

TOWN/VILLAGE OF NORTHFIELD
JOINT BOARD MEETING
BOARD OF TOWN SELECTMEN
BOARD OF VILLAGE TRUSTEES
Minutes of March 22, 2010

- I. ROLL CALL.** Selectboard Chair Gregory Sanders, Selectmen Melvin Adams, Kenneth Goslant, Kenneth Johnson, and Charles Morse; Trustees Chair Samantha Baraw, Trustees Colin Bright, Libby Hambleton, Doug Lawson, and Thomas McCarney (absent). Also present were Municipal Manager Nanci Allard, Zoning Administrator Michele Braun, Utility Assistant Doug Reed, Acting Clerk Kenneth McCann, Stephen Fitzhugh (Planning Commission) Rebecca Pfeiffer (Vermont Agency of Natural Resources), Warren Hagy, and Kathleen Lott (*Northfield News*).

A Public Hearing was scheduled prior to the Joint Board Meeting for the purpose of providing written or oral views on a proposed amendment to the Zoning Regulations (replacing Article V. Floodplain Zoning Regulations with a new Article V. Flood Hazard Area Regulations) in order to comply with requirements of the National Flood Insurance Program.

The Public Hearing was called to order at 7:00 p.m.

Zoning Administrator Michele Braun informed the Boards that the Planning Commission has already approved the proposed flood hazard area regulations in accordance with the requirements of the National Flood Insurance Program. Rebecca Pfeiffer from the Floodplain Management Division of the Vermont Agency of Natural Resources (ANR) then provided a PowerPoint demonstration of the background of these new flood hazard area regulations and the reasons why the State of Vermont is encouraging local municipalities to adopt them as soon as possible. These new regulations arose from new Federal Emergency Management Agency (FEMA) maps that were updated for watersheds that feed into the Winooski River. She noted that flooding problems broke down into two (2) general categories: 1) Inundation Flooding and 2) Erosion Damage. Ms. Pfeiffer added that Vermont has special concerns as it is a mountainous state with surging rivers that can overflow banks and change channel locations during spring melt runoffs, heavy rainstorms, etc. These types of flooding problems are experienced throughout the state.

Ms. Pfeiffer stated that although the public usually has very negative feelings about floodplains, these areas also provide some benefits; these benefits include storage of floodwater, soil replenishment, harnessable water power, etc. The floodway is the expansion of the normal stream channel and the flood fringe is on the outer edge of this floodway area. FEMA defines the "Flood Hazard Area" as the combination of these two regions; this area is presumed to have a one percent (1%) annual chance of flooding. The new FEMA maps delineate these flood hazard areas so that proper flood insurance rates can be set. She added that these maps now are county-based rather than town-based. Ms. Pfeiffer noted that, compared to other Washington County communities, Northfield did not experience major changes in its flood area mapping. These new maps also include text and photographs that provide historical background on flooding in the community, including major flooding events.

Ms. Pfeiffer stated that the new FEMA maps for Washington County become effective on September 3, 2010, so communities need to adopt these new flood hazard area regulations as soon as possible. She noted that in Washington County, there are 1156 existing structures in the flood hazard areas; Northfield alone has 107 (Town and Village) and these are mainly residential structures. Ms. Pfeiffer added that there currently are forty (40) flood insurance policies in Northfield (mostly in the Village).

Ms. Pfeiffer stated that the FEMA maps do not include provisions for "worst case scenarios," such as dam breaks, ice jams, etc. They also do not include dramatic changes in stream channels. She added that the State of Vermont has been developing its own mapping that incorporates erosion hazards; these maps would complement the FEMA maps. Northfield is one of the first communities to have a final erosion hazard map.

Ms. Pfeiffer stated that flood hazard areas cannot just be removed from the map through fill. This would merely shift the flood hazard area to another location, which might include more densely populated areas. Such changes also could cause an increase in stream erosion and that might result in a more expanded flood hazard area. The new regulations developed for Northfield and other affected communities attempt to prevent new structures from being built in these areas while protecting those already in place.

Selectman Morse asked what would happen if Northfield decided not to comply with the suggested regulations. Ms. Pfeiffer stated that this would make it much more difficult (“cost prohibitive”) for Northfield residents in these flood hazard areas to purchase flood insurance. Mortgage lenders require that homes in the flood hazard zone to carry flood insurance; if Northfield did not participate in FEMA’s programs, residents might not be able to get mortgages. In addition, with these local regulations in place, flood insurance is backed by the federal government, making it much more affordable. These regulations also allow communities to take actions that would prevent further stream erosion that could result in expansion of the flood hazard areas. The Boards thanked Ms. Pfeiffer for her informative presentation.

Stephen Fitzhugh, Chair of the Northfield Planning Commission, stated that he would like the Boards to approve these new flood hazard area regulations tonight; this would allow the Planning Commission to move on to other sections of the current zoning regulations under consideration for revision. Zoning Administrator Braun added that both the FEMA maps and the erosion hazard zone maps are available for review in her office; the new regulations would apply to the regions indicated on each map. As indicated earlier, these regulations would prohibit new structures in the flood hazard area but existing structures can be improved.

The Public Hearing closed at 7:37 p.m. The Joint Board Meeting began immediately.

II. PUBLIC PARTICIPATION

- a. **Zoning Administrator Michele Braun: Proposed Flood Hazard Area Regulations.** Motion by Trustee Hambleton, seconded by Selectman Johnson, that the Town and Village of Northfield adopt the proposed Flood Hazard Area Regulations as presented. Selectman Morse noted several references to a Development Review Board (DRB) in this document; since Northfield does not have a DRB, who would be filling this role here? Zoning Administrator Braun said it would be the Zoning Board of Adjustment (ZBA). Motion by Selectman Morse, seconded by Trustee Bright, to amend the original motion to include a request that all DRB references be changed to ZBA. **Motion to amend passed 9-0-0. Amended motion to approve the proposed flood hazard area regulations passed 9-0-0.**
- b. **Utility Assistant Doug Reed: Computer Server Upgrade Proposals.** Mr. Reed provided the Boards beforehand with a memorandum that outlined three (3) options for replacing the two (2) Municipal servers: the SBS Server and the MUNIS Server. The replacement cost would be split evenly between the Town and Village. Both servers are over four (4) years old and their warranties are expiring this month. The first option is to purchase two (2) new servers and a firewall for about \$21,000. There would be an additional cost of \$3,837 for MUNIS to transfer data. The second option would be to replace the SBS Server and have MUNIS host our accounting software in the future for an additional annual charge. This would cost less upfront money but we would be reliant on MUNIS (and our internet provider) for constant access to our accounting information. Also, MUNIS charges a lot (“at a premium”) for the hosting service. The third option would be to extend the server warranties for another year. Including the cost of a necessary computer memory upgrade, this would cost about \$700; however, this would only delay the decision for another year and there is no guarantee that one or both of the servers could fail during this period. Mr. Reed favors the first option. Manager Allard concurred and added that the funds are already in the Town and Village budgets. Motion by Selectman Morse, seconded by Selectman Adams, to authorize the purchase of two (2) new computer servers (and associated MUNIS services) for an estimated total cost of \$25,000. **Motion passed 9-0-0.**

III. JOINT DISCUSSION

- a. **Property Tax on Utility Lines outside Northfield Village.** Manager Allard noted that there was a recent letter from attorney Charles Merriman (Tarrant, Gillies, Merriman & Richardson) on this matter. Since receiving this letter, she has filed additional paperwork (designating the Village as a non-profit entity) with the Board of Listers (along with a copy of this letter) so that they can address this concern. The Listers will hold their next meeting next week (04/01/10). Selectmen Adams and Morse would like to wait for the Listers to take action (whatever it is) before proceeding any further on this matter. If either of the Boards is displeased by the Listers’ decision, it could be appealed to the Board of Civil Authority (BCA); if still not satisfied, there could be another appeal to the Vermont Department of Taxation. Warren Hagy noted that the State also has a direct role in this decision (education taxes are involved) and its interests should be recognized throughout this process.

Trustee Lawson reminded the Boards that the Listers had looked into this matter at their November 12, 2009 meeting; their recommendation then was that the Selectmen and Trustees should reach some sort of agreement on their own without having to resort to going into litigation (with its associated costs). Now that we have received a legal opinion, Trustee Lawson believes that the Board members should be able to determine this matter themselves. If this ultimately meant going to court, it would be unfortunate but perhaps necessary to finally get this matter resolved.

Selectman Adams stated that his understanding of Mr. Merriman's letter was that going back to the Listers (with this new information) was the proper next step. Mr. Hagy felt that it would assist the Listers if the Boards could agree on some issues, such as whether providing water lines to non-Village customers actually constituted a "public good." Some background history on how and why these utility lines were extended beyond Village borders also might be helpful. Selectman Adams agreed that the Boards could provide some guidance to the Listers with language agreed upon by both Boards. After further discussion, there was a consensus that this matter would be left open until after next week's Listers meeting. Selectman Morse noted that the three-person Board of Listers, as now comprised, was well-suited to address this matter: there is one Village resident, a Town resident who is a Village utilities customer, and a Town resident who lives outside of the Village's utility system area.

- b. **Central Street Culvert Replacement Project Minimal Engineering Proposals.** Manager Allard stated that the bid proposals for the minimal engineering phase of this project had been received and opened last Thursday afternoon (03/18/10). The low bidder was Chenette Associates (Barre, VT) at \$3200. It is the opinion of Manager Allard and Superintendent of Public Works William Lyon that we go with the low bidder. Motion by Selectman Morse, seconded by Trustee Hambleton, to approve the bid proposal from Chenette Associates for minimal engineering services on the Central Street Culvert Replacement Project in the amount of \$3200. **Motion passed 9-0-0.**

IV. LIQUOR CONTROL COMMISSION

- a. **Liquor and Tobacco License Applications:** Hudson River Supermarkets (Grand Union). Motion by Selectman Morse, seconded by Selectman Goslant, to approve the liquor and tobacco license applications. **Motion passed 5-0-0.**
- b. **Liquor License Renewals**
 - 1. **Northfield Country Club.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the liquor license renewal. **Motion passed 5-0-0.**
 - 2. **Norwich University.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the liquor license renewal. **Motion passed 5-0-0.**
 - 3. **Rustic Restaurant.** Motion by Selectman Morse, seconded by Selectman Goslant, to approve the liquor license renewal. **Motion passed 5-0-0.**

V. BOARD OF TOWN SELECTMEN

- a. **Approval of Minutes: March 8, 2010 (Regular Meeting).** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the minutes. **Motion passed 5-0-0.**
- b. **Approval of Bills: Warrant #19-10.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve Warrant #19-10 in the amount of \$945,929.28. **Motion passed 5-0-0.**
- c. **Approval of Special Town Meeting Warning: April 22, 2010.** Chair Sanders read the wording of only article on the warning: "*Effective July 1, 2010, shall the Town of Northfield withdraw from its agreement for membership in the union municipal district known as the Central Vermont Solid Waste Management District (CVSWMD) and enter into an agreement for solid waste management planning through membership in the Mad River Resource Management Alliance?*" Voting on this article will be by Australian Ballot only and held in the Northfield High School Lobby from 7:00 a.m. to 7:00 p.m. Motion by Selectman Morse, seconded by Selectman Goslant, to approve and sign the warning for the Special Town Meeting to be held on Thursday, April 22, 2010. **Motion passed 5-0-0.**

There will be a Public Hearing for the purpose of discussing this article at 7:00 p.m. on Monday, April 12, 2010 (immediately prior to the next regular Selectboard meeting). By that time, we should have more information on the exact costs (and savings) of leaving CVSWMD and joining the Mad River Resource Management Alliance.

- d. **Northfield Recycling Center Closing Funds.** Manager Allard stated that there is a State requirement that municipal funds (\$4400) be set aside for closing costs for the Northfield Recycling Center. Although it is unlikely that this money will be spent, we have to certify to the State that this accounting procedure has been done. Motion by Selectman Morse, seconded by Selectman Adams, to authorize that \$4400 of municipal funds be reserved for the closure of the Northfield Recycling Center. **Motion passed 5-0-0.**
- e. **Gross Property Transfer (Quitclaim Deed).** Manager Allard noted that local attorney William Smith had drafted a quitclaim deed that would transfer this property to the Town of Northfield for a token amount (\$10). There still are some issues that need to be resolved but she would like the Board's authorization to proceed in this matter. Motion by Selectman Morse, seconded by Selectman Johnson, to execute the transfer of this property to the Town of Northfield and authorize Manager Allard to sign the transfer documents. **Motion passed 5-0-0.**
- f. **Appointment of Various Town Officials.**
 1. **Conservation Commission.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Russ Barrett and Donald Wallace for four (4) year terms. **Motion passed 5-0-0.**
 2. **Planning Commission.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Stephen Fitzhugh for a four (4) year term. **Motion passed 5-0-0.**
 3. **Recreation Committee.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Geoff Farnum and Adam Van Vught for three (3) year terms. **Motion passed 5-0-0.**
 4. **Recreation Committee.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Nathan Driscoll and Kristine Seipel to the Recreation Committee for two (2) year terms. **Motion passed 5-0-0.**
 5. **Zoning Board of Adjustment.** Motion by Selectman Morse, seconded by Selectman Adams, to appoint Ruth Ruttenberg to the Zoning Board of Adjustment for a five (5) year term. **Motion passed 5-0-0.**
 6. **Zoning Board of Adjustment.** Motion by Selectman Morse, seconded by Selectman Adams, to appoint Leslie Skinner to the Zoning Board of Adjustment for a three (3) year term. **Motion passed 5-0-0.**
 7. **First Constable.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Jeffrey Shaw as First Constable. **Motion passed 5-0-0.**
 8. **Town Service Officer.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Mark Podgwaite as Town Service Officer. **Motion passed 5-0-0.**
 9. **Tree Warden.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Russ Barrett as Tree Warden. **Motion passed 5-0-0.**
 10. **Fence Viewers.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Larry Garland and Phyllis Murphy as Fence Viewers. **Motion passed 5-0-0.**
 11. **Inspector of Wood, Shingles, & Weigher of Coal:** Motion by Selectman Morse, seconded by Selectman Johnson, to appoint Melvin Adams as Inspector of Wood, Shingles and Weigher of Coal. **Motion passed 5-0-0.** Selectman Adams looks forward to his first weighing of coal.
 12. **Central Vermont Solid Waste Management District (CVSWMD) Representative.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Fred White as CVSWMD Representative. **Motion passed 5-0-0.**

13. **Central Vermont Solid Waste Management District (CVSWMD) Representative.** Motion by Selectman Johnson, seconded by Selectman Adams, to reappoint Charles Morse as the CVSWMD Alternate Representative. **Motion passed 5-0-0.**

It was noted that the appointed CVSWMD Representatives would continue to represent the community in matters related to the operation of the Northfield Recycling Center even if Northfield should decide to leave CVSWMD and join a successor organization.

14. **Central Vermont Regional Planning Commission (CVRPC) Representative.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Arlington Supplee as CVRPC Representative. **Motion passed 5-0-0.**
15. **Central Vermont Regional Planning Commission (CVRPC) Alternate Representative.** Motion by Selectman Morse, seconded by Selectman Adams, to reappoint Stephen Fitzhugh as CVRPC Alternate Representative. **Motion passed 5-0-0.**
16. **Central Vermont Regional Planning Commission (CVRPC) Transportation Representative.** Motion by Selectman Morse, seconded by Selectman Johnson, to appoint Melvin Adams as the CVRPC Transportation Representative. **Motion passed 5-0-0.**

- g. **Status Reports: Various Projects.** The Selectmen had nothing to add.

VI. BOARD OF VILLAGE TRUSTEES

a. Approval of Minutes

1. **March 9, 2010 (Regular Meeting).** Motion by Trustee Bright, seconded by Trustee Lawson, to approve the minutes. One correction: in III. d., Trustee Lawson did not say that we need to install conduit before applying for a federal grant; the grant application has already been filed. The minutes should read that the conduit should be installed even before we learn the status of the grant application. **Motion to approve amended minutes passed 4-0-0.**

b. Approval of Bills

1. **Warrant #19-10.** Motion by Trustee Hambleton, seconded by Trustee Bright, to approve Warrant #19-10 in the amount of \$85,319.47. **Motion passed 4-0-0.**

- c. **Central Street Streetlight Request.** Chair Baraw noted that motion to approve this request had been tabled at that last meeting (03/09/10) so that additional information could be obtained. Mr. Fitzhugh, who is the Technical Advisor for the Northfield Electric Department (NED), stated that he had spoken to Green Mountain Power (GMP) on this matter. He noted that there is not a pole on the lower west side of Central Street, which has been cited as the main problem area. If the new streetlight were sited on the existing pole on the other side of the street, he doubted that it would help much as cars parked in the problem area would block out much of the new light. Trustee Lawson noted that pedestrians, because of these parked cars, often have to walk in the street. This is especially the case in winter when the sidewalks are not only dark but also encrusted with snow and/or ice. Therefore, the new streetlight would (at least) reduce the safety hazard of pedestrians sharing a darkened street with traffic that is often heavy after Norwich University sporting events. Manager Allard confirmed that the estimated cost of the streetlight is \$800. There would be additional monthly charges from GMP. The original motion by Trustee Lawson, seconded by Trustee Bright, to authorize the installation of the streetlight was untabled. **Motion passed 3-1-0, with Trustee Bright voting in opposition.**

Mr. Fitzhugh also informed the Board that GMP was looking into replacing existing streetlights, which are mercury-based, with LED lights in the near future. He added that the Planning Commission was looking into reducing light pollution in Northfield; perhaps there are some streets (i.e. Main Street) that have too many streetlights.

- d. Village Common Car Show Request (Green Mountain Motorheads): August 22, 2010.** Chair Baraw had asked Manager Allard to find out if there were any concerns related to holding this event on the Common (based on the inaugural event held last year). Manager Allard had spoken to Highway Superintendent Lyon and Police Chief Jeffrey Shaw and neither had any concerns. Motion by Trustee Bright, seconded by Trustee Hambleton, to authorize Green Mountain Motorheads to hold a car show on the Village Common on August 22, 2010. **Motion passed 4-0-0.**
- e. Village Common Sidewalk Improvements Project.** Trustee Lawson stated he recently learned that Congressman Peter Welch had put in an appropriation for federal funds in the amount of \$600,000 for this project. Although there is no guarantee that this appropriation will go through, we should plan ahead and work on finding sources for the twenty percent (20%) matching funds Northfield would need to provide. Trustee Lawson noted that these funds could come through bonding, other grant money, or work in kind. He would like to know if the Board has a willingness to put this matter before the voters in a bond article. If so, there would have to be a Special Village Meeting warned for this purpose (probably in the fall).
- Trustee Lawson stated that a decision was needed soon on the design of the replacement wall on the southeast corner of the Common (nearest the United Church) so that Superintendent Lyon can consult the engineers regarding cost estimates. He had asked Mr. Fitzhugh to look into the cost of conduit installation in that area; the estimated amount is \$1381. Trustee Bright said that he had put together some additional sketches on possible wall designs after the last Trustees meeting. He repeated his earlier concern about using modular blocks; he felt that local masons could provide more aesthetically pleasing wall made of concrete at a competitive price. Manager Allard added that Trustee Lawson and Zoning Administrator Braun had put a lot of time and effort into the federal grant application process. She reiterated Trustee Lawson's concern on planning to secure matching funds should the Village actually obtain all or some of the aforementioned federal funds (\$600,000).
- The Selectmen appeared to be quite impressed with the plans for the Village Common, including the proposed installation of the wall. Trustee Lawson then provided a brief overview of the project, as well as the amount of support received by the merchants and other property owners in the target area. Selectman Morse asked that the Selectmen be kept informed as this project goes forward.
- Kathleen Lott asked if any decision had been made yet regarding streetlights in the proposed wall area. Trustee Bright stated that all options were being considered; personally, he still favored installing these fixtures directly into the wall structure.
- f. Village Budget Meetings.** It was noted that the initial Village Budget Meetings will be held next week on Tuesday (03/30/10), Wednesday (03/31/10), and Thursday (04/01/10) nights at 6:00 p.m. in the Municipal Building.
- g. Status Reports: Various Projects.** The Trustees had nothing to add.

VII. MANAGER'S REPORT

- a. Status Reports: Various Projects.** Manager Allard had nothing to add beyond the written Manager's Report.

VIII. PUBLIC PARTICIPATION: Non-agenda items. None.

IX. ADJOURNMENT. Motion by Trustee Bright, seconded by Selectman Adams, to adjourn. **Motion passed 9-0-0.**

The Boards adjourned at 9:27 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

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