

**TOWN OF NORTHFIELD, VERMONT
SELECT BOARD REGULAR MEETING
Minutes of August 25, 2020**

- I. ROLL CALL.** Select Board Chair K. David Maxwell, Board members Julie H. Goodrich, Nathaniel Miller, Charles Morse (7:15 p.m.), and John Stevens. Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, Natasha Baning (Northfield Equality Awareness and Justice Group), Katie Boyd (Northfield Equality Awareness and Justice Group), Shannon Doney (Northfield Equality Awareness and Justice Group), William S. Smith (Law Office of William S. Smith), Stephanie Wawrzyniak, Merry Shernock, Carolyn Stevens, Kate Donley, and Susan Stillinger.

Chair Maxwell called the meeting to order at 7:02 p.m. In keeping with Governor Phil Scott's COVID-19 "stay at home" directive, the meeting was held remotely.

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

III. PUBLIC PARTICIPATION (SCHEDULED):

- a. Natasha Baning: Northfield Equality Awareness and Justice Group.** Ms. Baning was asked by group members to address the Select Board tonight in order to provide a brief introduction, describe its activities to date, future plans, etc. The group came together earlier this year in response to several violent incidents around the country that many believe demonstrate systemic racial discrimination in law enforcement against Black men and women. The group was formed to provide a local forum for discussion of this concern and to devise strategies and action plans to address this. For better efficiency, the group members created four (4) subcommittees: Community Engagement, Educational Resource Development, Economic Action, and Political Engagement and Action. Community Engagement focuses on providing training sessions, arranging public forums, and developing awareness events. There will be a special emphasis on youth engagement. Educational Resource Development will create a catalog of resources while working with public and school libraries to promote their distribution, etc. Economic Action will work to support minority-owned businesses in Vermont by creating a list of them as well as promoting other businesses that "support issues of social and racial justice." Political Engagement and Action will work with local police and government leaders to find common ground for reform measures, promote candidates for public office who support "racial and social justice issues," and encourage donations to non-profit organizations with similar goals. Ms. Baning noted the group held two open-air forums at Memorial Park earlier this summer (07/12/20 and 08/05/20) to allow public discussions with members of the Northfield Police Department (NPD). One goal for this subcommittee would be to obtain sufficient funds so that all NPD officers can go through equity training, etc. Ms. Baning said the public response to the group's efforts has been very positive and group members hope to partner with the Northfield Select Board and School Board to achieve local results. Chair Maxwell thanked Ms. Baning and the other members of the Northfield Equality Awareness and Justice Group for all they have accomplished in such a short amount of time. The other Select Board members concurred. Ms. Baning thanked the Select Board members for the opportunity to speak tonight and noted she and her family moved to Northfield only a couple years ago. The support she has received from the community has confirmed this was a correct decision. Anyone who would like to learn more about the Northfield Equality Awareness and Justice Group should check out its Facebook page: <https://www.facebook.com/groups/176945500413180>

IV. APPROVAL OF MINUTES

- a. August 11, 2020 (Regular Meeting).** Motion by Board member Goodrich, seconded by Board member Stevens, to approve the minutes. **Motion passed 4-0-0.**

V. APPROVAL OF BILLS

- a. **Approval of Warrant #04-21.** Motion by Board member Goodrich, seconded by Board member Miller, to approve Warrant #04-21 in the amount of \$73,795.27. Board member Goodrich thought the front realignment work on one of the Wester Star trucks was rather expensive (\$4,396). Manager Schulz said other front-end work was needed.

Board member Morse joined the meeting at this time.

Board member Stevens asked about some "tax sale refunds." Manager Schulz said these were related to last year's tax sale. The delinquent property owner was able to pay all outstanding taxes and fees before the one-year redemption deadline so the amount the potential buyer paid to the municipality was reimbursed. There also was the return of an excess payment. In both cases, there was no direct cost to the municipality. **Motion passed 5-0-0.**

- b. **Approval of Warrant #04-21A.** Motion by Board member Goodrich, seconded by Board member Morse, to approve Warrant #04-21A in the amount of \$30,656.97. Manager Schulz noted this was the last payment on an old RSMS bank note. **Motion passed 5-0-0.**
- c. **Approval of Biweekly Payroll through August 9, 2020.** Motion by Board member Morse, seconded by Board member Miller, to approve the biweekly payroll in the amount of \$91,313.38. **Motion passed 5-0-0.**

VI. SELECT BOARD

- a. **Approval of Northfield Electric's Phase I High Voltage Line Contract Extension.** Manager Schulz said the Northfield Electric Department (NED) is being asked to approve an extension to the agreement that allows access to Phase I power transmission lines. The original thirty-year agreement first permitted Vermont utilities to have access to Hydro Quebec transmission lines coming down from Canada. The Vermont Electric Power Company (VELCO), which maintains transmission lines around the state, has been working with the Vermont Public Power Supply Authority (VPPSA) the past two (2) years on a twenty-year extension of the original agreement. VPPSA strongly encourages NED to approve the extension as the projected revenues of this contract extension are estimated to be five (5) times more than expected costs. Motion by Board member Morse, seconded by Board member Stevens, to approve NED's Phase I High Voltage Line Contract Extension and authorize Manager Schulz to execute the contract. Board member Goodrich noted Stephen Fitzhugh, who serves as Northfield's VPPSA representative and as consultant to the Northfield Electric Utility Commission, provided his favorable opinion of the contract extension. Board member Stevens said this sounds like a good deal for Northfield. **Motion passed 5-0-0.**
- b. **Authorization for Town to Bid on Tax Sale Property.** Manager Schulz said the next tax sale is scheduled for this Thursday afternoon (08/27/20) and Town Attorney William Smith has been assisting him through the process. One tax sale property is a mobile home on Burnham Road whose owner hasn't paid full property taxes for the past seven (7) years. The total amount now due is \$9,701.55. After discussing the matter, Manager Schulz and Mr. Smith agreed the best way to recoup these funds would be for the municipality to bid on it and (if there are no other bidders) take ownership of the mobile home. Manager Schulz noted the trailer owner has been contacted numerous times but has never responded. Mr. Smith said twenty-eight (28) properties with at least two (2) years of delinquent taxes were on the original tax sale notice. The current list is down to thirteen (13) as the other property owners have made full or partial tax payments. Of the remaining properties, seven (7) are mobile homes with no land attached. Mr. Smith noted members of the public usually don't bid on mobile homes since they can't take possession until the current owner has had another full year to pay any back taxes. Since the trailer owner in question has not responded to numerous letters, phone calls, etc., Mr. Smith believes the municipality purchasing the trailer is the only remaining option. The municipality then could charge rent, etc. to get back the owed funds. He also felt taking this action might encourage other delinquent trailer owners to pay their own back taxes or face a similar fate. Board member Goodrich asked if this property has gone to tax sale before. Manager Schulz confirmed it has the past two years. Since this is a legal matter that might set a precedent, Board member Morse suggested holding the rest of this discussion in executive session. There was no objection.

- c. CERV Building Project – Land Acquisition.** Manager Schulz said CERV has been looking for a permanent home for its Food Shelf and Clothing Shelf for some time. After researching this matter, the targeted site now is the municipal property on Kent Street where a storage shed now located. During the planning process, it was determined the new building would require a larger parking area so an overture was made to the adjoining property owner for the purchase of a small strip of land. The purchase agreement now is being finalized and Manager Schulz would like to discuss the ongoing negotiations in executive session. There was no objection.
- d. Municipal Roads Grants-In-Aid Program - Letter of Intent – Equipment Purchase.** At the last meeting, Manager Schulz informed the Select Board members of an Agency of Natural Resources (ANR) grant program that would provide funds to municipalities so they could purchase equipment from a list in order to resolve backroad drainage issues. There is a twenty percent (20%) local share amount and the Select Board members must authorize a letter of interest in order to participate in the program. At that meeting, some Select Board members objected to the recommendation of Manager Schulz and Highway Foreman Trent Tucker for the purchase of a vehicle-mounted leaf blower that would be used to clean out culverts, etc. The estimated cost of this equipment would be about \$7,000. Given the previous objections, Mr. Tucker now recommends purchasing a “plate or jumping-jack compactor” for about \$4,000. This equipment could be used to install drainage culverts. Board member Stevens feels this would be good piece of equipment to have. Board member Morse thought the municipality already owns this type of equipment. Manager Schulz said it has something similar. Board member Morse would have like to have had more information about the seven (7) equipment types specified by ANR before making a decision on which to purchase. He would favor taking part in this grant program if the choice of equipment can be deferred until more information is provided. Chair Maxwell asked if the letter of interest could omit the preferred equipment purchase. Manager Schulz said this was possible. Motion by Board member Morse, seconded by Board member Stevens, to have the municipality participate in the Municipal Roads Grants-in-Aid program and authorize a letter of interest to that effect. The equipment to be purchased will be determined at a later time. **Motion passed 5-0-0.**
- e. Union Brook Road Reconstruction Project.** Manager Schulz said the pre-bid meeting for this project was held last Wednesday (08/19/20) and nine (9) contractors participated. Any questions they had were answered at the time and later included in the bid document addendum. One recurrent question was whether the final layer of paving could be held off until next spring if this year’s construction season ends early. The Highway Subcommittee was consulted about this matter and it was agreed that this would be allowed. In addition, the bidding deadline has been extended one day to Tuesday, September 1, 2020. The Select Board will hold a special meeting either the following Wednesday or Thursday night so the project can be awarded as soon as possible. Manager Schulz confirmed the five (5) problem areas will be addressed first and the base coat will be done this year. There will be no exposed dirt in the project area over the winter. Board member Morse believes this is the proper approach.

VII. TOWN MANAGER’S REPORT

- a. New NPD Cruiser.** Manager Schulz said the new NPD cruiser, replacing the one totaled last November, is now in service and on the road.
- b. Stony Brook Road Code Violations.** Manager Schulz said concerns about a property on Stony Brook Road with suspected health and zoning code violations led to inspections by Health Officer Lawton Rutter and Zoning Administrator Mitch Osiecki. Mr. Osiecki did find violations and sent a letter to the property owner, who has fifteen (15) days to appeal this decision or start working with Mr. Osiecki to fix the problem. If no action is taken, the municipality will file a lawsuit in environmental court. The court usually tries to work with the property owner but it can impose fines if there is no resolution. The possible health code violation was a possible failed septic system and Mr. Rutter has reached out to ANR so a full investigation can take place and appropriate action taken if warranted.

- c. Sale of Town-Owned Property (14 Western Avenue).** Manager Schulz said a draft advertisement for bids on this property has been prepared with a deadline of Thursday, September 17, 2020. This parcel became municipal property due to a zoning code violation lawsuit. The municipality has sought bids before but the ones received were below the minimum bid price (\$8,000). There seemed to be renewed interest in the property recently so Manager Schulz would like to try again. The parcel is located in a flood zone so any permanent structures would have to conform to state and federal building regulations. The estimated value of the parcel is \$25,000 but the bids probably will be lower due to these restrictions.
- d. Department of Public Safety (DPS) Dispatching Services.** Manager Schulz said the DPS has sent local police departments and other agencies receiving DPS dispatching services a letter indicating that (if authorized by the state legislature) it would begin charging \$53.39 for every dispatch call it receives. Based on the 2,124 calls it received from Northfield in 2018, that could mean an annual local charge of about \$113,401. The current DPS plan would be to phase in this new charge over four (4) years, with 25% of this amount charged the first year (FY22) followed by annual increases to 50%, 75%, and the 100% in perpetuity. PPS has tried (unsuccessfully) to impose this fee in the past but it is possible the state legislature will be more receptive next time due to declining state revenues due to the COVID-19 pandemic. Board member Stevens said the DPS report indicates Waterbury dispatching received an average of six (6) calls from Northfield every day. Since NPD has a dispatch clerk on duty during weekdays, this means the calls are coming in afterhours and on weekends. He asked why this number was so high. Manager Schulz said the dispatch clerk is not always able to respond to weekday calls when not at her desk. In addition, many residents call 911 even when there is not an actual emergency. Manager Schulz said NPD Chief John Helfant has been pushing back on the need for DPS to charge this fee and especially the high amount targeted for Northfield. The state legislature will decide this eventually and affected municipalities will be working with the Vermont League of Cities & Towns (VLCT) to lobby against this. Manager Schulz will reach out to other local legislatures in the area to determine how they plan to respond to this. Chair Maxwell noted the Northfield Fire and Ambulance departments use Capital West Dispatch (i.e. Montpelier Police Department) for dispatching services. Can NPD use them as well? Manager Schulz said we are looking at all alternatives. Board member Morse noted Capital West's charges have risen higher than the rate of inflation over the past twenty (20) years. Manager Schulz agreed Montpelier PD has been using this as a revenue source for some time.
- e. Bone Hill Solar Farm.** Manager Schulz said the proposed solar project on Bone Hill has been issued a Certificate of Public Good from the Vermont Public Utility Commission (PUC). Additional permits and approvals must be obtained before construction can begin. The site is located on the eastside of Vermont Route 12 between the Terrace Drive and Preston Drive intersections.

VIII. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. Camp Wihakowi Dam Removal Project.** Board member Goodrich asked if there have been updates on the removal of material from the worksite. Manager Schulz said the hauling of riverbed material to a private property on Winch Hill Road has been completed. The amount delivered there turned out to be less than originally thought. The road has been inspected for any damage and none was found.
- b. Economic Development Director.** Board member Goodrich asked for an update on the hiring process. Manager Schulz said preliminary interviews have been held and it is likely a suitable candidate will be hired soon. He would prefer to discuss any particulars in executive session as this is a personnel matter.
- c. Face Mask Ordinance.** Board member Stevens believes Northfield should follow Montpelier's lead and adopt a local ordinance mandating the use of face masks in public spaces. He went to a local business recently and saw that about half of the store employees and customers weren't wearing any kind of face covering. Board member Goodrich said there now is a state mandate in place so it is the responsibility for businesses operators to enforce it.

Board member Stevens noted Health Officer Lawton Rutter sent a letter to local businesses in May 2020 with mandatory guidelines for operating safely during the COVID-19 pandemic, which included mask wearing, social distancing, proper workplace sanitation, etc. Perhaps he should send another letter as a reminder. Manager Schulz will speak to Mr. Rutter and NPD Chief Helfant about the best means to get local compliance with the state directive. Board member Morse felt the state directive has no teeth to compel compliance. He felt if local businesses don't start complying, they should be warned that the Select Board could approve a local ordinance that would impose fiscal penalties for repeated violations. Chair Maxwell has received at least five (5) phone calls complaining about non-compliant businesses or people on the street not wearing masks. He would like a recommendation from Manager Schulz at the next regular meeting (09/08/20) about the proper course of action. A clear signal needs to be sent that mask wearing and social distancing are effective ways of limiting the spread of COVID-19 and that the Northfield municipality considers this a serious matter.

- d. Brown Public Library (BPL) Staffing.** Board member Stevens, who also serves as Treasurer on the BPL Board of Trustees, recently was asked by Manager Schulz if the BPL staff were still being paid even though the building is largely closed to the public. Board member Stevens said there are five (5) paid BPL employees but one hasn't worked since this past March. The other four (4) employees are putting in hours at the library since people can now come into the building by appointment or request curbside service. There also are other basic library functions that need to continue, i.e. inter-library loans, purchasing new books, etc. No one is being paid for not working.
- e. Free COVID-19 Testing.** Board member Morse said anyone who is unemployed and/or uninsured can call 211 to get a free COVID-19 test if they are concerned that they might be showing symptoms, i.e. fever, cough, fatigue, difficult breathing, etc.
- f. Free Face Mask Distribution.** Chair Maxwell remembers from the last meeting that a state program (Masks on VT) will be providing free face masks to municipalities. The amount provided is twenty-five percent (25%) of the local population. He asked if the masks have been received and how they will be distributed. Manager Schulz said only one box has been received so far. Mr. Rutter is developing a distribution plan and will be working with the Mutual Aid Task Force on this. Once the distribution locations have been determined, they will be advertised on Front Porch Forum, etc.

IX. PUBLIC PARTICIPATION (UNSCHEDULED). There was none.

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

The Board went into executive session at 8:50 p.m.

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

The Board came out of executive session at 9:30 p.m.

Motion by Board member Goodrich, seconded by Board member Morse, to authorize Manager Schulz to sign the purchase and sale agreement for the purchase of land for the CERV Building Project. **Motion passed 5-0-0.**

Motion by Board member Morse, seconded by Board member Stevens, to authorize Manager Schulz to bid on the mobile home located at 16 Burnham Road at the upcoming tax sale. **Motion passed 5-0-0.**

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

The Board adjourned at 9:32 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 September 8, 2020.