

**TOWN OF NORTHFIELD, VERMONT**  
**TOWN SELECT BOARD REGULAR MEETING**  
**Minutes of February 11, 2020**

- I. ROLL CALL.** Select Board Chair K. David Maxwell, Board members Lynn Doney, Julie H. Goodrich, Kenneth W. Goslant, and Nathaniel Miller (absent). Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, Ruth Ruttenberg (Planning Commission), Nancy Peck (Planning Commission), Chandra Blackmer (Planning Commission), Gail Hall (Northfield Energy Committee), Connor Lessard (Norwich University), McKenzie DeBruin (Norwich University), Park Laflin (Norwich University), Eleanor D'Aponte (Norwich University), Sabrina Fadial (Norwich University), Brian T. Fitzgerald (Vermont Natural Resources Council), Michele Braun (Friends of the Winooski River), Matthew Wheaton, John Stevens, Richard Wobby, Eric Blaisdell (*Times Argus*), Robert Halpert (Zalinger, Cameron & Lambek), and Elroy Hill.

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 Town Plan.** Manager Schulz said this is the second public hearing the Select Board will hold to obtain public comment on the proposed Northfield Town Plan. The first public hearing was held on January 14, 2020, and at their last regular meeting (01/28/20) the Select Board members discussed potential revisions to current document as proposed by Manager Schulz. In the interim, the Planning Commission (PC) members have drafted a memorandum (02/04/20) that suggests alternate language. For example, on Page 3 Manager Schulz recommended removing a sentence that stated "This plan recommends various changes to the town's land use regulations to increase their effectiveness at protecting natural and historic resources in Northfield and supports the Conservation Commission's efforts to permanently protect high value resource lands." The PC members suggest instead of deleting the sentence it should be revised to read as follows: "The plan recommends that the town continue its efforts to improve the effectiveness of policies and incentives that would help to protect the natural and historic resources in the town of Northfield." There are similar suggestions on Pages 7-8 in regards to the Cheney Farm property and on Pages 12-13 regarding high- and medium-density residential areas. In both cases the document wording was revised to retain the basic intent but remove specific restrictions.

In addition, the Town Plan (Page 54) called for the Northfield Conservation Commission (NCC) to have an active role when the Development Review Board (DRB) reviewed land development applications. Manager Schulz had suggested removing this item but the PC members recommend revising this to specifically state the NCC would only have "an advisory role" in such matters. The major change from the current situation is that the NCC would be formally notified before such matters came before the DRB. On Page 58, Manager Schulz suggested removing Long-Term Action 5 that called for "using conservation easements to ensure long-term protection and conservation of the lands and current uses of the Northfield Town Forest and the Dog River Park." In the memo, the PC members suggest retaining the sentence but deleting the reference to conservation easements in favor of a more general statement calling for protecting these areas.

Richard Wobby asked if all the revisions suggested by Manager Schulz at the last meeting will be incorporated in the final document. Manager Schulz said that would be the decision of the Select Board members once they have considered the alternatives in the PC memo. Matthew Wheaton asked if all references to medium- and high-density restrictions would be removed from the document. Manager Schulz said the document language would be revised to make clear that area density goals only would be suggestions and not requirements.

Mr. Wheaton asked if there would be further opportunities for commenting on the Town Plan as it is being finalized. Manager Schulz said if the changes made are considered “substantive” the document would be returned to the PC for further action. This would probably result in at least one additional public hearing.

Mr. Wobby felt the document presented is a “beautiful plan” and it is obvious a lot of time and effort went into producing it. However, he has noticed a number of apparent contradictions in the document. For example, although the beginning of the document includes a statement that calls for preserving and enhancing the historic character of the downtown area (i.e. Northfield Village), it later states that the former Northfield Village (and Northfield Falls) should be the principal location for new housing units. In addition, Mr. Wobby feels the timeline for some of the plan’s long-term goals are unrealistic. This includes the adoption of a minimal rental housing code and a “complete streets” policy by 2021. Mr. Wobby also noted the public surveys distributed among Northfield residents had only 194 responses, which is about three percent (3%) of the local population. He doesn’t feel it is right to cite public support for certain community goals based on such a small sampling.

Nancy Peck has been a PC member since May 2019 so she joined late in the process of developing the current document. She said the Town Plan is as its name implies: a plan that indicates the general direction the community wants to go in the near future. The plan does not provide specific rules or restrictions as that is the role of local zoning regulations. Ms. Peck said the current document doesn’t prevent development in certain areas but tries to reduce the amount of urban sprawl since communities are much more unified and vibrant if their populations aren’t spread over disconnected areas. In addition, if residents continue to build homes on the backroads they will come to expect the municipality to spend much more money on gravel roads in order to make them passable year-round.

Chair Maxwell said the Select Board next will review tonight’s suggested revisions and perhaps incorporate some or all in the document that will be returned to the PC for further action. Mr. Wobby asked if the finalized plan will be made available for public review before it is presented to the Select Board for formal adoption. Manager Schulz said it would be available for review online and hardcopies will be made available in the Municipal Building and Brown Public Library. Board member Goodrich asked about the timeline for this. Manager Schulz said this should be done in time for the next regular meeting (02/25/20).

Board member Goodrich still has a number of concerns about some of the language in the plan that discourage rural development, etc. She said there are many people who prefer to live in the countryside rather than in the Village with close neighbors. Mr. Wobby would like any revised document to show any changes from the version discussed tonight. Manager Schulz said that could be done. Chair Maxwell would like the Select Board members to contact Manager Schulz with any suggested changes as soon as possible. Manager Schulz said the revised plan could be discussed at the next regular meeting (02/25/20) and if substantive changes are made it would then be returned to the PC for further action. PC member Ruth Ruttenberg said the next public hearing (if needed) could not be held until at least thirty (30) days after the document is returned to the PC. Mr. Wobby saw no reason to rush approval of this document. Ms. Ruttenberg said the Northfield Town Plan approved in 2014 has expired and in the absence of a current plan, the municipality would be unable to apply for planning grants. She would not like to see the approval process delayed to the point that grant opportunities are missed. There being no additional comments or questions, the public hearing was closed.

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

**V. PUBLIC PARTICIPATION (SCHEDULED)**

- a. **Gail Hall: Informational Kiosk Update.** As indicated at the last meeting, Ms. Hall has returned with Eleanor D'Aponte, Associate Professor in Norwich University's School of Architecture and Art, and several NU students to present the two (2) remaining design concepts following the review of ten (10) submissions to the project committee. After tonight's presentation, the Select Board members are asked to email their comments back to Professor D'Aponte no later than this Friday (02/14/20). The NU students will be back at the next regular meeting (02/25/20) with a final design based on this feedback, which might include the best features of both concepts. The structure is now designated the "Community Connector Kiosk" and intended to provide seating and shelter to Green Mountain Transit (GMT) riders. The location would be on the west side of Depot Square just south of Community Bank's drive through exit. The footprint would be six feet by ten feet (6' x 10').

The first design scheme was presented by NU student Park Laflin and is inspired by one of Northfield's leading attractions: its covered bridges. The kiosk would feature support lattices and a curved wooden roof that would simulate a covered bridge section. The interior would have an "L" shaped bench on one side and blank wall on the other that could be used for posting bus schedules, local information, sponsor advertising, etc. The structure would be enclosed on three (3) sides and would be no higher than ten to twelve feet (10'-12'). According to the prospectus, "This design respects the history of the town and simultaneously looks to the future of Northfield." The second design was presented by NU student McKenzie DeBruin has a much more modern appearance achieved by using "rows of triangular paneling [that] stack up to form a semi-transparent wall, which then continues to arch over and form an overhead roof." The interior space also would be used for shelter, seating, and posting of informational material but would be slightly larger than the alternate design. It was noted both proposed structures would have arched roofs that would direct rainfall, snow, ice, etc. to the backside of the kiosk. Board member Goslant asked if the bank would have any objections to having snow deposited into its parking lot. Ms. Hall said there is a "dead space" between the back of the kiosk and the parking lot where the snow would land. Ms. DeBruin confirmed there is a six foot (6") gap between the kiosk site and the parking lot.

Board member Goslant asked where the funding for this project would come. Ms. Hall said NU already has received some grant money and once the final design has been determined local businesses will be approached to provide their support in return for advertising space, etc. Board member Goslant asked if the structure would be strong enough to resist damage from snow blowers, etc. Ms. Hall said it would. Mr. Laflin said there also are plans to place a small solar panel on the structure that would provide sufficient illumination. Ms. Hall noted one project goal is to have the kiosk visible from Main Street so this lighting should achieve this.

Board member Goodrich favors the first design as the more modern approach taken by the second really doesn't fit in with the older structures on Depot Square. Chair Maxwell also felt the covered bridge motif was better suited to the surroundings. Board member Doney felt both designs looked great and that all the NU students did a great job. Mr. Larkin and Ms. DeBruin both reiterated the need for Select Board feedback this week so they can proceed forward with one scheme or (as indicated above) perhaps incorporate the best features of both into the final concept. Chair Maxwell entreated his fellow Board members to follow up on this and thanked all those involved with this project.

- b. **Brian Fitzgerald, Vermont Dam Removal Task Force: Cross Brothers Dam.** Mr. Fitzgerald is a member of the Vermont Natural Resources Council (VNRC) and he also worked seventeen (17) years for the Vermont Agency of Natural Resources (ANR) prior to his retirement in 2013. He has addressed the Select Board members twice before (01/23/18 & 10/23/18) regarding the benefits of removing the Cross Brothers Dam located on the Dog River just east of the Main Street Bridge.

Working with Michele Braun, the Executive Director of Friends of the Winooski River, Mr. Fitzgerald recently had an engineering study conducted by Milone & MacBroom. The study indicates removing this dam would lower the flood stage in the downtown area for a “100-year flood” by about ten feet (10’), which is quite significant. However, due to the nearby hydropower dam downstream near Nantanna Mill, the impact on fish migration would be minimal. There also is a sewer line in the area and the impact the dam removal would have on it will be investigated. An additional benefit to the municipality is that about seventy-five thousand (75,000) cubic yards of sediment will be removed from the riverbed during the dam removal and all or some of this could be repurposed for use on Northfield’s gravel roads.

Mr. Fitzgerald noted the replacement/rehabilitation of the nearby Main Street Bridge is now on the priority list for future Vermont Agency of Transportation (VTrans) projects and it is possible the bridge work and the dam removal could be done together. The estimated cost of the dam removal is about \$328,000 and once the Select Board members have provided Mr. Fitzgerald with a go-ahead, he can focus on obtaining grant money to cover the costs. Ms. Braun noted the dam is located within the Lake Champlain watershed and some hazard mitigation grants might be available. The project would reduce the flood risk to the Main Street Bridge, the footbridge, and nearby properties bordering the river like Kenyon’s Hardware. Mr. Fitzgerald said the grant process would be assisted should the municipality provide some local match funding or the promise of in-kind services, such as assisting with the sediment removal process. Board member Goslant asked how the riverbed would be accessed throughout the project. Mr. Fitzgerald said this would have to be worked out by the project engineer but he presumed a temporary access road would have to be installed.

Board member Doney asked about the timeline for this project. Mr. Fitzgerald said due to the current lack of funding it would not be this year but if all goes well it could be started in the summer of 2021. The construction phase probably would be over a three (3) month period during the summer and early fall. Board member Doney asked if this project would affect the aforementioned nearby hydropower dam. Mr. Fitzgerald said the project engineer would make sure any impact would be minimal. He added there now is about \$30,000 in grant funds on hand to start the engineering phase once he has assurance from the Select Board members they want him to continue seeking additional funding, etc. Board member Goslant likes the idea for reusing river sediment on our gravel roads but is concerned about the time the Highway crew might have to devote to in-kind services. Mr. Fitzgerald said any decision regarding in-kind services or a local match amount doesn’t have to be made tonight. He just would like a consensus from the Select Board members that he should proceed with engineering services and work on obtaining more outside funding. After further discussion, the Select Board members agreed to continue the project with the understanding the municipality has not made a financial commitment at this time and Mr. Fitzgerald will continue to provide periodic updates. Chair Maxwell noted the municipality will have some major, expensive projects in the near future so devoting taxpayer funds to this one might be difficult. He does see some potential for budget cost savings if the removed sediment actually can be used on our gravel roads. Chair Maxwell then thanked Mr. Fitzgerald and Ms. Braun for all their work to date on this project.

## **VI. APPROVAL OF MINUTES**

- a. **January 28, 2020 (Regular Meeting).** Motion by Board member Goodrich, seconded by Board member Doney, to approve the minutes. **Motion passed 4-0-0.**

## **VII. APPROVAL OF BILLS**

- a. **Approval of Warrant #15-20.** Motion by Board member Goodrich, seconded by Board member Doney, to approve Warrant #15-20 in the amount of \$162,057.82. **Motion passed 4-0-0.**

- b. Approval of Biweekly Payroll through January 26, 2020.** Motion by Board member Goodrich, seconded by Board member Doney, to approve the biweekly payroll in the amount of \$84,310.47. Board member Doney noted the FY 2019/2020 Northfield Police Department (NPD) overtime budget was set at \$30,000 and of that amount only \$1,155.26 remains unspent. Board member Goslant noted the amount spent on NPD overtime for this pay period (\$695.41) is a little less than previous one (\$782.72) and a significant drop from the one before (\$1,158.54). **Motion passed 4-0-0.**

#### **VIII. LIQUOR CONTROL COMMISSION**

- a. Liquor License Renewal: South Village Mobil.** Motion by Board member Doney, seconded by Board member Goslant, to approve the liquor license renewal. **Motion passed 4-0-0.**

#### **IX. SELECT BOARD**

- a. Appointment of Town Moderator.** Manager Schulz said Steven Jeffrey, who has served as Northfield's Town Moderator since 2003, has decided not to seek reelection this year. Since he will be unable to attend and open this year's Town Meeting, Mr. Jeffrey has sent an email to Manager Schulz suggesting the Select Board members accept his resignation effective immediately and then appoint an interim Town Moderator. That person would be able to open the meeting and then briefly step aside while the Town Moderator election is held. Mr. Jeffrey recommends the appointment of Cassie Morse as Town Moderator and William Smith as Assistant Moderator. He noted that Ms. Morse has indicated interest in seeking election as Town Moderator and already has taken VLCT training in preparation. Motion by Board member Doney, seconded by Board member Goslant, to accept with regret the resignation of Steven Jeffrey as Town Moderator. **Motion passed 4-0-0.** Chair Maxwell thanked Mr. Jeffrey for his many years of exceptional service as Town Moderator. Motion by Board member Goodrich, seconded by Board member Goslant, to appoint Cassie Morse as Town Moderator and William Smith as Assistant Moderator. **Motion passed 4-0-0.**

- b. Northfield Ambulance Billing Services.** Manager Schulz noted the municipality's contract with Lyndon Rescue to process billing for the Northfield Ambulance Service (NAS) has expired. With the Select Board members' authorization, he solicited bids from about a dozen ambulance billing companies and four (4) proposals were received by the deadline (01/10/20). The companies submitting bids were: COMSTAR (Rowley MA); ECP Services, LLC (Lake Mills, WI); Medical Business Services, LLC (Essex, VT), and New England Ambulance Billing (Vergennes, VT). Manager Schulz conferred with NAS Chief Lawton Rutter and both agreed all these companies provided comparable services. However, it was decided to eliminate the out-of-state companies from consideration as they would be unable to provide in-person training on the new billing system to NAS and Accounting Department personnel. After checking references and further deliberation, Manager Schulz and Chief Rutter agreed Medical Business Services (MBS) had the preferred business model and they recommend awarding the contract to them. Board member Doney noted Waterbury Ambulance receives their billing services from MBS and are very pleased with their work.

Manager Schulz noted Lyndon Rescue charged the municipality 5.5% of billable expenses and MBS will charge about 8%. Based on current billing amounts, this would be about a \$9,000 per year increase. However, he felt there would be some cost savings with the in-house training, the possibility MBS would be able reduce the number of uncollectable bills due to their better collection system, etc. Board member Doney understands the training they will provide will allow for better recording of each ambulance callout and improve the likelihood of reimbursement for materials used during a NAS callout (i.e. oxygen, blood glucose, etc.).

Motion by Board member Doney, seconded by Board member Goodrich, to accept the recommendation to award the ambulance billing bid to Medical Businesses Services and authorize Manager Schulz to negotiate and sign the contract. **Motion passed 4-0-0.** Board member Doney asked when the contract would go into effect. Manager Schulz said this depends on how long it takes to sign the contract. It could go into effect as early as March 1, 2020.

- c. **Approval of VTrans 2020 Certificate of Highway Mileage.** Manager Schulz said every year VTrans asks each municipality to certify their amount of highway mileage and indicate whether there have been any changes from the previous year. There were no changes in Northfield highway mileage during 2019. Motion by Board member Goodrich, seconded by Board member Goslant, to approve and sign the VTrans 2020 Certificate of Highway Mileage. **Motion passed 4-0-0.**
- d. **Approval of Grand List Lodging Certificate (No Appeal or Suit Pending).** Manager Schulz said this certificate needs to be approved and signed by the Select Board members before the Grant List can be lodged later this year. Motion by Board member Goodrich, seconded by Board member Doney, to approve and sign the Grand List Lodging Certificate. **Motion passed 4-0-0.**
- e. **Select Board Public Hearing (Australian Ballot Articles): Tuesday, February 25, 2020.** 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 Town Warning already have been contacted by mail regarding the time and location.
- f. **Times Argus Appeal of Town Manager's Denial of Request for Public Information.** Manager Schulz said this item is on the agenda because the *Times Argus* has requested additional information regarding an automobile accident a NPD officer had last November that resulted in severe damage to a NPD cruiser. Manager Schulz said he had withheld some information on the advice of attorney because personnel and legal issues were involved. Eric Blaisdell has been the *Times Argus* reporter pursuing this story and he then read a letter from *Times Argus* publisher Steven M. Pappas that serves as a written appeal of Manager Schulz's decision to withhold certain information regarding this accident. This includes the name of the person conducting the outside investigation of this accident, how much this person is being paid, any communication between the investigator and the municipality, etc. Mr. Blaisdell said some of this information subsequently was obtained from other sources as well as the fact this particular NPD officer had been in another car crash in August 2019 involving his personal vehicle. Mr. Blaisdell feels both Manager Schulz and NPD Chief John Helfant violated the Vermont Public Records Law by withholding information about these incidents and he would like to be provided with the exact state statute that justifies their actions.

Robert Halpert is the attorney advising Manager Schulz on this matter and he was contacted by Manager Schulz when the initial request for information was received. As this matter does involve legal and personnel issues, he would like to discuss it further with the Select Board members in executive session. Mr. Halpert did say Mr. Blaisdell had been provided with significant public information (i.e. crash report, the cost of the replacement vehicle, etc.) regarding this incident. Board member Goodrich took umbrage at the suggestion the municipality is not transparent in this or any other public matter. Neither the Select Board members nor any municipal employee can share information considered confidential according to obtained legal opinion. Board member Goslant concurred with this.

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

- a. **Winter Chicken Barbeque.** Board member Doney said the Recreation Committee will be holding a Winter BBQ Chicken dinner fundraiser next month. The meals will consist of half a chicken, mostaccioli, coleslaw, roll, dessert, and a beverage for \$15. The meals can be picked up at the Kenyon's Hardware parking lot on Sunday, March 8, 2020, from 2:00 p.m. to 4:00 p.m. Two hundred (200) tickets will be sold beforehand and can be purchased from Recreation Committee members and other volunteers. The proceeds will be used to buy basketball equipment; purchase Cornhole boards and bags; install new lighting at Memorial Park, etc.

- b. **Road Conditions, etc.** Board member Goslant has become aware of some problems on Union Brook Road and Doyon Road that he would like addressed. Manager Schulz will discuss this with Highway Foreman Trent Tucker. Board member Doney felt Northfield is very lucky to have the highway crew we have. He has learned some crew members come to the Town Garage afterhours on their own time to make sure their vehicles are ready to hit the road first thing the next morning by putting on tire chains, etc. He felt this was very commendable.

**XI. TOWN MANAGER'S REPORT**

- a. **Union Brook Road Reconstruction Project.** Manager Schulz said he and Board member Miller met with engineer Ron Lyon from DuBois & King in order to review the scope of services for this project. The next steps include on-site inspections and other preparations in order to develop the project RFP. The current timeline includes advertising the RFP in mid-April 2020 with the construction phase starting in June 2020. Manager Schulz noted there is no guarantee the project will start and finish this year but that is the goal.
- b. **South Main Street Subsidence Issue.** Manager Schulz said he has been in contact with NU officials regarding the dip in the road near Crawford Hall. Due to several NU events this coming spring, the plan is to provide a permanent fix to this problem during July 2020.
- c. **Town Garage Vehicle Lift.** During the recent discussion of the Highway Department's Capital Equipment Plan (CEP) budget, there had been questions about the vehicle lift at the Town Garage and whether it needed replacement in the next fiscal year due to safety issues that made it unusable. Manager Schulz said the vehicle lift was inspected recently by the company that sold it. The inspection found the lift to be both safe and functional provided a new part costing about \$2,000 is installed. Despite recurrent rumors of its eminent demise, it does appear the vehicle lift does have some life left in it.

**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 legal matter and personnel matter with Manager Schulz and Town Attorney Robert Halpert present. **Motion passed 4-0-0.**

The Board went into executive session at 9:25 p.m.

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

The Board came out of executive session at 10:20 p.m.

Motion by Board member Goodrich, seconded by Board member Doney, to authorize Manager Schulz to work with Town Attorney Robert Halpert to further review and (if determined appropriate) release additional documents requested by the *Times Argus*. **Motion passed 4-0-0.**

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

The Board adjourned at 10:21 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 25, 2020.