

**TOWN OF NORTHFIELD
BOARD OF SELECTMEN
Minutes of April 12, 2010**

I. ROLL CALL. Chair Gregory Sanders, Selectmen Melvin Adams, Kenneth Goslant, Kenneth Johnson, and Charles Morse. Also present were Town Manager Nanci Allard, Acting Clerk Kenneth McCann, Frank Plumley, Donald Wallace, Leesa Stewart (CVSWMD), Fred Thurman (CVSWMD), Gwen Lyons-Baker (CVSWMD), Peter D. Anthony (CVSWMD), Jeanne Daniele, Eric Davis, Bill Croney (*Northfield News*), and Kathleen Lott (*Northfield News*).

A Public Hearing for the purpose of providing written or oral views on the Warned Town Article to be voted upon by Australian Ballot at the Special Town Meeting on April 22, 2010, was warned to immediately precede the Selectboard's regular meeting. If approved by the voters, this article would authorize the Town of Northfield to withdraw from its membership agreement with the Central Vermont Solid Waste Management District (CVSWMD) and to enter into a membership agreement with the Mad River Resource Management Alliance (MRRMA).

Chair Sanders called the Public Hearing to order at 7:00 p.m.

Selectman Morse stated that the crux of the matter was whether it was more fiscally advantageous for the Town of Northfield to remain a member of the CVSWMD or to withdraw its membership and join the MRRMA. Since CVSWMD ceased operation of the Northfield Recycling Depot in February, the Town of Northfield has contracted with a private hauler (Earth Waste Systems) to run it. He noted that this transition had been seamless as the same hours and comparable services were being offered. He noted that the financial advantages of leaving the CVSWMD had been fairly obvious until last week, when the CVSWMD Board unexpectedly decided to reduce the per capita charge to its member communities from \$3.10 to \$2.10. This would reduce Northfield's annual share from \$18,000 to \$12,000. Also, the CVSWMD is claiming that if Northfield decided to withdraw its membership, it would become responsible for its share of the CVSWMD's long-term debts (which is approximately \$15,000). Selectman Morse questions whether Northfield would actually have to pay this amount as this debt obligation was never put before Northfield voters for authorization. He added that an additional advantage to joining the MRRMA was that it did not impose a surcharge on hauling recyclables (CVSWMD currently does for \$30 per ton). This might allow for a reduction in the charges to depot customers. He added that the MRRMA Board would need to approve Northfield's application before Northfield could become a member. If the MRRMA Board rejects Northfield's application, the issue of leaving CVSWMD would be moot.

Leesa Stewart, who is CVSWMD's new General Manager, noted that the CVSWMD provides other services and benefits to its member communities. These include Green Up Day grants, hazardous waste collections, an organics (composting) program, etc. She felt that Northfield's continued participation in such programs would justify its continued membership in the CVSWMD. She noted that Northfield schools currently took part in the organics program; if Northfield left the CVSWMD, this would no longer be available here.

Selectman Adams noted that last November, there were serious questions regarding the CVSWMD's financial solvency. There was considerable debt, its line of credit with banks was threatened, and there was talk of increasing the per capita charge. Now, the CVSWMD was lowering the per capita charge, reinstating the Green Up Day grant program, etc. He asked what had changed to improve the CVSWMD's financial situation.

Ms. Stewart stated that operating the recycling depots resulted in a loss of about \$20,000 per month. Since CVSWMD ceased operating them in February, this regular loss has been removed from the books. In addition, there has been significant restructuring of CVSWMD leadership with some positions have been eliminated and/or merged with others. Manager Allard asked if some assets have been sold as well. Ms. Stewart could not provide exact figures on this until after the next CVSWMD Board meeting.

Donald Wallace did not believe that the Green Up Day grant itself was that significant (only about \$500). He noted that last year Northfield's Green Up Day volunteers did a lot of work themselves to keep costs low, including the sorting of recyclables that could be converted to cash.

Selectman Adams added that the MRRMA also conducted hazardous waste collections on a regular basis. In fact, it provided this as a free service as compared to the CVSWMMD, which charges \$15 per carload. He stated that the only CVSWMMD program that MRRMA did not currently offer was the organics program. Manager Allard felt that since this program was fairly new, there was a possibility that private companies would be willing to take it over in Northfield.

Ms. Stewart warned that other communities have had difficulties finding someone in the private sector to provide the organics service. She added that there had been some discussion of reducing the aforementioned \$30 per ton surcharge on recycling hauling. Selectman Morse noted that this had been discussed at the last CVSWMMD Board meeting as an alternative to reducing the per capita charge; the Board decided to do the latter.

Kathleen Lott stated that she had been under the impression that the per capita charge had not been used for operation of the recycling depots. Therefore, how could CVSWMMD's decision to cease operating the depots be cited as a reason for the reduction in the per capita charge? Ms. Stewart stated that although the per capita charge was not designed to operate the depots, it did have to be used to cover the monthly losses. With these monthly losses eliminated (along with the other factors indicated), the CVSWMMD's whole operating budget has improved to the point that the per capita charge could be reduced.

Mr. Wallace asked Ms. Stewart about this \$20,000 monthly loss for operating the recycling depots; he was under the impression that the Northfield Recycling Depot had been making a slight profit. Ms. Stewart confirmed that Northfield's was the only depot that was either breaking even or making a small profit. The CVSWMMD Board did consider keeping the more viable recycling depots open but, after further review, it was felt that the system was so inter-connected that this would not work.

Fred Thurman, the new CVSWMMD Board Chair, stated that Ms. Stewart, in her brief time as General Manager, had been instrumental in the reconstruction of the CVSWMMD's financial condition. Under her leadership, the CVSWMMD is on track to develop its new business plan. He felt that it was especially important to improve the rapport between CVSWMMD and its member communities. Mr. Thurman agreed that it had been a difficult decision to cease operation of the recycling depots but the Board felt that there was no other option. He added that the organics program might develop into a solid asset.

Mr. Wallace noted that he had been Northfield's first CVSWMMD representative and had been there when the Northfield Recycling Center began operation. He now believes that Northfield should leave the CVSWMMD. Although new management might now be in place, he felt that the old management had wasted a lot of valuable resources to fund non-essential services, such as costly renovations to its Montpelier office. Mr. Wallace felt that Northfield could run its recycling depot efficiently on its own.

Frank Plumley asked how the cost of depositing trash at the Northfield Recycling Depot (currently \$4 per bag) would be affected by whether or not Northfield left the CVSWMMD. Selectman Morse stated that the elimination of the current \$30 per ton surcharge might lead to some cost reductions but nothing was certain; this would have to be negotiated with the hauler. Mr. Wallace added that the current hauler (Earth Waste Systems) was not charging for mixed recyclables (as CVSWMMD had been doing).

Peter Anthony, the current CVSWMMD Treasurer, stated that he had been Barre City's CVSWMMD representative for many years. He stated that the CVSWMMD was created because local haulers were unreliable and there had been uncertainty over future viability of the area landfills. He doubts that the elimination of the surcharge will lead to any cost savings, as haulers have taken advantage ("blamed") this surcharge for raising their own rates far above any correlating expense. He believes that the decision to cease operating the recycling depots should have been made a couple years ago. He felt that the crucial difference between the CVSWMMD and the MRRMA was that the CVSWMMD had the force of law behind it with its charter, Board of Supervisors, etc.

There being no other questions or comments, the Public Hearing closed at 8:00 p.m. The regular meeting began immediately.

II. PUBLIC PARTICIPATION: None.

III. APPROVAL OF MINUTES

- a. March 22, 2010 (Joint Board Meeting).** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the minutes. **Motion passed 5-0-0.**

IV. APPROVAL OF BILLS

- a. **Warrant #20-10.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve Warrant #20-10 in the amount of \$52,334.30. **Motion passed 5-0-0.**

V. MANAGER'S REPORT

a. **Status Reports: Various Projects**

1. **Robinson Road.** As indicated in the previous Manager's Report, the Police Department recently had placed their traffic trailer on Robinson Road. The results indicated that there was low traffic on the road and that the average car speed was nineteen miles per hour (19 MPH). Motion by Selectman Morse, seconded by Selectman Adams, to set the speed limit on Robinson Road at the lowest speed permissible by state law. **Motion passed 5-0-0.**
2. **Green Up Day.** The next Green Up Day will be held on Saturday, May 1, 2010. Volunteers are asked to meet behind the Northfield Fire Station (128 Wall Street) at 9:00 a.m.
3. **Barre City Garden Show.** As indicated in the poster brought by Barre resident Jeanne Daniele, Barre Beautiful will be presenting a "Garden of Earthly Delights" garden show at the Old Labor Hall on Granite Street on Saturday, April 24 and Sunday, April 25, 2010. There will be floral competitions, exhibits, and workshops. Proceeds will benefit the Barre Historical Society.

VI. LIQUOR CONTROL COMMISSION

a. **Liquor License Renewals**

1. **American Legion.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the liquor license renewal. **Motion passed 5-0-0.**
2. **Champlain Farms.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the liquor license renewal. **Motion passed 5-0-0.**

b. **Tobacco License Renewals**

1. **American Legion.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the tobacco license renewal. **Motion passed 5-0-0.**
2. **Champlain Farms.** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the tobacco license renewal. **Motion passed 5-0-0.**

VII. SELECTBOARD

- a. **Incident Reporting, Medical Treatment, and Accident Investigation Municipal Policy.** Manager Allard stated that adoption of this policy was another step in the improvement of our employee safety program. A representative from the Vermont League of Cities & Towns (VLCT) will train the Department Heads (i.e. Safety Committee) on accident reporting, accident causes, etc. Selectman Morse asked why the policy specified the designated medical provider by name (Concentra); does this mean that the policy will need to be changed if we change providers? Manager Allard said that it would; however, it must be specified in the document so that employees know the proper procedures for non-emergency treatment. Chair Sanders would like this policy to be part of the official Personnel Policies and Procedures. Motion by Selectman Morse, seconded by Selectman Goslant, to approve and sign the Incident Reporting, Medical Treatment, and Accident Investigation policy; this policy will be incorporated in the Personnel Policies and Procedures for the Northfield Municipality as an addendum to Article 18 ("Workplace Safety and Reporting of Injuries"). **Motion passed 5-0-0.**

- b. Recreation Committee Appointment (1 year remainder of three-year seat).** Motion by Selectman Morse, seconded by Selectman Goslant, to appoint Bruce Wright to the Northfield Recreation Committee. **Motion passed 5-0-0.** Selectman Goslant felt that Mr. Wright would be a good addition to the committee.
- c. Status Reports: Various Projects**
 - 1. Village Budget Meetings.** Selectman Morse noted that during the March 31, 2010 Village Budget Meeting, there had been a discussion of charging a surcharge on the utility bills of non-Village customers in order to pay for the Town tax on utility lines (or for any legal bills associated with this matter). There also was a suggestion that affected customers should be advised to contact Selectboard members if they had any concerns. Selectman Morse felt this was inappropriate; any decision on whether the aforementioned tax was valid would be made by the Board of Listers (not the Selectmen). Selectman Adams also questioned whether the Village Trustees would have the right to charge non-Village customers this additional fee.

VIII. PUBLIC PARTICIPATION: Non-agenda items.

- a. Kathleen Lott: Vermont Assistant Attorney General Inquiry.** Ms. Lott noted that the Selectboard had received a letter from the Assistant Attorney General regarding alleged violations of the Open Meeting Law during its budget meetings. She wanted to know how the Board will be taking action. Selectman Adams stated that legal advice will be sought as soon as possible. Although this matter originally was considered for discussion tonight during executive session, the Board now will wait so that the Town's Attorney can attend the next regular meeting (04/26/10). Selectmen Adams and Morse disagreed over whether this issue should or should not be discussed in open session.

- IX. EXECUTIVE SESSION.** Motion by Selectman Morse, seconded by Selectman Adams, to go into executive session in order to discuss a legal matter (*Town of Northfield v. Jamie Demasi*). **Motion passed 5-0-0.**

The Board went into executive session at 8:35 p.m.

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

The Board came out of executive session at 8:45 p.m.

Motion by Selectman Adams, seconded by Selectman Johnson, to accept the order as written, including reimbursement from Mr. Demasi for replacing the stakes. **Motion passed 5-0-0.**

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

The Board adjourned at 8:47 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

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