

**VILLAGE OF NORTHFIELD  
BOARD OF TRUSTEES  
Minutes of September 29, 2009**

- I. **ROLL CALL.** Chair Samantha Baraw, Trustees Colin Bright, Libby Hambleton, Doug Lawson, and Thomas McCarney. Also present were Village Manager Nanci Allard and Acting Clerk Kenneth McCann.

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

- II. **PUBLIC PARTICIPATION (Scheduled):** None.

III. **ACTION ITEMS**

a. **Approval of Minutes**

1. **September 14, 2009 (Joint Board Meeting).** Motion by Trustee Lawson, seconded by Trustee Bright, to approve the minutes. **Motion passed 5-0-0.**

b. **Approval of Bills**

1. **Warrant #07-10.** Motion by Trustee McCarney, seconded by Trustee Hambleton, to approve Warrant #07-10 in the amount of \$420,305.70. Trustee McCarney asked why the Village paid for underground work on Highland Avenue rather than the customer. Manager Allard believes that the customer will be billed or all or part of the expense but she will confirm this. **Motion passed 4-0-1, with Trustee McCarney abstaining due to the possible appearance of a conflict of interest on warrant items.**

- c. **Property Tax on Utility Service Lines outside Northfield Village.** Trustee Lawson has been researching this matter after he learned that Northfield Town was taxing the Village for utility lines located outside of the Village. After reviewing state statutes and previous case history, he has come to the conclusion that it is clear that the property on which sewer lines are located definitely should be tax exempt. The situation with water lines is less definitive although State law specifically states that consolidated water districts are tax exempt. Trustee McCarney believes that this matter should be investigated further. He would like the Board to authorize the Village Manager to work with an attorney who is knowledgeable of municipal law in order to resolve this. The attorney can determine the next steps, i.e. tax abatement hearing, etc. He also would like the Village Manager authorized to hire a professional assessor in order to provide an inventory and appraisal of all Village utility properties (water, sewer, and electric). He believes that the current appraised values are too high. This includes the Wellfield, which cannot be used for any other purpose.

Trustee Hambleton asked Manager Allard if she knew how long this tax has been in effect. Manager Allard believes that it had been less than ten (10) years. Trustee Lawson stated that the key to obtaining tax exempt status is to show that the property is for the "public good" and not for profit. He added that since some non-profit organizations seek partial exemptions of their property taxes at Town Meeting, perhaps the Village should do the same next year for its utility properties.

Motion by Trustee McCarney, seconded by Trustee Hambleton, to authorize the Village Manager to hire an attorney to research tax exempt status for Village utility properties and also authorize the Village Manager to hire a professional assessor to appraise all Village utility property. **Motion passed 5-0-0.** Trustee Lawson stated that the tax exempt status of municipal sewer systems is so clear that the Village should just stop paying the property tax and put the burden of proof on the taxing agency. Motion by Trustee Lawson, seconded by Trustee McCarney, that the Village ceases making property tax payments on its sewer system properties. **Motion passed 5-0-0.**

- d. Village Common Sidewalks.** Trustee Lawson also has been researching this matter. He stated that Dubois & King provided a study of the Village Common area in 2006 as part of a grant application to the Agency of Transportation (AOT). The grant application was not successful for a number of reasons, including the lack of a “Downtown Designation.” The concern over the poor condition of the sidewalks on the Common arose again earlier this summer as property owners on the Common complained about the unsightly and unsafe condition of the sidewalks, especially those on the north side in front of the businesses. The Board then held a special meeting on September 3, 2009, at which Dubois Construction provided estimates for fixing the sidewalks, resolving drainage problems, etc. The quotes were \$120,000 for asphalt sidewalk and \$130,000 for concrete sidewalk. Trustee Lawson suggested that the Village now should be looking for grant money. He noted that Zoning Administrator Michele Braun now is working on obtaining the “Downtown Designation” for the area; once this is achieved, it will be a great help with future grant applications. Trustee Lawson also thought that this subject could be broached at the next Village Meeting (June 2010) to see if voters would like the Village itself to fund all or part of this project. In fact, he thought this matter could be brought up at the next Town Meeting (March 2010) since this area is the center of town and an improved downtown would help the whole Northfield community. Trustee McCarney said that he had no problem with applying for state and federal grant money; he also felt that this matter should be discussed during the next budget process. Trustee Lawson added that if the Village were able to find some or all of the funds without resorting to grants, some considerable money might be saved by not having to meet all the costs incurred by federal or state funding requirements.
- e. Personnel Policy Revisions.** Chair Baraw noted that the Management Subcommittee already had reviewed the proposed revisions and the Selectmen had provided some suggestions at their meeting last night. She asked if the Trustees had any specific comments to make. Trustee McCarney had some questions regarding the new employment classification: Exempt Full-Time Employment. He wanted to know who would be affected by this. He also did not like the term “consultant” that was added under the category of Reserve Employment. He felt that this was confusing; when the Municipality hires a consultant, that person usually works for another company. Manager Allard is open to suggestions regarding a different word to use. Trustee McCarney wanted to know why the section on overtime authorization had been deleted. Manager Allard stated that these requests had never been in writing while she has been here. Trustee McCarney suggested deleting only the last part of the sentence that references the written request while leaving in the stipulation that overtime must be authorized by the “Department Head or Municipal Manager.” Also, there was some discussion over the new section that states that someone who has served in a part-time position for a minimum of three years would earn five days of annual leave time. There were concerns that there should be a minimum number of hours worked per week to qualify for this. Manager Allard will look into this. Chair Baraw noted that the main revision is the addition of a policy that restricts the use of cell phones in vehicles while conducting municipal business. She felt that this was a good idea. Trustee McCarney asked what the next step would be. Manager Allard said that she would incorporate the suggestions made tonight along with whatever the Selectmen would like changed. The revised version will come back to the Boards for their approval. Trustee McCarney thought that the next version should go back to the Management Subcommittee for its review one more time. Chair Baraw disagreed, stating that the subcommittee has already gone through it and there had not been any significant changes since then. Approval of the finalized version will be an agenda item for the next regular meeting (10/13/09).

- f. **Highway Subcommittee.** Manager Allard distributed information regarding road maintenance priorities for all Town and Village roads. Longer roads have been broken down into smaller sections. She would like the Highway Subcommittee to review this information as soon as possible so that its recommendations will be available before the budget process begins. She noted that there was some discussion at last night's Selectboard meeting of a possible bond vote in order to fund the startup (catch up) part of this program. Trustee McCarney believes that there might be some state funding available for some of the more expensive streets, such as the state highways. He thought that the information itself, derived from the Road Surface Management System (RSMS) program, was very helpful but he felt there were too many "ifs" involved. Trustee Lawson noted that some areas that are affected by the current water project will receive some outside funding for road work. He asked if this program currently included sidewalks. Manager Allard said that it did not at this time; the same was true for bridges, culverts, etc. These will have to be added later.

#### IV. REPORTS

##### a. Village Manager

1. **Tentative Town Budget Schedule.** There will be a joint budget meeting of the Town Selectmen and Village Trustees on Tuesday, December 1, 2009 to review the proposed Town and Village Highway budgets.
2. **Water Project Update.** Manager Allard said that the project is moving along well and she has received no complaints about traffic issues in the area.
3. **Slate Avenue.** Manager Allard has been informed that people park their cars at the end of Slate Avenue in order to access the Village Forest hiking trails. This is not a problem most of the year but does disrupt snow removal during the winter. Perhaps the Board should consider a winter parking ban there.

##### b. Committee Reports.

There were none.

##### c. Miscellaneous

1. **Inter-Local Agreement Committee.** Trustee McCarney thought that a meeting should be scheduled to discuss future utility projects. Manager Allard suggested that the Trustees should discuss these matters first at their budget meetings.
2. **King Street Drainage Problem.** Trustee McCarney noted that there was a memo in the packets from Superintendent of Public Works William Lyon regarding a problem with water coming down Turkey Hill, filling a drainage ditch with sediment over time, and then flooding a property owner's field. Trustee McCarney also would like this resolved but does not believe we need to hire an engineer to do so. Manager Allard will work with the residents on obtaining required easements, etc.

#### V. PUBLIC PARTICIPATION (Unscheduled).

None.

#### VI. ADJOURNMENT.

Motion by Trustee Lawson, seconded by Trustee Bright, to adjourn. **Motion passed 5-0-0.**

The Board adjourned at 8:32 p.m.

Respectfully submitted,

*Kenneth L. McCann*

Kenneth L. McCann, Acting Clerk

These minutes are subject to approval at the next regular meeting.