

**TOWN/VILLAGE OF NORTHFIELD
JOINT BOARD MEETING
BOARD OF VILLAGE TRUSTEES
BOARD OF TOWN SELECTMEN
Minutes of May 25, 2010**

- I. ROLL CALL.** Selectboard Chair Gregory Sanders, Selectmen Melvin Adams (absent), Kenneth Goslant, Kenneth Johnson, and Charles Morse; Trustees Chair Samantha Baraw (absent), Trustees Colin Bright, Libby Hambleton, Doug Lawson, and Thomas McCarney. Also present were Municipal Manager Nanci Allard, Acting Clerk Kenneth McCann, Charlene McCarney, Jill Donahue, and Kathleen Lott (*Northfield News*).

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

- II. PUBLIC PARTICIPATION:** None.

III. JOINT DISCUSSION

- a. Property Tax on Utility Lines outside Northfield Village.** Trustee Lawson noted that, according to their latest correspondence, the Board of Listers did not agree with the Village Trustees that Village-owned property with utility lines should be exempt from property taxes levied by the Town. He asked the other Trustees if they wished to pursue this matter. Trustee Bright stated that the proper action had been taken and an answer received; perhaps the Board should move on and take no further action. Trustee McCarney, while disagreeing with the Board of Listers' conclusion, also had reservations about taking this any further, i.e. Board of Civil Authority (BCA) and/or civil court. Trustee Hambleton felt that the next proper step is the BCA and that an appeal should be filed. She added that she regretted that the Village went forward with water system distribution improvements outside of the Village, i.e. Northfield Falls, before parts of the Village were addressed, i.e. Central Street. Trustee Lawson stated that this matter had been under discussion for over a year. He believed that the legal precedents cited by the attorneys, such as *Styles v. Newport*, were not applicable; the Village acted to improve utility lines outside its boundaries for improved service, not for profit. Trustee Lawson believes that water customers, through their rates, are providing tax income (approximately \$15,000) to the Town each year. He felt that the Village should consult an attorney before taking any further action. Selectman Morse, who was municipal manager when the tax was first applied, believes that the documentation and legal opinions make it clear that the utility lines are taxable. He added that imposing this tax was part of an overall attempt to properly distribute costs between the Town and Village, including charging the Town for water used at the municipal parks, etc. He felt that the Trustees should go to the BCA next if they not satisfied.
- b. Central Street Culvert Project update.** Manager Allard noted that the RFP for this project was in the Board packets. The bid opening is set for this coming Thursday (05/27/10) at 2:30 p.m.
- c. Highway Subcommittee Report.** Trustee McCarney stated that the Village part of the Road Surface Management System (RSMS) program would be financed by funds already in the paving account. He added that excess funds (if any) would be put in escrow to pay for paving the south side of the Village Common. The Village will stick with the RSMS as presented at the Highway Subcommittee Meeting last week (05/20/10). Manager Allard noted that Superintendent of Public Works William Lyon and Highway Foreman Peter Demasi have been working to eliminate the deficits projected in future years. They are still crunching numbers and will present updated figures at the Selectboard's next regular meeting (06/14/10). Selectman Johnson is concerned about the projected deficits but adds that this is the program's first year and this will be fixed. Trustee McCarney said that both Town and Village have endorsed this program, which will put road maintenance on a proper schedule. Difficult decisions will need to be made to properly maintain Northfield's road infrastructure. Selectboard Johnson agreed and added that if this is going to be done, it should be done right. Selectman Goslant concurred.

IV. BOARD OF VILLAGE TRUSTEES

a. Approval of Minutes

1. **May 11, 2010 (Regular Meeting).** Motion by Trustee Hambleton, seconded by Trustee McCarney, to approve the minutes. **Motion passed 3-0-1, with Trustee Lawson abstaining.**

b. Approval of Bills

1. **Warrant #23-10.** Motion by Trustee McCarney, seconded by Trustee Hambleton, to approve Warrant #23-10 in the amount of \$18,245.38. **Motion passed 4-0-0.**
2. **Warrant #23-10A.** Motion by Trustee Bright, seconded by Trustee Hambleton, to approve Warrant #23-10A in the amount of \$4,950.00. Manager Allard said this payment was for the grant study for the proposed micro-hydro facility in Northfield Falls. There will be a full presentation on this project at the next regular meeting (06/15/10). **Motion passed 4-0-0.**

- c. **Cross Street Parking Restrictions.** Trustee Lawson noted that a Site Visit had been held earlier this evening on Cross Street in response to a resident's complaint that it is difficult to turn onto Cross Street from Vine Street due to congested parking at the intersection. His request was to extend the school day ban on street parking to all-day and all-year. Trustee Lawson stated that no one at the Site Visit specifically asked that the current parking restrictions be changed. Some, however, were concerned that the situation may worsen when the new sidewalks are installed. Trustee McCarney stated that a couple concerns brought up during the Site Visit should be addressed right away. He felt that the no-parking area at the corner of the intersection should be better marked (i.e. red curbing). Residents also complained about speeding vehicles when school lets out for the day. The Northfield Police should be asked to keep an eye on this. The consensus was not to change the parking restrictions at this time but to perhaps revisit this matter after the new sidewalks are put in.

- d. **Depot Square Two-Hour Parking Restrictions.** Jill Donahue, who owns the Northfield Pharmacy, was notified by mail (along with other merchants and property owners along the Village Common) that the Village Trustees were considering changes to the two-hour weekday storefront parking on Depot Square. She believes that not only should the current restricted parking spaces be maintained, she would like the area expanded to include the parking spaces on the north side of the Village Common. Ms. Donahue believes that some Depot Square business employees are monopolizing those spaces when they should be parking elsewhere, especially the area behind the American Legion (Holland Place). Trustee McCarney stated that Susan Popowski, who owns the building that houses two restaurants on the Common's north side, was unable to attend tonight's meeting so she instead forwarded a letter with her views on the matter. Ms. Popowski would like the two-hour parking spaces maintained and disputes Trustee McCarney's contention that the merchants "have become the biggest offenders." Ms. Popowski believes that the merchants who asked for the parking restrictions have made good faith attempts to have their own employees park elsewhere. She also believes that the Northfield Police Department should be able to make some effort to enforce the parking ordinance and ticket the worst offenders. Trustee McCarney agreed with Ms. Popowski on this but disputed some of her other statements, such as whether the Village Trustees have neglected their duties regarding the deteriorating sidewalk on the Common. Trustee McCarney noted that there have been numerous attempts to secure funding to address this matter but these have been unsuccessful so far. Trustee McCarney stated that he does not have a problem with maintaining the two-hour parking spaces (or even expanding the area as Ms. Donahue suggests) so long as the ordinance is enforced and violators ticketed. No action was taken this evening but this issue also may be revisited at a later time.

- e. **Request for UPS Drop Box on Depot Square.** United Parcel Service (UPS) has asked permission to place on drop box by the Common Café next to the existing FedEx drop box. The owners of the Common Café have no objections. Motion by Trustee McCarney, seconded by Trustee Hambleton, to approve UPS's request and authorize Manager Allard to sign the permission agreement. **Motion passed 4-0-0.**

- f. East Street Property (former police station).** Manager Allard noted that the Trustees held a Site Visit of the East Street Property prior to the last regular meeting (05/11/10). A decision regarding the property was deferred until this evening because Trustee Lawson had been absent. Unfortunately, Chair Baraw was absent tonight so there still is not a full Board to decide on this. Trustee McCarney repeated his earlier warning that the Village should not sell the property without considering all the consequences. The building currently is used for storage of vehicles, excess office equipment, etc. If the building were sold, he could foresee a future request to build new storage facilities to house the displaced vehicles. He emphasized that once the building was sold, it would be gone for good.
- g. Village Common Sidewalk Improvements Project update.** Manager Allard reported that the Village recently received a \$30,000 grant for a new retaining wall on the south side of the Common. Trustee Lawson will try to gather more information to present at next week's Village Meeting.
- h. Annual Village Meeting: Tuesday, June 1, 2010, 7:30 p.m.** Trustee McCarney reminded the public that all voting will be from the floor this year. With his retirement from the Board this year, there will be at least one open seat.
- i. Status Reports: Various Projects.**

 - 1. Trustee McCarney.** Trustee Lawson noted that since Trustee McCarney is not seeking reelection, this will be his last meeting as a Village Trustee. He (and the other Board members) appreciated Trustee McCarney's long service and dedication to the Northfield community and wished him well. Selectman Morse stated that it had been interesting working with Trustee McCarney, both as a Selectman and before then as Municipal Manager. Trustee McCarney stated that he had served as a Trustee (with interruptions) beginning in the 1970s and he believed much had been accomplished since then. He thanked former Trustees Ted Nelson and Richard Suitor for acting as mentors to him. He also thanked the Village voters for supporting various improvement projects for the community. Trustee McCarney stated that he has enjoyed his time on the Board but feels that it is time to walk away.

V. BOARD OF TOWN SELECTMEN

- a. Approval of Minutes**

 - 1. May 10, 2010 (Regular Meeting).** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the minutes. **Motion passed 4-0-0.**
- b. Approval of Bills**

 - 1. Warrant #23-10.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve Warrant #23-10 in the amount of \$42,450.96. Chair Sanders asked if the \$9000 for the police radio tower upgrade completed the project. Manager Allard said that it did. Selectman Goslant asked if the new police armor was paid for out of grant monies. Manager Allard believes so but will check to make sure. Selectman Goslant asked why a loader was rented for \$900. Manager Allard will check on this too. **Motion passed 4-0-0.**
- c. Northfield Recycling Depot update.** Selectman Morse prepared a PowerPoint demonstration regarding the \$15,000 that the Central Vermont Solid Waste Management District (CVSWMD) is asking Northfield to pay should it withdraw its membership and join the Mad River Resource Management Alliance (MRRMA). Selectman Morse notes that CVSWMD calls this amount Northfield's share of a "long-term debt" but he pointed out that State Statute requires voter authorization for this kind of debt obligation (i.e. bond); no vote was ever held in Northfield (or any of the other member communities). This debt, which the CVSWMD Board authorized in February 2005, was in the amount of \$582,000 and was then designated for the purchase of office equipment as well as new compactors and containers for the recycling depots. Selectman Morse stated that some of this equipment has been sold but the funds obtained have not (yet) been dedicated to the paying down of this debt. Also, some of these funds have been used for operational expenses, including building renovations, and this was never the original stated intention.

Selectman Morse's conclusion is that this is not a proper long-term debt (bond) and Northfield is not obligated to pay. He added that of the original amount, about \$100,000 cannot be accounted for. He then asked for the Board's authorization to present this information at the next CVSWM Board Meeting (06/02/10). Also, if there is no objection, he would like to contact the State Auditor (Thomas Salmon) to see if his office has any purview over CVSWM finances and the apparently missing funds. There were doubts expressed that the State would get involved in this but Selectman Morse will be allowed to inquire.

Trustee McCarney feels that \$15,000 is a lot of money. He has no objection if Selectman Morse would like to make his presentation to the CVSWM Board. He believes that Selectman Morse has presented a strong argument and this is just another indication that CVSWM finances were not properly handled for a number of years. Motion by Selectman Johnson, seconded by Selectman Goslant, to authorize Selectman Morse to present his PowerPoint demonstration at the next CVSWM Board meeting. **Motion passed 4-0-0.**

d. Status Reports: Various Projects. The Selectmen had nothing to add.

VI. MANAGER'S REPORT

a. Status Reports: Various Projects

- 1. Police Chief Resignation.** Manager Allard stated that Police Chief Jeffrey Shaw has submitted his resignation, effective Friday, June 4, 2010. She is forming a hiring committee comprised of Board members, residents, etc. An interim Police Chief will be hired to serve during the selection process. Selectman Morse noted that Chief Shaw did a fine job. The current officers need to know that this will be a transition process and we will get through this.
- 2. Union Negotiations.** Manager Allard would like to speak with the Boards' Labor Agreement and Negotiating representatives (Selectmen Morse and Trustee Bright) as soon as possible since the current labor agreement expires at the end of June.
- 3. Village Center Designation.** Manager Allard announced that the Village Center designation for the downtown area has been approved by the State. Zoning Administrator Michele Braun deserves most of the credit for this as she did quite a lot of work on this. Selectman Morse noted that local merchants now are eligible to apply for tax credits. Will they be informed of this? Manager Allard said that Ms. Braun will be doing the notifications.

VII. PUBLIC PARTICIPATION: Non-agenda items

- a. Colin Bright (as private citizen): Northfield Skateboard Park.** Mr. Bright agreed that the old skateboard park had deteriorated, become unsafe, and had to be removed. However, he believes that a well-constructed and maintained skateboard park would be an asset to the community and would be much appreciated by Northfield youth. He added that it would keep them occupied and stop them from riding their skateboards on the sidewalks. Selectman Goslant stated that building a replacement skateboard park would be part of the next Town Budget process and that the Recreation Committee will have some input on this.

VIII. ADJOURNMENT. Motion by Selectman Morse, seconded by Trustee Hambleton, to adjourn. **Motion passed 8-0-0.**

The Boards adjourned at 8:55 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

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