached to a new development relaxed in order to allow the DRB to take local conditions into account. There might be some new businesses that do not require much public parking. This would also help with the redevelopment of existing lots. Mr. Smith added that the DRB would like conditional use requirements also made more flexible in order to allow for sensible development especially in the downtown area.

Selectman Freeman noted that the proposed zoning regulations would still classify Northfield Falls as a medium-density area and asked Mr. Smith if the DRB supported this. Mr. Smith said that the lack of municipal sewer in the area precludes major development so medium-density status is warranted. Selectman Freeman noted that the Northfield Falls is currently applying for Village Center designation and there has been recent discussion of extending the sewer lines to the area. Mr. Smith said sewer line extension to Northfield Falls would be a game changer. As it is, there are too many small lots there with their own private septic systems to allow for major development. Selectman Freeman did not want to preclude large projects in the area should conditions change. He would like to look ahead to the next twenty (20) years. Chair Goslant noted that the municipality has focused in years past on extending water and/or sewer lines southward along Vermont Routes 12 and 12A for economic development. He agreed that it might be better to look at extending them northward towards Northfield Falls, which does have commercial and industrial potential.

Stephen Fitzhugh was PC Chair when the proposed revisions were drafted. He appreciates the work that led to the DRB recommendations presented tonight. He added the proposed changes are substantive enough that the bylaws would have to go back to the PC for reconsideration. This would require additional public hearings, etc. Mr. Fitzhugh also noted the zoning bylaws are a living document that can be revised as circumstances change, such as sewer extensions, etc. The consensus of the Select Board was to send the proposed zoning bylaw amendments back to the PC so that the DRB recommendations can be considered. There being no additional comments or questions, the public hearing closed at 7:36 p.m.

IV. SET/ADJUST AGENDA. Ruth Ruttenberg, who serves on the Conservation Commission, has concerns about an action taken by the Select Board at its last regular meeting and has asked to be added to the agenda under Public Participation (Scheduled).

V. PUBLIC PARTICIPATION (SCHEDULED):

- a. **Mary Nadon Scott, Northfield Farmers Market: Request to hold Summer Farmers Market on Common.** Ms. Scott is the new President of Northfield Farmers Market and she would like the Select Board's permission to hold its outdoor summer market on the Common as in years past. The markets would be held on Tuesday afternoons from 3:00 p.m. to 6:00 p.m. starting on May 9, 2017 and concluding October 10, 2017. Motion by Selectman Freeman, seconded by Selectman Doney, to grant this permission. Chair Goslant noted that with the overgrown spruce tree's removal last fall, the vendors will have more room to operate this summer. **Motion passed 4-0-0.**
- b. **Clare O'Shaughnessy, New Life Community Church: Request to hold Bean Bag Tournament and Cook Out on Common.** Ms. O'Shaughnessy said New Life Community Church, which is located just off the Common on East Street, would like to hold this youth outreach event on Saturday, April 29, 2017, from 3:00 p.m. to 8:00 p.m. There will be a cookout with free food and drinks during the bean bag tournament and the estimated attendance would be about fifty (50) total youths and adults. As this is a youth outreach event, no alcohol would be provided. Chair Goslant suggested that perhaps the church could work in the future with the Recreation Committee to make use of our public parks. Ms. O'Shaughnessy said that they wanted to make use of the Common due to its proximity to their East Street site. Motion by Selectman Doney, seconded by Selectman Freeman, to grant this permission. **Motion passed 4-0-0.**
- c. **William Veve and Victor Veve, VWSD LLC: Proposed 500kw Net Metering Solar Project.** Brothers William Veve and Victor Veve are the owner-operators of VWSD, a solar development company based in Jericho, Vermont. They first approached the Select Board late last year (12/13/16) regarding their proposal to construct a solar farm in a former gravel pit on Bull Run. Their application now is before the Public Service Board (PSB) and they have met with our Electric Utility Commission to allay any local concerns. The project would produce energy as well as net-metering and renewable energy credits that would be shared with the municipality. The Bull Run site is shielded from public view and the Veve brothers plan to hire local for any work to be done there. The municipality's tax base would be increased due to the improvements done to the site, which would include a three-phase power line extension, etc. The project has a projected twenty (20) year lifespan and there is no financial risk to the municipality. William Veve asks that the Select Board allow the project to proceed to the next level by having the proposed agreement between VWSD and Northfield reviewed by the municipality's attorney. There is some room for negotiation in the initial terms. Selectman Doney asked how this project would affect local ratepayers. William Veve said the major benefit would be to allow the Northfield Electric Department (NED) to meet PSB net-metering and renewable energy requirements.

Mr. Fitzhugh, who serves as Chair of Northfield's Electric Utility Commission, confirmed the PSB will require electric utilities to obtain ninety percent (90%) of their power supply from renewable sources by 2050. This project will help NED achieve this without any rate increases. Selectman Freeman appreciates that the Veve brothers have personally kept the Select Board and Northfield residents aware of these developments even though they are not legally required to do so. Selectman Goodrich asked if VWSD would own the Bull Run property. William Veve said they plan to purchase the property once the project has PSB approval. Chair Goslant thanked the Veve brothers for their presentation tonight and confirmed that the proposed agreement would be forwarded to the Town's attorney.

- d. **Ruth Ruttenberg: Select Board Rejection of Proposed Roadside Vegetation Assessment.** Ms. Ruttenberg would like the Select Board to reconsider its decision at its previous regular meeting (03/28/17) not to participate in a Vermont Department of Forests, Parks, and Recreation program that would "inventory roadside vegetation and development recommendations for long-term resilience of its roadside vegetation to manage stormwater runoff for surface water protection." Ms. Ruttenberg said there would be no cost to the municipality to take part in this program and any subsequent recommendations would not be binding on the community. The information generated would be invaluable and could save the municipality money in the long run. Ms. Ruttenberg had brought up this program on behalf of the Conservation Commission at this year's Town Meeting and it was her impression that those present were very receptive to this opportunity.

Chair Goslant believes Northfield's situation is very different from the other municipalities being asked to participate in this program. Our roadside clearance work has been sorely neglected for several years and there is a lot of catchup work to do. He believes these problem areas have been well identified and there is no need for state assistance. Ms. Ruttenberg feels that such tree cutting is a separate issue. The proposed state program would create an inventory and identify areas where there might be erosion problems should vegetation be removed. Since the program would be at no cost, Ms. Ruttenberg does not understand why the Select Board is not interested. Participation also would make Northfield eligible for grant funds provided for backroads work, etc.

Selectman Freeman does favor participating in this program since it would be at no cost to the municipality, would create needed information, would facilitate future planning, etc. Selectman Doney would prefer to stay out of this state program and focus instead on the plans being generated locally to handle backroads maintenance. Despite the assurances provided, he remains concerned that once the state gets involved there will be interference in local plans to clear roadside trees, etc. Selectman Goodrich does not oppose the state program in general but sees no real need for it at this time. Should this need be made clearer in the future, she might reconsider her position.

Chair Goslant summarized that the Select Board made a conscious decision to move forward on its backroads maintenance policy and therefore is not interested in participating in this state program. Ms. Ruttenberg still does not see a conflict between the municipality's immediate tree-trimming plans and participating in an information-gathering program. She believes the Conservation Commission will discuss this further at its meetings and she hopes that the Select Board members who oppose this program will rethink this decision.

VI. DEPARTMENT HEAD REPORT

- a. **Police Chief William Jennings.** Chief Jennings, who started his tenure as Northfield Police Chief on Monday, April 3, 2017, noted he worked briefly as a police officer in Northfield under then-Chief Burt Sanders in 1983, so this job feels like a bit of a homecoming for him. He has spent his first days on the job getting to know the community and looking at issues affecting the Northfield Police Department (NPD) at this time, such as staffing, building improvements, equipment needs, etc. He added that there have been sixty-five (65) calls for service since he started.

Selectman Freeman is appreciative that Chief Jennings is on the job and was glad to interact with him at last week's welcoming reception in the Municipal Building. He also hopes that one of Chief Jennings' priorities will be to address the local drug problem. Selectman Doney also is pleased that Chief Jennings is here and looks forward to the NPD moving forward under his leadership. Chair Goslant asked if Chief Jennings had any early concerns. Chief Jennings said he did not as the NPD had great officers and this is a great community to work in. He has enjoyed meeting with members of the public and hearing what matters to them. Chair Goslant is pleased that Chief Jennings is on board and appreciates his enthusiasm for his department and this community.

VII. APPROVAL OF MINUTES

- a. **March 28, 2017 (Regular Meeting).** Motion by Selectman Doney, seconded by Selectman Freeman, to approve the minutes. **Motion passed 4-0-0.**

VIII. APPROVAL OF BILLS

- a. **Warrant #20-17.** Motion by Selectman Doney, seconded by Selectman Goodrich, to approve Warrant #20-17 in the amount of \$401,931.44. Chair Goslant noted that of the total warrant amount, most of it (74%) was to purchase power that the NED will sell in turn to its customers. Selectman Doney asked about a payment for an "Open House Kit." Manager Schulz said the Northfield Ambulance Service (NAS) held a public event at its facility recently and purchased these informational materials to distribute. Selectman Goodrich asked about the purchase of a new "Garden Tractor." Manager Schulz said this was a scheduled replacement and CIP funds were used. The old tractor did not have any resale value so was used as a trade-in. Chair Goslant asked about a \$786 payment to Random Rescue in Williamstown. Manager Schulz said Random Rescue assists the NPD in picking up stray dogs and boarding them until they can be collected by the owners. He added that he has been in contact with them about reworking the current agreement so that Northfield gets its fair share of stray dog fines. **Motion passed 4-0-0.**
- b. **Approval of Bi-Weekly Payroll through March 26, 2017.** Motion by Selectman Doney, seconded by Selectman Goodrich, to approve the biweekly payroll in the amount of \$73,403.74. **Motion passed 4-0-0.**

IX. LIQUOR CONTROL COMMISSION

- a. **Liquor License Renewal Applications**
 1. **Cornerstone Burger.** Motion by Selectman Doney, seconded by Selectman Goodrich, to approve the liquor license renewal. **Motion passed 4-0-0.**
 2. **Northfield Country Club.** Motion by Selectman Doney, seconded by Selectman Goodrich, to approve the liquor license renewal. **Motion passed 4-0-0.**

X. SELECT BOARD

- a. **Water Street Hazard Mitigation and Park Project – Grant Resolution and Agreement.** Manager Schulz said the project plans now are complete and the construction phase will be put out to bid soon. The State has forwarded a Grant Agreement for Select Board approval as well as a Grant Agreement Resolution that designates Michele Braun as the person with overall administrative responsibility for the grant and Manager Schulz the authorized official able to execute documents, etc. Manager Schulz has worked with Ms. Braun to ensure that all the grant conditions are acceptable. Once the project bids have been received, they will be forwarded to the Select Board with a recommendation. The current timetable is to award the bid by early June 2017 with construction beginning in late June/early July. The expected completion date is early August 2017. The project would address flood mitigation along Water Street with a natural park built on site.

Selectman Doney asked if this project would entail any direct costs to Northfield. Manager Schulz said the municipality has been asked to install about 160' of stormwater pipe but this work would have to be done anyway. There also would be some minor maintenance costs associated with the natural park such as mowing the walking paths, etc. Motion by Selectman Freeman, seconded by Selectman Doney, to authorize Manager Schulz to sign the Grant Agreement and to approve and sign the Grant Agreement Resolution. **Motion passed 4-0-0.**

- b. **Vermont Agency of Transportation (VTrans): Annual Financial Plan & Town Highway Codes and Standards.** Manager Schulz said each year VTrans asks each municipality to submit an Annual Financial Plan for its Town Highways and to certify that it is spending at least \$300 on each mile of Class 1, Class 2, and Class 3 roads. The Northfield plan is broken down by road classification and shows that the municipality will be spending a total of \$1,375,387 on its roads during fiscal year 2017/2018, which is far above the minimum amount required. If this form is not submitted, the municipality would not be eligible for VTrans funds. In addition, VTrans is asking the Select Board to certify that the local Town Roads and Bridge Standards policy meets or exceeds state requirements and that the municipality maintains an inventory of roads, bridges, culverts, etc. Manager Schulz confirmed that Northfield is in compliance with these conditions. Motion by Selectman Freeman, seconded by Selectman Doney, to approve and sign the Annual Financial Plan for Town Highways as well as the Certification of Compliance for Town Road & Bridge Standards and Network Inventory. **Motion passed 4-0-0.**

XI. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Municipal Parks Spring Cleanup.** Selectman Doney repeated his announcement from previous Select Board meetings that the Recreation Committee will be asking volunteers to show up at Memorial Park at 11:00 a.m. on Sunday, April 23, 2017, in order to perform some park cleanup, minor repairs, etc. in exchange for a free lunch (hot dogs, hamburgers, soda, etc.). There also will be free t-shirts provided. Some volunteers will be assigned to work at the Falls Park. Sally Davidson from the Recreation Committee asked Manager Schulz to make sure that the water is turned on at the parks beforehand.
- b. **Brown Public Library Maintenance.** Selectman Goodrich asked if all the repairs to the building have been completed. Manager Schulz said the next project is to paint the library's exterior. This will be spread out over time with the building's entrance area done first.
- c. **FEMA Buyout Program.** Chair Goslant saw that another structure was being considered for the FEMA buyout program that compensated property owners for houses substantially damaged by Tropical Storm Irene in August 2011. Chair Goslant wondered when this program would ever end as he believes that some later buyout structures were razed for no good reason. Manager Schulz said the process for the one property now under consideration had stalled. He added that the Select Board can pull the plug on the program at any time. Chair Goslant noted with every structure torn down, the Town's Grand List amount decreases. Manager Schulz will contact the individuals involved with the most recent buyout to see what's holding things up. He also will inform FEMA that any additional applications will need to go first through the Select Board.
- d. **American Legion Post 1819 Donation.** Chair Goslant announced that Norwich University's American Legion Post 1819 has made a \$250 unrestricted gift donation to the municipality. Chair Goslant has suggested the money could be used to clean the Civil War monument on the Common.
- e. **Community Room Use.** Selectman Doney is disappointed that some Community Room users don't clean up properly after themselves. Perhaps a fee schedule to use the room should be set up to offset cleaning expenses, any damage repairs, etc. Selectman Freeman advised the documents that transferred ownership of the building to the municipality should be reviewed first to see if this is allowed.

XII. TOWN MANAGER'S REPORT

- a. **Rabbit Hollow Road Bridge.** Chair Goslant asked if there was any progress in getting the damaged bridge repaired and the road reopened. Manager Schulz said the railroad now has agreed to pay ninety percent (90%) of the bridge repair costs; the municipality will pay the difference. We are hoping the work will be completed within six (6) weeks. Chair Goslant feels the railroad tried to evade its responsibility for the bridge repairs as long as possible and he does not want any further delays. Selectman Freeman noted that the railroad seemed to take notice when the State got involved in the dispute and took Northfield's side.

XIII. PUBLIC PARTICIPATION (UNSCHEDULED).

- a. **Sally Davidson, Recreation Committee.** Ms. Davidson said the committee met the previous evening and among the items discussed was the new natural park on Water Street. There was concern that any park maintenance costs, etc. would come out of the current Recreation budget. Manager Schulz said it would not. Ms. Davidson added that any usable fill resulting from the flood mitigation project could be put to good use at Memorial Park. In addition, she and Manager Schulz have worked together on a grant application in order to purchase new playground equipment for the Falls Park.

- b. **Chris Bradley: Vermont House Bill 6 (re: Berlin Pond).** Mr. Bradley wanted to inform the Select Board that the City of Montpelier is attempting to regain control of Berlin Pond and forbid any recreational use there. Since Montpelier has been unable to get state agencies and the courts to agree to this, it now has submitted a charter change to the state legislature. If approved, H. 6 would grant Montpelier "authority to regulate its public water supply and public water sources to protect the water supply and sources from corruption. The City's water supply sources include Berlin Pond in the Town of Berlin."

Mr. Bradley and other Berlin Pond recreational users oppose this as unnecessary since motorized craft already are forbidden. In addition, Berlin residents were asked in November 2012 whether they wanted to keep the pond open for public access and they voted overwhelmingly in support (790-440). Since Williamstown and Northfield are considered watersheds for Berlin Pond, they also are affected by Montpelier's attempt to "protect" its water supply. Since Northfield and Berlin share the same house legislative district, Mr. Bradley believes that Northfield's officials should show support for its sister community by publicly opposing H. 6.

Selectman Freeman also opposes H. 6 since allowing paddle boats on Berlin Pond does nothing to diminish Montpelier's water supply. It was noted that the City of Burlington gets its water supply from Lake Champlain and motorized craft are not forbidden there. Also, Montpelier has a state-of-the-art water treatment plant that should be able to remove contaminants. Motion by Selectman Freeman, seconded by Selectman Doney, for the Northfield Town Select Board to approve a resolution stating its opposition to H. 6. Manager Schulz will draft the resolution with input from Mr. Bradley. Due to the controversy surrounding the bill, public meetings will be held in the affected communities to gauge public opinion on this matter. Mr. Bradley plans to attend the next one in Berlin with local outdoor enthusiast Bruce Baroffio. Manager Schulz also plans to attend (if his schedule permits).

Motion passed 4-0-0. Selectman Freeman and the other Select Board members thanked Mr. Bradley for bringing this matter to their attention.

XIV. ADJOURNMENT. Motion by Selectman Doney, seconded by Selectman Freeman, to adjourn. **Motion passed 4-0-0.**

The Board adjourned at 9:50 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 April 25, 2017.