

**VILLAGE OF NORTHFIELD  
BOARD OF TRUSTEES  
Minutes of July 28, 2009**

- I. **ROLL CALL.** Chair Samantha Baraw, Trustees Libby Hambleton (absent), Doug Lawson, and Thomas McCarney. Also present were Village Manager Nanci Allard, Utility Assistant Doug Reed, Acting Clerk Kenneth McCann, David Mullett (Vermont Public Power Supply Authority), Thomas Nesbitt (Stantec Consulting), Richard Podolec (MWT Products, Inc.), Stephen Fitzhugh, and Colin Bright.

Chair Baraw called the meeting to order at 7:00 p.m.

II. **PUBLIC PARTICIPATION (Scheduled)**

- a. **David Mullett, VPPSA: Northfield Electric Department Tariff Terms and Conditions.** Mr. Mullett has been working with Utility Assistant Doug Reed to update the regulations for the Northfield Electric Department (NED). VPPSA is now working with many municipal electric departments to update similar rules. He would like the Board to approve the current draft (with any suggested amendments or deletions) so that it can be forwarded to the Public Service Board (PSB). Once the PSB has reviewed the document, the finalized version will be returned for Board approval. Trustee McCarney wanted it made clear that this document has nothing to do with NED's current rate structure on file with the PSB. He then asked whether certain charges, i.e. \$20 to set up an account, were appropriate. Mr. Reed believed that they were, especially as in some cases one customer's request could be combined with others. Trustee McCarney then asked about the provision that the NED would not be liable for any "losses, damage or injury" unless these resulted from its "sole negligence." Mr. Mullett stated that this provision was written this way in order to strongly discourage customers from taking any action that might damage the NED equipment, infrastructure, etc. In any case, any customer claims would go to civil court (not the PSB). Trustee McCarney wanted to know if this would apply if NED did not provide a certain level of service. Mr. Mullett was unsure but will check on this. In addition, Mr. Mullett recommended removing the section "Payment to Net Metering Customers" since the PSB has yet to provide clear guidelines on how this would be accomplished. Motion by Trustee McCarney, seconded by Trustee Lawson, to approve the Northfield Electric Tariff Terms and Conditions as presented by Management with the deletion indicated above. **Motion passed 3-0-0.**
- b. **Richard Podolec: Northfield Falls Hydroelectric Project.** Mr. Podolec had forwarded a written proposal to the Trustees regarding the possibility of installing a hydroelectric facility on his property in Northfield Falls. He has had assistance on this proposal from Stephen Fitzhugh, who is a Norwich University engineering professor as well as a part-time consultant for the Northfield Electric Department (NED). Mr. Podolec believes that it would be a good idea for the Village to become involved in this type of project as grant monies for renewable energy are widely available; he also is willing to gift the land to NED. Trustee McCarney saw in the proposal that some asbestos clean up on site would be required; he wanted to know who would be liable for this. Mr. Podolec believes that the responsibility would remain his but this matter should be reviewed by an attorney. All he is seeking now is the Board to authorize a grant application to pay for a feasibility study on his proposal. This study would address many of the concerns indicated in his proposal. Motion by Trustee McCarney, seconded by Trustee Lawson, to authorize the Village Manager to apply for a \$5000 grant for a feasibility study of the proposed Northfield Falls Hydroelectric Project. **Motion passed 3-0-0.**
- c. **Stephen Fitzhugh: Various NED Projects.** Mr. Fitzhugh provided the Board with updates on several projects involving the Northfield Electric Department. First, each of the four (4) circuits now has new capacitor banks. According to GMP, our system is now well-balanced. Second, there is a Coordination Study regarding the fuse system at the King Street Substation that would seek to minimize power outages if a fuse blew at the substation. He also is looking at a Pole Study that would properly identify and map all NED poles. This would create a consistent tagging system and allow testing of all poles over a five (5) year period.

Mr. Fitzhugh also is exploring grant proposals for investment projects, such as monitoring systems on the substations that would allow implementation of a smart metering system. Another major concern is tree trimming. This year has seen a number of power outages caused by downed tree limbs, etc. He has a recommendation from GMP regarding some areas that require special attention, i.e. Turkey Hill, Dole Hill, etc. Trustee McCarney would like the Board to address the tree trimming issue; he would like a recommendation from Management that would include input from Mr. Fitzhugh, Superintendent of Public Works William Lyon, GMP linesmen, etc. in order to establish a proper tree trimming program. He would like this recommendation within thirty (30) days with the goal that all hanging branches would be addressed within a five (5) year period. Mr. Fitzhugh stated that GMP now is looking at a ten (10) year cycle. He felt that NED could address the critical areas first as part of this cycle. He added that money spent on tree trimming would save money in the long run. Trustee McCarney agreed that an investment in tree trimming would be cost effective while making the NED system much more reliable in this regard. Trustee Lawson commended Mr. Fitzhugh for his ability to explain these complex matters in simple terms.

### III. ACTION ITEMS

#### a. Approval of Minutes

1. **July 14, 2009 (Regular Meeting).** Motion by Trustee McCarney, seconded by Trustee Lawson, to approve the minutes. **Motion passed 3-0-0.**

#### b. Approval of Bills

1. **Warrant #03-10.** Motion by Trustee McCarney, seconded by Trustee Lawson, to approve Warrant #03-10 in the amount of \$37,902.18. Trustee Lawson noted some property tax payments to the Town of Berlin for some waterlines. He said that taxes are usually paid in order to receive services; in this case, the Village is being taxed for providing service to its utility customers in West Berlin. He would like to see where it is written that this tax must be paid. Manager Allard will forward this information to him. **Motion passed 3-0-0.**

- c. **Village of Northfield Water Use Regulations Ordinance.** Chair Baraw noted that this document had gone through numerous versions and she confirmed with Manager Allard that this indeed was the final draft. Trustee McCarney stated that he was pleased that suggestions from the Trustees and other sources had been incorporated in the final document. He felt that this ordinance will institute many needed (and long overdue) requirements. Motion by Trustee McCarney, seconded by Trustee Lawson, to approve and sign the Village of Northfield Water Use Regulations Ordinance as presented by Management on July 28, 2009. **Motion passed 3-0-0.**

- d. **Northfield Water System Improvements Project (West Phase).** Thomas Nesbitt of Stantec Consulting provided a brief overview of the project. He noted that bid proposals for the project were opened on July 15, 2009, with J.P. Sicard, Inc. as the apparent low bidder at \$1,119,349. He subsequently contacted the list of references provided by J.P. Sicard, Inc.; the responses were generally positive. He therefore recommends that the Village of Northfield award the contract to J.P. Sicard, Inc. The contract would be signed on August 13, 2009. Trustee McCarney, in the interest of full disclosure, stated that he had some casual acquaintances with individuals associated with the Dubois Construction, Inc. (the second lowest bidder at \$1,147,393). He said that he was very familiar with the work Dubois Construction had done in the area, including at Norwich University; he was confident that they would be able to complete the project but was unsure if J.P. Sicard, Inc. was up to the task. He added that the current phase of the water project would have many difficulties, such as the short construction season and the congested construction area, which includes Northfield Schools. Trustee McCarney asked if J.P. Sicard, Inc. had the manpower to do this project in a timely and competent manner. Mr. Nesbitt said that J.P. Sicard, Inc. had two (2) large crews (along with some smaller ones) so manpower should not be a problem. He has worked with both superintendents of the larger crews and considered both of them competent. In addition, the work schedule was discussed at the pre-bid meeting so J.P. Sicard, Inc. is already aware of the time constraints.

Trustee McCarney stated that he was not overly impressed with the references provided by J.P. Sicard, Inc., which he characterized as rather lukewarm. As there is only a two percent (2%) difference between the two lowest bids, Trustee McCarney does not feel that the Village should be compelled to go with the lowest bidder in this instance. Mr. Nesbitt noted that a portion of this project is supported by state stimulus funds and the State has taken the position that, in the absence of extraordinary circumstances, contracts should be awarded to the low bidder. He still recommends that the contract be awarded to J.P. Sicard, Inc. He noted that there had been similar concerns last year when Munson Earth Moving was the apparent low bidder for the North Phase of the Water Project; nearly everyone now agrees that they did a very good job. Trustee McCarney stated that, based on the comments of past customers, he still had deep concerns about J.P. Sicard, Inc. Motion by Trustee Lawson, seconded by Chair Baraw, to accept the bid proposal of J.P. Sicard, Inc. in the amount of \$1,119,349 for the West Phase of the Northfield Water System Improvements Project. **Motion passed 2-1, with Trustee McCarney voting in opposition.**

- e. **Water System Improvements Project Bond Anticipation Note.** The amount of the note is \$1,500,000, which is the figure authorized by the Village voters at the June 2, 2009 Special Village Meeting. Motion by Trustee McCarney, seconded by Trustee Lawson, to approve the Bond Anticipation Borrowing Resolution in the amount of \$1,500,000 at 1.70% with a maturity date of February 28, 2010. **Motion passed 3-0-0.** Motion by Trustee McCarney, seconded by Trustee Lawson, to approve the Bond Anticipation Note in the amount of \$1,500,000 at 1.70% interest. **Motion passed 3-0-0.** Motion by Trustee McCarney, seconded by Trustee Lawson, to approve the No-Arbitrage and Use of Proceeds Certificate for the Bond Anticipation Borrowing. **Motion passed 3-0-0.**

#### IV. REPORTS

##### a. Village Manager

- 1. **Safe Routes 2 School.** Manager Allard stated that no bids were received for this project. She will need to check on the next step to take.
- 2. **Road Surface Management Software (RSMS) Program.** The final report should be available soon.

##### b. Committee Reports.

- 1. **Town Charter Committee.** Trustee McCarney reported that the committee would be meeting next on Wednesday, July 29, 2009 at 6:30 p.m. in the Northfield Municipal Building.

##### c. Miscellaneous

- 1. **Public Hearing (Municipal Plan): August 11, 2009.** The Trustees will hold the final Public Hearing for the Northfield Municipal Plan at 7:00 p.m.
- 2. **Joint Board Meeting: August 11, 2009.** Immediately following the Public Hearing, the Selectmen and Trustees will hold a Joint Board meeting at which it is anticipated that the Municipal Plan will be formally approved.

#### V. PUBLIC PARTICIPATION (Unscheduled). None.

#### VI. ADJOURNMENT. Motion by Trustee Lawson, seconded by Trustee McCarney, to adjourn. **Motion passed 3-0-0.**

The Board adjourned at 8:25 p.m.

Respectfully submitted,

*Kenneth L. McCann*

Kenneth L. McCann, Acting Clerk

These minutes are subject to approval at the next regular meeting