

**TOWN OF NORTHFIELD
BOARD OF SELECTMEN
Minutes of January 11, 2010**

- I. ROLL CALL.** Chair Kenneth Johnson, Selectmen Melvin Adams, Kenneth Goslant, Charles Morse, and Gregory Sanders. Also present were Town Manager Nanci Allard, Zoning Administrator Michele Braun, Acting Clerk Kenneth McCann, and Kathleen Lott (*Northfield News*).

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

II. APPROVAL OF MINUTES

- a. December 15, 2009 (Joint Board Meeting).** Motion by Selectman Morse, seconded by Selectman Goslant, to approve the minutes. **Motion passed 4-0-1, with Selectman Sanders abstaining.**
- b. December 21, 2009 (Joint Board Meeting).** Motion by Selectman Morse, seconded by Selectman Goslant, to approve the minutes. **Motion passed 5-0-0.**

III. APPROVAL OF BILLS

- a. Validation of Warrant #13-10.** Motion by Selectman Morse, seconded by Selectman Sanders, to validate the previous approval (by signature) of Warrant #13-10. **Motion passed 5-0-0.**
- b. Warrant #14-10.** Motion by Selectman Morse, seconded by Selectman Adams, to approve Warrant #14-10 in the amount of \$180,525.77. Selectman Morse noted the expense of towing the Mack Tandem vehicle to Burlington for repair; was this vehicle still under warranty? Manager Allard will check on this. Selectman Sanders felt that the heating expense for the Brown Public Library seemed rather high. He asked if an energy audit had been performed on the building. Manager Allard said that she has not been able to find anyone to do it. It was pointed out that the heating bill also covered the Northfield Historical Society, which definitely is not energy efficient. **Motion passed 5-0-0.**

IV. PUBLIC PARTICIPATION:

- a. Michele Braun, Zoning Administrator: Village Center Designation.** Zoning Administrator Braun had provided the Board with a memorandum that described the process for obtaining Village Center Designation for the Northfield downtown area as well as a map of the affected area. She had provided the Village Trustees with a similar memorandum last fall (10/13/09) and the Trustees had authorized her to proceed with the process. Ms. Braun subsequently learned that since the Village does not have its own municipal plan, it is the Town that would have to grant this authorization. She would like the Board to appoint someone who would be able to represent Northfield at an upcoming Downtown Development Board meeting; that person should have the authority to accept any changes that that board might make "on the spot" (in order to avoid the necessity for a second hearing). Regarding the proposed map for the Village Center, although the Trustees approved a northern boundary that included the Gray Building, she has heard that the Downtown Development Board probably would prefer to exclude this area and instead move this boundary south to where the Dog River crosses Main Street. Selectman Adams thought that the Downtown Development Board might be flexible on this matter should a good argument be made in favor of including the Gray Building in this area, as it is a historical structure and certainly within walking distance of the Village Common. He added that the current map includes the new Police Station and the Fire Station; perhaps this area could be eliminated in exchange for including the original northern boundary.

Ms. Braun noted that Northfield could ask the Downtown Development Board to change the boundaries after five (5) years. She added that she would be willing to represent the Northfield at a future meeting so long as the Board grants her the aforementioned ability to make decisions at the hearing itself. The Board agreed with this and Selectman Adams volunteered to also represent the Board at this meeting. Motion by Selectman Morse, seconded by Selectman Goslant, to proceed with the Village Center Designation process, following the five (5) steps outlined in Ms. Braun's memorandum, and designate Ms. Braun and Selectman Adams as the Board's representatives at an upcoming Downtown Development Board meeting with the authority to make decisions on the Board's behalf at that meeting. The Village may choose to send its own representatives to this meeting. **Motion passed 5-0-0.**

V. MANAGER'S REPORT

- a. Northfield Recreation Committee.** Manager Allard stated that she and Selectman Goslant attended the Recreation Committee's meeting earlier this evening. The committee now has five (5) members and now is looking at various projects in the upcoming months, including an outdoor ice rink, fundraisers, etc. The members would like to meet with the Board in the near future in order to get some guidance as well as suggestions for other projects. Selectman Goslant noted that the playground and skateboard park located at the Memorial Park need extensive renovation. He then volunteered to act as the Board's liaison and work with the Recreation Committee on such matters.
- b. Northfield Center Drainage Study.** Manager Allard stated that she has been working with Stantec Consulting on a proposed project to resolve drainage issues in the Northfield Center area. As the proposed project area extends into the Village, Manager Allard would like this matter discussed at a future Joint Board Meeting. She noted that the Village Trustees are especially concerned about stormwater going directly into the sewer system.
- c. Plowing/Sanding Contract.** Selectman Morse stated that in his report, Highway Superintendent William Lyon noted some "savings" from the contract with Hallstrom Excavating to plow and sand some of the backroads. He asked where specifically these savings were. Manager Allard stated that the Accounting Department is looking at the monies spent this winter on diesel fuel, salt, sand, etc. compared to last winter. We will have a better picture of any savings at the end of the season. Also, as Superintendent Lyon noted in his report, the main benefit so far has been allowing our highway crew to prioritize on the heavier-travelled roads.

VI. LIQUOR CONTROL COMMISSION

- a. Liquor License Renewal: Northfield Village Pizza.** Motion by Selectman Morse, seconded by Selectman Goslant, to approve the liquor license renewal application for Northfield Village Pizza. **Motion passed 5-0-0.**

VII. SELECTBOARD

- a. Town of Northfield Resolution in Recognition of Wally Aseltine.** Selectman Morse had composed a resolution in honor of Wally Aseltine, who passed away last month. Selectman Morse read the resolution, which, among other things, noted Mr. Aseltine's service as a Selectman, Lister, and member of the Zoning Board of Adjustment. Motion by Selectman Morse, seconded by Selectman Sanders, to approve and sign the resolution honoring Wally Aseltine. **Motion passed 5-0-0.**

- b. Property Tax on Utility Lines outside Northfield Village.** Chair Johnson noted that there had been in the packets two (2) memorandums from attorneys on this matter. The second one, dated December 23, 2009, was from attorney Paul Gillies in response to a request from Manager Allard to provide legal guidance on whether the Town has the ability to tax “underground water, sewer and electric lines that run outside the Village limits.” Selectman Adams stated that he was not quite sure what recommendation Mr. Gillies was making. Manager Allard stated that Vermont law was vague on this matter, especially regarding the “public good” usually cited to obtain tax-exempt status for utility lines. Selectman Adams believed that, after reviewing this matter in recent weeks, it is fairly clear that sewer mains cannot be taxed but there remains some debate over water mains. Manager Allard stated that Mr. Gillies had been at the Board of Listers meeting (11/12/09) at which this matter had been discussed; he gave the impression then that water mains were tax-exempt. Selectman Morse believes that the Vermont Supreme Court case usually cited as a precedent in this matter (*Stiles v. Newport*, 1904) clearly states that water lines were taxable. In addition, Selectman Morse still does not believe that sewer lines are tax-exempt; only stormwater lines should be exempt. Selectman Adams thinks that (one way or the other) the Board requires a strong legal opinion before any future negotiations with the Village can take place. Manager Allard will contact Mr. Gillies and try to obtain his opinion in writing.
- c. Bond Anticipation Note: \$105,000 at 2.25% interest.** Selectman Adams asked if the term “bond” was generic financial institution wording for borrowing. Manager Allard said that it was. Selectman Morse noted that CIP funds for the next fiscal year were cut during recent budget sessions. He stated that the interest costs shown in this note indicated the high cost of borrowing as opposed to setting money aside for the future. He also wanted the word “bond” replaced with “borrowing,” as the Town requires voter approval to bond. Selectman Adams stated that he did not like the current wording either but this is the bank’s paperwork. Motion by Selectman Adams, seconded by Selectman Sanders, to approve and sign the Bond Anticipation Note in the amount of \$105,000 at 2.25% interest. Motion by Selectman Morse, seconded by Selectmen Goslant, to amend the original motion and specify that this so-called bond is in fact borrowing. **Motion to amend passed 5-0-0. Amended motion passed 5-0-0.**
- d. Town Warning Request: Sexual Assault Crisis Team.** In 2008, the Sexual Assault Crisis Team (SACT) increased its request amount on the Town Meeting Warning from \$200 to \$350. As a result, SACT was required to petition the new amount for three (3) straight years. This is the last year that SACT would have to petition at this amount. SACT has submitted a letter to the Selectboard requesting that the petition be waived for the current year as the person who normally collects the signatures has had medical emergencies in her family. Selectman Adams stated that it is Board policy not to waive the requirement that petitions be submitted. The rest of the Board concurred with this view. SACT will be informed of the Board’s decision.
- e. 2010 Town Highway Mileage Certificate.** Motion by Selectman Morse, seconded by Selectman Adams, to approve and sign the Town Highway Mileage Certificate. The only change from last year is an additional 0.69 mile from three (3) Legal Trails that the Agency of Transportation (AOT) asked to have added to the certificate. **Motion passed 5-0-0.**

- f. Northfield Bridge Inventory.** Manager Allard and Highway Superintendent Lyon have been meeting with Stantec Consulting on a proposed inventory of the bridges in Northfield. Although the State provides reports on bridges longer than twenty feet (20') on a biennial basis, the proposed inventory would cover all bridges and these reports would be much more in depth regarding bridge condition and other factors. The initial phase of the proposal would look at eight (8) Town bridges for approximately \$8300. There would be two (2) additional phases that would look at about twenty (20) bridges each. Chair Johnson asked if this inventory would help with planning. Manager Allard stated that it would. The initial costs would come out of the capital budget but future expenses could become part of the Road Surface Management System (RSMS) program. Selectman Morse asked if this proposal had been put out to bid. Manager Allard said that it had not. Selectman Morse stated that, according to the purchasing policy, expenditures of more than \$5000 needed to be put out to bid. Selectman Adams concurred, stating that unless there was a crisis situation, the Town should develop a scope of services and put this project out to bid. Manager Allard will comply with the Board's request.
- g. Northfield Recycling Center update.** Manager Allard has learned that the Central Vermont Solid Waste Management District (CVSWMD) was unable to extend its line of credit. Selectman Adams will work with Selectman Morse and Fred White (Northfield's appointed representative to the CVSWMD) in order to discern how this development will affect the future operation of the Northfield Recycling Center. They will report back at the next meeting.
- h. Status Reports: Various Projects**
- 1. Ancient Roads.** Chair Johnson asked about the status of this project. Manager Allard stated that Rob Townshend (American Consulting Engineers & Surveyors) now is working on creating maps for the Board's review that would show the 241 ancient roads discovered by James LaMonda. Chair Johnson and the other Board members still would prefer one (1) master map with overlays indicating all these roads along with recognizable reference points, such as Vermont Route 12. Manager Allard stated that many people have looked at this request and they have said that due to differing map scales, an exact overlay is impossible. She added that the deadline for this project is 2015, so there is sufficient time to work on this. Selectman Adams stated that there was a deadline this coming summer (07/01/10) should the Board want to do a mass discontinuance. However, before this or any other action could be taken, the Board needs proper information in order to make a valid decision. Manager Allard said that this is being done.

VIII. PUBLIC PARTICIPATION: Non-agenda items. There was none.

IX. EXECUTIVE SESSION. Motion by Selectman Adams, seconded by Selectman Goslant, to go into executive session in order to discuss a personnel matter and two (2) legal matters. **Motion passed 5-0-0.**

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

Motion by Selectman Morse, seconded by Selectman Adams, to come out of executive session. **Motion passed 5-0-0.**

The Board came out of executive session at 10:02 p.m. No action was taken.

X. ADJOURNMENT. Motion by Selectman Adams, seconded by Selectman Sanders, to adjourn. **Motion passed 5-0-0.**

The Board adjourned at 10:03 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

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