

TOWN OF NORTHFIELD, VERMONT
SELECT BOARD MEETING
Minutes of February 13, 2018

- I. ROLL CALL.** Select Board Chair Kenneth W. Goslant, Board members Lynn Doney (absent), Julie H. Goodrich, Kenneth Johnson, and K. David Maxwell. Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, Dan Currier (Central Vermont Regional Planning Commission), Sally Davidson (Recreation Committee), Steve Davis, Josh Sanders, Jackson Tucker, Bruce Wright, and Elroy Hill.

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

IV. PUBLIC PARTICIPATION (SCHEDULED)

- a. Dan Currier, Central Vermont Regional Planning Commission (CVRPC): Stormwater Basin Project.** Mr. Currier has worked on several stormwater projects in the past but recently was promoted as CVRPC's Transportation Planner. Senior GIS Planner Pam DeAndrea will be the main contact for this project, but since she is unable to be here tonight Mr. Currier will provide an overview instead. He said Northfield was awarded a grant to install a new stormwater basin near the intersection of Union Street and Water Street that will collect the stormwater runoff coming down Union Street. At the present time, this stormwater is going directly into the Dog River without any treatment. The State of Vermont would like stormwater treated to remove phosphorus and other potential contaminants before entering the Lake Champlain watershed. This would be the third stormwater collection site in Northfield and would involve about twelve hundred feet (1,200') of new waterline, the installation of eight (8) new catch basins, etc. The project now is in bid process for the engineering services and a site visit was held last week (02/8/18) with five (5) potential contractors in attendance. Proposals are due Wednesday, February 21, 2018. Given feedback received to date, Mr. Currier expects between seven (7) and nine (9) submissions. If all goes to schedule, the construction phase would be this summer with some sidewalk removed, waterline installed, etc. Union Street will be disrupted for a few months with one-way traffic controlled by flaggers during work hours. The affected sections of the road would be repaired after all the new lines have been installed. Chair Goslant asked if any of the existing catch basins would be incorporated into the project. Mr. Currier said all old catch basins in the project area would be replaced with new ones as the old ones cannot be reused. Board member Maxwell asked about the size of the stormwater retention area. Mr. Currier said it would be about twice the size as the one behind the American Legion on Holland Place. The new one, however, will be underground, covered with fabric and topsoil.

Board member Maxwell asked if an alternate site were possible that would allow Pearl Street stormwater runoff to be captured as well. Mr. Currier said the current site is an alternate from the original site that was closer to Water Street but had to be relocated due to the flood hazard mitigation project there. He will look into the possibility of altering the current plans to include Pearl Street but warned this might add to the total project cost. Manager Schulz suggested the Highway crew could assist with the project to cut down on any additional project extension costs. Board member Johnson is leery of taking Highway personnel away from their road maintenance duties. Chair Goslant thought the Vermont Agency of Natural Resources (ANR) might free up more funds if the intention is to prevent even more stormwater from going directly into the Dog River. Mr. Currier said it is unclear whether the existing Pearl Street catch basins could be connected to the new waterlines due to elevation concerns, etc. He noted even without adding Pearl Street, this already is a large stormwater retention and treatment area.

Manager Schulz asked what would be the expected lifetime for the new stormwater basin. Mr. Currier said ANR would expect it to last between twenty (20) and fifty (50) years. He added routine maintenance could extend its useful period considerably. Manager Schulz asked where the stormwater would go after it has been treated. Mr. Currier said it would go back into Union Brook and then flow into the Dog River through a connecting pipe. After a project engineer has been hired, he/she will come to the Select Board members with the draft project plans.

Josh Sanders asked if moving the waterlines to the other side of the street would make it easier to include the Pearl Street runoff. Mr. Currier said the proposed location of the waterlines was due to ANR concerns about possible riverbank erosion. Chair Goslant asked if the proposed removal of the Cross Brothers Dam might help with the natural flow of Union Brook. Mr. Currier felt it was possible but he would have to review the engineering plans for that project to be sure. Chair Goslant then thanked Mr. Currier for his presentation tonight.

- b. Sally Davidson, Recreation Committee: Municipal Park User Fees for Private Events.** Ms. Davidson said at their last meeting (02/06/18), the Recreation Committee approved the suggestion of member Bruce Wright that for-profit organizations should be charged \$125 a day for reserved use of the play fields and bathrooms. There also would be \$125 per day charge for reserved use of the new pavilion. The impetus for this was a recent Northfield News article on a for-profit soccer camp planning to use the municipal fields even though a Park Use Application Form hadn't been submitted or the Recreation Committee otherwise contacted. Ms. Davidson said for non-profit groups (i.e. local schools, etc.) there would be the same fee amounts but for suggested donations only. Board member Maxwell asked if the specified user fee amounts seemed appropriate. Ms. Davidson said this is what Mr. Wright suggested and the other Committee members took his recommendation. Board member Maxwell noted every user fee collected will be used to offset the expense of maintaining Northfield's public parks. Manager Schulz said the Select Board would need to adopt the user fees and he will work with the Recreation Committee on a formal proposal. Board member Maxwell asked how many private events are held in the public parks each summer. Ms. Davidson was unsure about the exact number but expected it to increase when the new pavilion is installed.
- c. Sally Davidson, Recreation Committee: Winter Carnival Update.** Ms. Davidson said the 5th Annual Winter Carnival/Cabin Fever Weekend will be held the weekend of March 10-11, 2018. Three (3) separate fundraising events will be held on Saturday with raffle tickets sold for an Easter Dinner Basket, a "Paint 'n' Sip" held in the Brown Public Library's Community Room, and a Chicken Barbeque to-go dinner with presold tickets. There also will be a chili cook-off held at the Senior Center midday Saturday as well as youth activities at the Library. On Sunday, there will be indoor sports (basketball, kickball, swimming, wiffleball, etc.) held at Norwich University's Plumley Armory. Chair Goslant said this sounds like a fun weekend and thanked Ms. Davidson and the other Recreation Committee members for organizing these activities.
- d. Steve Davis: Vermont Open Meeting Law.** Mr. Davis has reviewed state statute and believes all Highway Subcommittee meetings should be warned beforehand. That has not been done in recent years. Board member Goodrich said the Select Board discussed this matter at their last regular meeting (01/23/18) in Mr. Davis' absence and agreed it would do so in the future. Board member Maxwell noted this would mean all subcommittee meetings (Town Buildings & Energy, Economic Development, etc.) would need to be properly warned. Board member Johnson noted one difficulty is that due to conflicting Board members' schedules, such meetings often are scheduled at the last minute. Board member Goodrich added no binding decisions are made at subcommittee meetings, only recommendations for the full Select Board are developed. Board member Maxwell also doesn't want to give the impression the Select Board members have been trying to hide anything with these meetings. Mr. Davis is grateful the Board members understand the importance of full transparency.

V. APPROVAL OF MINUTES

- a. **January 15, 2018 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Maxwell, to approve the minutes. Board member Goodrich found a typo on the second page (i.e. "cannot" instead of "can") that will be corrected. **Motion to approve amended minutes passed 4-0-0.**
- b. **January 18, 2018 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Johnson, to approve the minutes. Board member Goodrich would like it clarified in the minutes the \$9,000 in additional revenue from municipal pool operations is broken down into a \$6,000 increase in existing fees and another \$3,000 from new programs. **Motion to approve amended minutes passed 4-0-0.**
- c. **January 23, 2018 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Johnson, to approve the minutes. **Motion passed 4-0-0.**
- d. **January 23, 2018 (Regular Meeting).** Motion by Board member Goodrich, seconded by Board member Johnson, to approve the minutes. **Motion passed 3-0-1, with Board member Maxwell abstaining.**
- e. **January 25, 2018 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Maxwell, to approve the minutes. **Motion passed 4-0-0.**
- f. **January 30, 2018 (Special Meeting).** Motion by Board member Goodrich, seconded by Board member Johnson, to approve the minutes. **Motion passed 4-0-0.**

VI. APPROVAL OF BILLS

- a. **Warrant #16-18.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve Warrant #16-18 in the amount of \$523,575.82. Board member Goodrich asked about a \$700 charge for a polygraph examination. Manager Schulz said every new Northfield Police Department (NPD), whether part- or full-time, has to pass a polygraph test as a condition of employment. Board member Maxwell saw a \$3,530.35 charge for "VIBRS-Telecommunications." Manager Schulz said this was an annual charge in order to access this state system. Board member Maxwell asked about a \$1,050 towing charge. Manager Schulz said one of the plow trucks got stuck on the McKain Road turnaround during a heavy snowstorm. Since our insurance policy has a \$1,000 deductible, he didn't see the need to file a claim. Board member Maxwell saw a number of high heating fuel bills for the Municipal Building, Brown Public Library, Town Garage, etc. He feels the municipality needs to develop an effective strategy to reduce its heating fuel consumption. Board member Johnson suggested having the Town Buildings & Energy Subcommittee develop a recommendation. Ms. Davidson noted the upstairs of the Brown Public Library seems very hot in the winter. Mr. Wright added many rebates are now available for making public buildings more energy efficient. **Motion passed 4-0-0.**
- b. **Approval of Biweekly Payroll through January 28, 2018.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the biweekly payroll in the amount of \$87,155.72. **Motion passed 4-0-0**

VII. LIQUOR CONTROL COMMISSION

- a. **Liquor License Renewals.** Manager Schulz said NPD Chief William Jennings has reviewed the licenses up for renewal and found no issues with any of the applicants.
 1. **American Legion.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the liquor license renewal. **Motion passed 4-0-0.**
 2. **Cornerstone Burger.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the liquor license renewal. **Motion passed 4-0-0.**
 3. **Falls General Store.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the liquor license renewal. **Motion passed 4-0-0.**

4. **Norwich University.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the liquor license renewal. **Motion passed 4-0-0.**
 5. **Rustic Restaurant.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the liquor license renewal. **Motion passed 4-0-0.**
 6. **South Village Mobil.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the liquor license renewal. **Motion passed 4-0-0.**
 7. **Tops Market.** Motion by Board member Maxwell, seconded by Board member Johnson, to approve the liquor license renewal. **Motion passed 4-0-0.**
- b. **Outside Consumption Permits:**
1. **American Legion.** Motion by Board member Johnson, seconded by Board member Maxwell, to approve the outside consumption permit. **Motion passed 4-0-0.**
 2. **Cornerstone Burger.** Board member Johnson was concerned that unlike the American Legion, Cornerstone Burger was asking for a “year round use” permit. In addition, Cornerstone Burger is asking to occupy the “two municipal parking spaces located directly in front of the restaurant.” In past years, this has been negotiated separately in a lease agreement. After further discussion, it was Board consensus to table approval until more information has been obtained.

VIII. SELECT BOARD

- a. **Vermont Agency of Transportation (VTrans) Certificate of Highway Mileage 2018.** Manager Schulz said each year the 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 2017. Motion by Board member Maxwell, seconded by Board member Goodrich, to approve and sign the VTrans Certificate of Highway Mileage 2018. **Motion passed 4-0-0.**
- b. **Draft Ordinance Regulating use of Town Parks.** Manager Schulz said this new ordinance would regulate use of all the municipal parks. He had presented the Board members with an initial draft at a previous meeting (01/09/18) for comments and then forwarded it to the Recreation Committee members for their input. A few minor changes have been made, such as specifying that all dogs must be leashed in the parks and their feces removed from the grounds. Board member Maxwell thinks having dogs leashed is a wise precaution otherwise the municipality could be facing liability issues if someone is bitten. Board member Johnson has concerns about the provision forbidding “unreasonable noise.” He asked who would make that judgement. Manager Schulz said the most likely scenario is that a fellow park user or neighbor would contact the NPD with a complaint. The NPD officer responding would be the one to make the determination whether the noise is excessive. This is the same way the existing Disorderly Conduct Ordinance operates. Mr. Sanders asked if he should be concerned about police showing up if he pays to hold a private function in the park and then plays music over a loudspeaker for the attendees. Manager Schulz believes the normal practice with loud music is that the responding NPD officer will ask for it to be turned down if there is a complaint. Board member Goodrich would like this provision retained in case of extreme situations disturbing other park users, etc. Chair Goslant believes the NPD officers should be trusted to use their best judgement in such circumstances. Board member Maxwell would like the article entitled “Alcoholic Consumption” reworded to clarify the Select Board can waive the general prohibition of alcoholic beverages for park events on a case-by-case basis but this did not apply to the use of “illicit drugs,” which is banned at all times. Chair Goslant feels the language in the article entitled “Fires Regulated” should be changed to allow park users to bring in and use their own portable grills. Manager Schulz will make the suggested changes and finalize the document prior to scheduling the public hearing necessary before the Select Board can adopt the ordinance.

- c. **Resolution Authorizing Application for State Clean Water Planning Funds.** Manager Schulz would like the Board members to approve a resolution authorizing him to make an application for state funds to be used to address the drainage problems on Slate Avenue and the area where it intersects with South Main Street. Motion by Board member Maxwell, seconded by Board member Goodrich, to approve the resolution authorizing Manager Schulz to apply for State Clean Water Planning Funds. **Motion passed 4-0-0.**
- d. **Public Hearing (Australian Ballot Articles): Tuesday, February 27, 2018.** This public hearing is required by state law and will be held at the beginning of the next regular meeting. The non-profit organizations with funding articles on the 2018 Northfield Town Warning already have been contacted by mail with the time and place.
- e. **Norwich Commons Drainage Issue.** As this matter involves a potential contract and has various legal implications, Chair Goslant would like to postpone any discussion until later in the meeting in executive session. There was no objection.

IX. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Norwich University (NU) Corps of Cadets Concerns.** Board member Johnson recently had a problem with a column of NU Cadets impeding traffic along Union Brook Road. He felt there should be proper traffic control whenever NU students march or run in the streets in great numbers. Board member Johnson would like Manager Schulz to contact the NU Commandant of Cadets (Lieutenant Colonel Michael S. Titus) about this so there is no repeat. Mr. Wright said NU Cadets often use Dole Hill Road for exercises and they seldom make room for passing vehicles. Manager Schulz will contact Lieutenant Colonel Titus regarding this concern.
- b. **Town-wide Pothole Problems.** Board member Johnson felt Northfield roads have an excessive number of potholes this winter. Manager Schulz said the Highway crew was out today putting down cold patch to fix the worst ones. This is only a temporary measure until spring. Chair Goslant confirmed a number of bad roads, such as Cemetery Street, are on the priority list for repaving when weather permits.
- c. **CERV Clothing Shelf.** Chair Goslant said the CERV Clothing Shelf has been relocated to the basement of the Municipal Building so it can remain open throughout the year. It will reopen to the public this coming Saturday (02/17/18).
- d. **Recent Loss of Prominent Northfield Residents.** Chair Goslant noted the passing of three (3) prominent Northfield residents in recent days: Dave MacDougall, George Goodrich Jr., and Barbara Pope. It was noted former NU professor Colonel Maurice Smith also passed away last week at the age of 106.

X. TOWN MANAGER'S REPORT

- a. **Water Street River Park Project.** Manager Schulz has received documentation from the Vermont Department of Housing and Community Development confirming this project met all its departmental terms and conditions. As there are no remaining issues, this project is considered closed out.
- b. **Municipal Building Defibrillator.** Manager Schulz requested and received a quote from ZOLL Medical Corporation for an AED Plus defibrillator that would be kept in the Municipal Building. The building staff will be trained to use it in an emergency.
- c. **Brown Public Library Exterior Painting Project.** Manager Schulz has sent out an RFP for the exterior painting of the Brown Public Library planned for later this year. Chair Goslant noted the Police Station also is scheduled to be repainted this year so this RFP probably should be sent out as soon as possible. Manager Schulz will work on this.
- d. **Main Street Bridge.** Manager Schulz said with CVRPC assistance, the Main Street Bridge has been identified as the bridge most needing replacement in the Central Vermont region. The bridge was twenty-first (21st) on VTrans bridge replacement priority list but should move up when the list is revised later this year. VTrans only repairs/replaces ten (10) bridges each year. In addition, proper bridge replacement engineering and planning takes about four (4) years so a new bridge probably won't be in place until 2022 at the earliest.

XI. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. Bruce Wright: Property Tax Rate Increase.** Mr. Wright saw an article in last week's *Northfield News* (02/08/18) indicating if the proposed FY 2018/2019 Town Budget is approved by voters on Town Meeting Day, there would be a five cent (5¢) increase to the property tax rate. Mr. Wright feels such an increase is unacceptable and it not only will hurt current residents but also deter people from moving to Northfield. Board member Maxwell said the Select Board had to make hard decisions this year since municipal spending had been reduced the previous six (6) years. This year, the Board members decided to address the problems arising from deferred maintenance to the municipality's roads, sidewalks, facilities, public parks, etc. He added the major reason for the increase was the planned hiring of an additional NPD full-time police officer. This was the recommendation of NPD Chief William Jennings who said a sixth full-time officer was necessary for twenty-four (24) hour police coverage. Board member Maxwell noted this hiring should lead to a reduction in NPD overtime expenses but the exact amount cannot be determined at this time. Mr. Wright noted that about fifteen percent (15%) of all local emergency calls are related to Norwich University. Board member Maxwell said under current state law, NU has property tax exemptions for most of its campus buildings. However, even though NU has no legal obligation to pay, it reached a new agreement with the municipality in October 2017 to increase its annual gift from approximately \$80,000 in 2017 to \$200,000 in 2018. (The gift amount will increase by \$8,000 for each subsequent year of this five (5) year agreement.) Without the annual NU gift, there probably would have been higher increase in the tax rate due to the number of local concerns that need to be addressed. Mr. Wright noted Middlebury College pays its host community about \$1,000,000 each year and the NU agreement stipulates \$20,000 of the annual gift must go into the Northfield Fire department's CIP for replacement of its aerial ladder truck. In any case, Mr. Wright believes the Select Board needs to do a better job of controlling expenses and keeping property taxes low. Chair Goslant said the Board members held thirteen (13) separate budget meetings over the past couple months so they certainly took seriously their fiscal responsibilities. Board member Johnson noted if they had stopped after the first six (6) meetings, this year's tax rate increase would have been closer to nine cents (9¢). Board member Maxwell said he and the other Board members did not take raising the tax rate lightly but it became necessary to spend money now on deferred maintenance to avoid larger expenses later. Elroy Hill said the municipality lost about \$1,000,000 of taxable property due to Tropical Storm Irene. The rest of us now have to make up the difference. Mr. Hill added he attended all of the budget meetings and personally saw how the Select Board members acted with due diligence to address many serious problems with the municipal infrastructure (highways, sidewalks, facilities, public parks, etc.).

- XII. EXECUTIVE SESSION.** Motion by Board member Goodrich, seconded by Board member Maxwell, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss a legal matter and potential contract with Manager Schulz present. **Motion passed 4-0-0.**

The Board went into executive session at 9:40 p.m.

Motion by Board member Maxwell, seconded by Board member Goodrich, to come out of executive session. **Motion passed 4-0-0.**

The Board came out of executive session at 10:20 p.m. No action was taken.

- XIII. ADJOURNMENT.** Motion by Board member Maxwell, seconded by Board member Goodrich, to adjourn. **Motion passed 4-0-0.**

The Board adjourned at 10:25 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 27, 2018.