

**TOWN OF NORTHFIELD, VERMONT**  
**TOWN SELECT BOARD REGULAR MEETING**  
**Minutes of January 14, 2020**

- I. ROLL CALL.** Select Board Chair K. David Maxwell, Board members Lynn Doney, Julie H. Goodrich, Kenneth W. Goslant, and Nathaniel Miller. Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, Mary Donnelly (Central Vermont New Directions Coalition), Ann Gilbert (Central Vermont New Directions Coalition), Amelia Sherman (Central Vermont New Directions Coalition), Madison Lewis (NMHS Health Heroes), Kylee Bolding (NMHS Health Heroes), Sophia Sargent (NMHS Health Heroes), Olivia Boyd (NMHS Health Heroes), Lydia Varney (NMHS Health Heroes), Mitch Osiecki (Zoning Administrator), Laura Hill-Eubanks (Chair, Planning Commission), Nancy Peck (Planning Commission), Brandy Saxton (PlaceSense), Steve Davis (Gun Owners of Vermont), Eric Davis (Gun Owners of Vermont), Bob Readie (Gun Owners of Vermont), Blaire Scaglione (Gun Owners of Vermont), Richard J. Wobby, Dan Sivori, G.J. Carruba, Cassie Morse, Charles Morse, John Stevens, Tim Swartz, Merry Kay Shernock, Dwayne Tucker, Mark Richter, Keith Ellsworth, Mathew Wheaton, Nathina Roy, Eric Duncan, Ian Gramling, Brennan Mulvaney, Alex Vertefeville, Kris Baraw, Brandon Law, Patrick Martin, Andrew DeMasi, Jeff Royce, Karl Bailey, Mark Lake Jr., and Elroy Hill.

Chair Maxwell called the meeting to order at 7:05 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.** Chair Maxwell said the presentation by the NMHS Health Heroes will be moved ahead of the scheduled Public Hearing so the students won't be kept up too late.
- IV. PUBLIC PARTICIPATION (SCHEDULED)**

- a. Northfield Middle/High School (NMHS) Students – NMHS Health Heroes.** Mary Donnelly is a NMSH teacher who works with the Central Vermont New Directions Coalition (CVNDC), which was formed in 1998 in order to advocate for health initiatives that would benefit both local youth and the whole community. She said a group of seventh-grade NMHS students have formed the "Health Heroes" task force who work to create a healthy environment by recognizing local health hazards and then advocating to local legislators, etc. for the problem to be addressed. The members of the Health Heroes present tonight are Madison Lewis, Kylee Bolding, Sophia Sargent, Olivia Boyd and Lydia Varney. (Abby Robbins is another member but couldn't attend tonight.) The Health Heroes have found two (2) local health problems that they would like to bring to the Select Board members' attention.

Ms. Sargent said discarded cigarette butts comprise about a third of the litter deposited on public streets, parks, beaches, etc. They also leach toxic chemicals into the environment. Ms. Lewis said one solution is to install "Sidewalk Buttlers" at locations where smokers congregate. These are free-standing receptacles with small openings for the collection and future proper disposal of cigarette butts. She added Barre and Montpelier installed Sidewalk Buttlers in their downtown areas following similar requests from their youth health advocates. The Buttlers cost about \$100 each and the plan is for the purchase of at least five (5) for Northfield. This would be funded by local merchants, e.g. Northfield Savings Bank, in return for having their logos and other information printed on the receptacles. The Health Heroes are asking that the municipality install and maintain the Buttlers once the proper sites have been determined. There were no objections from the Select Board members.

Ms. Sergeant said the other local problem identified by the Health Heroes was prevalent second-hand smoke in areas where youth congregate in great numbers. Ms. Lewis said the Health Heroes are asking that at least two public parks (Memorial Park and Dog River Park) be designated as smoking-free. Ms. Lewis noted smoking is now prohibited in all of Barre's public parks. Board member Goslant felt the new youth playground at the Northfield Falls Park probably should be designated smoking-free as well. It was noted the current ordinance governing use of the public parks would have to be amended to accomplish this. The ordinance already forbids the use of alcohol and firearms. Ms. Donnelly confirmed she and the Health Heroes will work with Manager Schulz throughout the process. Chair Maxwell then thanked the Health Heroes and the CVNDC members present tonight for the valuable information provided tonight and all their hard work on behalf of local health initiatives.

## V. PUBLIC HEARING

- a. **Northfield Town Plan.** Chair Maxwell said the Northfield Planning Commission (PC) has created a final draft of the revised Northfield Town Plan and this will be the first of two (2) public hearings to be held. The second public hearing has been scheduled for Tuesday, February 11, 2020 and the Select Board then will be able to decide afterwards whether to formally approve the final document. Laura Hill-Eubanks is the Northfield PC Chair and she said the current document is the result of over three (3) years of hard work and many meetings at which public feedback was solicited. The PC members received state grant funds to accomplish this task and thus were assisted by Brandy Saxton from PlaceSense. Ms. Saxton is a land use planner with over twenty (20) years of experience. She said the most recent Northfield Town Plan was adopted in 2014 and the new document had to be written to correspond with changes in state law since then. Ms. Saxton said the overall plan is very similar to the previous one in that development is encouraged in the higher density areas but there also is an attempt to preserve the rural nature of the community. She added in some cases the scope of the document has been somewhat reduced to fit what the municipality can legally and logistically achieve to meet these goals. Ms. Saxton said among the major changes to meet new state requirements are a new chapter on resiliency as well as expanded and updated chapters on Energy and Town Plan Implementation. There is new language regarding forest integrity to conform to Act 171 requirements. The plan also has an updated Land Use Map and related policies that emphasize the desirability of the downtown area (i.e. former Northfield Village) and Northfield Falls as the preferred locations for future economic development. The plan also recognizes the importance of Norwich University (NU) as a local economic driver. The preservation of the rural sections of the community would be accomplished by such measures as discouraging the creation of new backroads, etc. In addition, local riversides would be protected by the installation of riparian buffers where needed. Ms. Saxton said the plan has Future Land Use maps based on population density that replace earlier ones that designated zoning districts. It was felt this would allow better coordination between the Town Plan's objectives and local zoning regulations.

Richard Wobby lives on Highland Avenue and he is grateful for the efforts PC members put into drafting the current document. He noted the 2014 plan recognized historic districts in former Village and further development in these neighborhoods was largely discouraged. Mr. Wobby fears the new plan would remove this protection by designating these neighborhoods as medium- and high-density, which might lead to apartment buildings and other multi-family domiciles being built in now quiet neighborhoods. He saw no need for this change as the plan states the need for rental housing has declined in recent years. Ms. Saxton confirmed the expansion of NU on-campus housing has reduced the need for students to find accommodations in the community. Mr. Wobby felt the PC did a great job on the current document but would like the protections for historical districts retained.

Mark Richter lives in a house over one hundred (100) years old and he also is concerned about the impact the revised plan might have on historic districts. He doesn't want to see old homes of historical interest torn down to make room for apartment buildings, etc. Matthew Wheaton shares this concern and doesn't want to see quiet neighborhoods become high density. He felt the homeowners who invested a lot of money into their houses might see their house values decline if their neighborhoods become more crowded and less desirable. Ms. Saxton said recent developments were taken into account when the population density maps were adjusted. The amount of municipal infrastructure as one moves north and south of the downtown area also was taken into consideration. She noted the Town Plan is comprised of a set of goals for the community but it is the local zoning regulations that would determine how to achieve these objectives. Board member Goodrich said the plan may only have recommendations at this time but when the PC works next on revising zoning regulations these goals might gain the force of law. Should the Select Board members adopt the plan as presented, it would share responsibility for any new harsh zoning regulations. Ms. Saxton said when the plan was drafted use of such words as "shall" and "must" were avoided to prevent tying the hands of those who will work on updating zoning regulations.

Board member Goodrich said she forwarded a number of concerns to the PC members some months ago and doesn't see any corrective language in the current draft. For example, she has issues on establishing minimal lot sizes in the rural areas. Ms. Saxton said the plan recognizes that all rural lots are not the same due to access to nearby roads, soil conditions, etc. so minimum lot sizes are considered goals but not requirements. Any minimum lot sizes in specific parts of the community would be determined when zoning regulations are drafted. Board member Goodrich also would like to see greater consistency between the planning map and the zoning map. Ms. Saxton believes they are compatible. Ms. Hill-Eubanks said the planning map is intended to have some level of flexibility based on population density, etc. and show that some areas are not suitable for development.

Board member Goslant asked how zoning regulations could be used to prevent apartment buildings and other multi-family structures from being built in neighborhoods now designated as medium- or high-density. Ms. Saxton said the regulations could specify off-street parking and other requirements that would stop oversized housing developments being shoehorned into a neighborhood. Board member Goslant asked who would enforce such regulations. Ms. Sexton said the Development Review Board would issue rulings that the Zoning Administrator would enforce. Board member Goslant felt this might put the Zoning Administrator in an uncomfortable position in having to implement unpopular decisions. Ms. Sexton doesn't believe the new plan would result in great changes in the community and she noted public feedback was sought and received throughout the drafting process. There also will be many opportunities for input when Northfield's zoning regulations are revised. Board member Goodrich also doesn't like the plan's limitations on future use of municipal forest land as conditions may change. There also are limits on future development above certain elevation levels. Ms. Hill-Eubanks said these goals were based on public feedback.

Gerry Carruba asked if there was deadline for the approval of the revised town plan and whether changes could still be made at this late date. Manager Schulz said changes can be made but if they are considered "substantive" the document would have to be returned to the PC members for further action. Ms. Hill-Eubanks said the 2014 Town Plan has expired so Northfield currently doesn't have a town plan. This might affect the municipality's ability to apply for planning grant funds, etc. Board member Goslant is not comfortable with the number of provisions in the plan that might restrict what landowners can do with their own properties. Mr. Wobby asked if it were possible just to readopt the 2014 document. Manager Schulz noted the changes in state law since then makes that impossible. Chair Maxwell said given the concerns expressed by Select Board members tonight, he would like this matter on the next regular meeting agenda (01/28/20). It is hoped these issues can be resolved before the next scheduled public hearing. He then thanked Ms. Hill-Eubanks and Ms. Sexton for all the work done on this document and for their presentation tonight.

## **VI. PUBLIC PARTICIPATION (SCHEDULED)**

- a. **Steve Davis: Second Amendment Resolution.** Steve Davis is asking the Select Board members to approve and sign a resolution tonight that would establish Northfield, Vermont as a "Second Amendment and Article Sixteen Constitutional Gun Owner township." By doing so, "the township hereby declares all federal and state laws and regulations attempting to restrict these rights to be infringements, hence null and void under this resolution." Steve Davis said he didn't want to debate the pros and cons of gun ownership tonight but he and others in the community are concerned about the erosion of gun ownership rights in our state legislature. He said despite its name, GunSense of Vermont is an organization largely funded by out-of-staters and it is pushing an anti-self-defense agenda. Steve Davis believes the ultimate goal of gun control legislation is actually gun confiscation. Recent laws passed in Montpelier have tried to criminalize responsible gun owners. In response, Steve Davis and other concerned gun owners have joined Gun Owners of Vermont and now are attempting to establish their hometowns as Second Amendment Sanctuaries. Eric Davis, who serves as Gun Owners of Vermont Vice-President, said this non-profit organization formed in 1994. The resolution now under discussion would have no weight of law but would be a symbolic measure directed at those legislators who might want to pass measures that would threaten the inalienable right of all US citizens to bear and keep arms.

Mark Richter said the Bill of Rights exists for a purpose and the Founding Fathers considered private gun ownership as a necessary measure to protect citizens from tyrannical rule. He doesn't know what all the new gun legislation under consideration is trying to fix. Mr. Richter said the rights of gun owners need to be protected at this time and he hopes the Select Board members will approve and sign the resolution. Bob Readie is the Washington County Director for Gun Owners of Vermont and he doesn't believe such basic rights as gun ownership should be subject to negotiation. Although the resolution may not have legal authority, it would send a clear message to our state and federal leaders. All the resolution states is that gun owners abide by and have rights under the US Constitution.

Cassie Morse says she and her husband Charlie also are gun owners but she considers the language of the Second Amendment Sanctuary movement to be a gimmick. Ms. Morse said a number of states have adopted Second Amendment Observance Days and she feels this is better way of celebrating our rights under the Constitution than adopting a resolution with divisive language that might alienate some people away from responsible gun owners. Ms. Morse felt establishing a Second Amendment Observance Day in Northfield would be a positive alternative to the resolution under discussion.

Eric Duncan believes approving this resolution would be a good way for Northfield gun owners to show they won't consent to have their gun rights taken away by outside influences in Montpelier and Washington, DC. If the current language in the resolution is unacceptable, it can be changed to something more suitable to the Select Board members. In any case, a good conversation has started about gun rights and how certain proposed legislation can be considered a threat to our civil liberties.

Merry Kay Shernock would like the Select Board members to focus on accomplishable goals and not waste their time picking a favorite amendment to the Constitution. She personally favors the Nineteenth Amendment that ensures her right and that of other women to vote. Ms. Shernock felt the right of all Americans to vote is now under assault by foreign governments trying to interfere (directly or indirectly) in our elections. She did not feel this was time for such a symbolic action and that Northfield residents should support the US Constitution and all its amendments. Eric Davis said he agreed the entirety of the US Constitution is important but it is the Second Amendment that is under assault at this time.

Charles Morse believes everyone who has spoken tonight has made valid points but at the same time he doesn't feel the Select Board members should have the authority to declare Northfield a Second Amendment Sanctuary town without voter authorization. He suggested this matter could be brought up under non-binding business at the next open session of Northfield Town Meeting (03/02/20). Board member Miller said he supported this action as this would be a big step to take without voter approval. Board member Doney asked about the origins of the Second Amendment Sanctuary movement. Eric Davis said it is a symbolic action that started in rural counties in Illinois after the state legislature, influenced by urban interests, passed gun control laws. The movement then spread to other states in reaction to gun control laws. Eric Davis does not feel the Bill of Rights should be subject to a vote.

After further discussion, the consensus of the Select Board members was that the advocates for this resolution would be encouraged to bring this matter up on Town Meeting Day for discussion followed by a non-binding vote. Steve Davis said he was disappointed the Select Board members' decision not to take action tonight but he will accept their judgment.

## **VII. APPROVAL OF MINUTES**

- a. December 5, 2019 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Goslant, to approve the minutes. **Motion passed 5-0-0.**
- b. December 10, 2019 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Goslant, to approve the minutes. **Motion passed 5-0-0.**
- c. December 10, 2019 (Regular Meeting).** Motion by Board member Goodrich, seconded by Board member Miller, to approve the minutes. Chair Maxwell had a correction regarding a statement he made during the Green Mountain Transit presentation. **Motion to approve amended minutes passed 5-0-0.**
- d. December 14, 2019 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Doney, to approve the minutes. **Motion passed 5-0-0.**
- e. December 17, 2019 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Doney, to approve the minutes. **Motion passed 5-0-0.**
- f. January 7, 2020 (Budget Meeting).** Motion by Board member Goodrich, seconded by Board member Doney, to approve the minutes. **Motion passed 5-0-0.**

## **VIII. APPROVAL OF BILLS**

- a. Validation of Warrant #12-20.** Motion by Select Board member Goodrich, seconded by Board member Doney, to validate the approval by signature of Warrant #12-20 in the amount of \$1,372,052.12. Board member Goslant noted of the total warrant amount, \$1,080,000 represented property tax funds collected by the municipality and then forwarded to the Paine Mountain School District. **Motion passed 5-0-0.**

- b. Approval of Warrant #13-20.** Motion by Select Board member Goodrich, seconded by Board member Goslant, to approve Warrant #13-20 in the amount of \$439,601.32. Chair Maxwell noted invoices for painting the Ambulance Bay and asked if the work had been completed. Board member Doney said it had and there have been a number of complements. Manager Schulz said the project was delayed somewhat when a permit was required to upgrade the bathrooms. Chair Maxwell saw a large number of invoices for professional testing of the water system for containments and asked if extra tests were done. Manager Schulz said there was no additional testing but a number of old invoices not received by the municipality were finally sent and processed. **Motion passed 5-0-0.**
- c. Approval of Biweekly Payroll through December 15, 2019.** Motion by Select Board member Goodrich, seconded by Board member Miller, to approve the biweekly payroll in the amount of \$103,370.99. Board member Doney felt the amount of Northfield Police Department (NPD) overtime expenses seemed high. He thought this problem had been resolved with the new NPD union contract. Manager Schulz said this timeframe saw a higher than normal number of NPD officers taking vacation time, attending training sessions, etc. He believes the new contact will lower the overtime expense in coming months but there will be some unavoidable spikes due to illness, vacation, military reserve call-ups, maternity leave, etc. Board member Goslant said another major problem was the scarcity of qualified law enforcement officers in this state. **Motion passed 5-0-0.**
- d. Approval of Biweekly Payroll through December 29, 2019.** Motion by Select Board member Goodrich, seconded by Board member Goslant, to approve the biweekly payroll in the amount of \$99,121.19. **Motion passed 5-0-0.**

**IX. SELECT BOARD**

- a. Northfield Ambulance Service (NAS) Billing Collection RFP.** Manager Schulz said NAS currently outsources its billing to Lyndon Rescue, Inc. but that contract has expired. RFPs for a new contract were sent out in early December 2019 with a submission deadline of January 10, 2020. Four (4) proposals were received by the deadline and they will be reviewed by Manager Schulz, Finance Director Laurie Baroffio, and NAS Chief Lawton Rutter before a recommendation is presented to the Select Board members. This is a complex matter with a number of factors. Manager Schulz believes the new contract should be awarded by the middle of next month.
- b. Authorization to allow Town of Roxbury to join Mountain Alliance.** Manager Schulz said the Town of Roxbury currently has solid waste management district membership in the Mad River Resource Management Alliance (MRRMA) but would like to switch to the Mountain Alliance in order to take advantage of lower membership costs. This is the same action Northfield took in July 2015 for the same reason. The Mountain Alliance bylaws state the current membership towns (Northfield, Randolph, Braintree, and Brookfield) must authorize any membership expansion. Manager Schulz recommends granting this authorization as it would allow operating costs to be divided amongst five (5) towns rather than four (4). He added Braintree and Brookfield have already provided their consent. Board member Goodrich said there was no reason to oppose this. Manager Schulz noted the operating costs should be reduced this coming year as the number of state-mandated Household Hazardous Waste Collection dates has been reduced from four (4) to two (2). Motion by Board member Miller, seconded by Board member Doney, to authorize the proposed membership of the Town of Roxbury in the Mountain Alliance. **Motion passed 5-0-0.**
- c. Northfield Planning Commission Appointment.** Manager Schulz said there had been a vacancy on the Planning Commission (PC) for several months. The PC members interviewed two (2) candidates at their last meeting (12/16/19) and subsequently recommended the appointment of Chandra Blackmer. Motion by Board member Miller, seconded by Board member Doney, to appoint Chandra Blackmer to the Northfield Planning Commission. **Motion passed 5-0-0.**

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

- a. CERV Relocation.** Board member Doney asked if the municipality is purchasing property on Kent Street adjacent to the current storage building in order to relocate the CERV Food Shelf, Clothing Shelf, etc. Manager Schulz said the municipality will own the property but CERV will pay for the land purchase.

- b. **New Crosswalk Warning Lights.** Board member Doney would like more pedestrians to start pressing the activation buttons when using the crosswalks where the new warning lights were installed. Chair Maxwell said he was able to observe the Depot Square crosswalk one afternoon and estimated only forty percent (40%) of the people crossing the street activated the warning lights beforehand.
- c. **South Main Street Dip.** Board member Doney felt it might be necessary for Manager Schulz to send another letter to NU reminding them of their promise to permanently fix the dip in the road by Crawford Hall by this April.

**XI. TOWN MANAGER'S REPORT**

- a. **Cross Brothers Dam.** Manager Schulz has had an update regarding the October 2018 presentation from the Vermont Dam Removal Task Force on the many advantages of removing this old dam near the Main Street Bridge. He recently learned that the state will be conducting a feasibility study in the near future. Manager Schulz will bring the results back to the Select Board members. It is good to see this project moving forward.
- b. **Union Brook Road Reconstruction Project.** Manager Schulz has been working with an engineer to prepare plans for this project so that the RFP can be sent out as soon as possible. Manager Schulz said this project remains a priority.
- c. **South Main Sidewalk Project.** Manager Schulz said since we received a Vermont Agency of Transportation (VTrans) grant for this project, an environmental assessment will be done next month. This is a requirement when state or federal grant funds are involved. Manager Schulz doesn't expect anything troubling to be found.
- d. **Sludge Management Plan.** Manager Schulz said the Vermont Department of Environmental Conservation (DEC) is requiring wastewater treatment facilities to submit new sludge management plans by June 30, 2020. Manager Schulz will work with Utility Superintendent Patrick DeMasi on this over the next month in order to meet this deadline.
- e. **Better Connections Grant.** A public open house will be held on Thursday, January 30, 2020 from 5:00 p.m. to 7:00 p.m. in the Community Room located in the Brown Public Library (93 South Main Street) so Northfield residents can share their thoughts and ideas about connectivity and pedestrian access within the Dog River Valley. For more information and to take a survey, visit [www.northfieldridgetorivers.info](http://www.northfieldridgetorivers.info). Board member Goslant asked if any grant money for sidewalk improvements might come out of this. Manager Schulz said a written study would be produced that would identify infrastructure problems. Having this study in hand would be a great assist when applying for future grant funds.

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

**XIII. EXECUTIVE SESSION.** Motion by Board member Goodrich, seconded by Board member Goslant, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss a contract and a personnel matter with Manager Schulz present. **Motion passed 5-0-0.**

The Board went into executive session at 9:55 p.m.

Motion by Board member Goslant, seconded by Board member Goodrich, to come out of executive session. **Motion passed 5-0-0.**

The Board came out of executive session at 10:15 p.m. No action was taken.

**XIV. ADJOURNMENT.** Motion by Board member Goodrich, seconded by Board member Goslant, to adjourn. **Motion passed 5-0-0.**

The Board adjourned at 10:18 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 are subject to approval at the next regular Select Board meeting.