

**TOWN OF NORTHFIELD  
BOARD OF SELECTMEN  
Minutes of June 14, 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, Donald Wallace, Scott Benoir (Scotty B's Trucking), Linda Barrows, Steve Atherton (Atherton Law PLC), Scott Cameron (Zalinger, Cameron & Lambek PC), and Kathleen Lott (*Northfield News*).

Chair Sanders called the meeting to order at 7:03 p.m.

**II. PUBLIC PARTICIPATION:**

- a. Donald Wallace: Northfield Recycling Depot & Transfer Station.** Mr. Wallace, who had been involved with the operation for the recycling depot since its inception, wanted some information regarding its status and the Board's future plans for it. Mr. Wallace had been appointed to an ad hoc committee on this matter when it was first known that the Central Vermont Solid Waste Management District (CVSWMD) was planning to get out of the business of operating the area's recycling depots. However, that committee has not met since March and he had not heard anything new.

Selectman Adams stated that Northfield is looking to continue to subcontract the operation of the depot to a private vendor. The plan is to extend the current contract through September 30, 2010 while a new, more comprehensive contract is written. This new contract would reflect the fact that Northfield, as of the new fiscal year, will have left the CVSWMD and become a member of the Mad River Resource Management Alliance (MRRMA). The ad hoc committee would be an important part of this process.

Selectman Morse stated that Waitsfield was the last MRRMA member community that still needed to approve Northfield's membership application. He was confident that there would be no obstacles to Northfield joining the MRRMA on July 1, 2010. He noted that there were several advantages to leaving the CVSWMD for the MRRMA, including the elimination of the hauling surcharge, a (slightly) lower per capita charge, etc. He expected it to be a smooth transition.

Mr. Wallace stated that he would like to see the area around the recycling depot cleaned up, as it was started to look like a dump. He added that he would be very interested in being involved in any decisions regarding the depot's future.

Scott Benoir, who runs his own trash drop-off site, wanted to know why he has been denied permission to place his business sign (sandwich board) on the Village Common. He had asked Zoning Administrator Michele Braun for permission and she told him that he would have to speak to Manager Allard. Manager Allard then denied permission, stating that the sign was unacceptable. Mr. Benoir wanted to know the reason behind this, as signs on the Common are a common sight.

Manager Allard stated that there is a process in place and added that the Village Trustees have been adamant in the past against such off-premise signs. They have been tolerant of temporary signage for non-profit organizations and for fundraisers; this toleration did not extend to for-profit businesses. She stated that this is made clear in the current Northfield Zoning Regulations. Attorney Stephen Atherton noted that these regulations specifically allow sandwich board signs.

Selectman Adams suggested that this matter should be determined by Ms. Braun in accordance with existing regulations. Mr. Benoir added that his signage was sited properly on rented property, that the signage is only on display during business hours, and that the information is very helpful to his customers. Mr. Benoir will meet soon with Ms. Braun and try to resolve this matter. Selectman Morse advised that the process should be well documented so that there are no future misunderstandings.

- III. EXECUTIVE SESSION (1).** Chair Sanders noted the presence of Town Attorney Scott Cameron, who is here to advise the Selectman on two (2) separate legal matters. He suggested altering the order of the agenda to accommodate Mr. Cameron's schedule. Motion by Selectman Adams, seconded by Selectman Goslant, to go into executive session with Manager Allard and Town Attorney Scott Cameron present for the discussion of legal matters. **Motion passed 5-0-0.**

The Board went into executive session at 7:25 p.m.

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

The Board came out of executive session at 8:05 p.m.

Motion by Selectman Morse, seconded by Selectman Johnson, that the documentation regarding the Northfield v. Jamie Demasi be returned to the attorney so that certain legal points might be clarified. **Motion passed 5-0-0.**

**IV. APPROVAL OF MINUTES**

- a. **May 25, 2010 (Joint Board Meeting).** Motion by Selectman Morse, seconded by Selectman Johnson, to approve the minutes. **Motion passed 4-0-1, with Selectman Adams abstaining.**

**V. APPROVAL OF BILLS**

- a. **Warrant #24-10.** Motion by Selectman Morse, seconded by Selectman Adams, to approve Warrant #24-10 in the amount of \$121,862.27. **Motion passed 5-0-0.**

**VI. LIQUOR CONTROL COMMISSION**

- a. **Outside Consumption Permit Application (Norwich University).** Motion by Selectman Morse, seconded by Selectman Goslant, to approve Norwich University's request for an Outdoor Consumption Permit. The application letter states that Sodexo employees will "ensure that alcoholic beverages remain within the designated area," which will be a "picnic area" adjacent to Harmon Hall. Chair Sanders expressed apprehension regarding excessive noise and Selectman Goslant was concerned that our police department would have to respond if there were problems. Selectman Adams stated that Sodexo had pledged to maintain order and he felt that they should be given the opportunity. If problems do develop, this permission could be rescinded. **Motion passed 5-0-0.**

**VII. SELECTBOARD**

- a. **Northfield Recycling Depot & Transfer Station: Extension of Agreement to Operate.** Manager Allard stated that local attorney William Smith had drafted an amendment to the current contract with Earth Waste Services that would extend their operation of the Northfield Recycling Center for an additional three (3) months. Selectman Morse felt that the "hold harmless" language in the original contract (**ARTICLE IX: INDEMNIFICATION**) needed to be clarified so that it is unambiguous that the contactor is responsible for any damages, contamination, etc. Selectman Johnson agreed that the language should be made stronger. Selectman Adams stated that since the current contract is valid until the end of the month, there is time to return it to the attorney for revision. Kathleen Lott noted references to "District" in the original contract; these references will be outdated when Northfield leaves the CVSWM. This will be corrected as well.
- b. **Central Vermont Solid Waste Management District Update.** Selectman Morse had provided the other Board members with an email detailing his attendance at the CVSWM Board Meeting held on June 2, 2010. As indicated in his email, he was not allowed to provide his PowerPoint demonstration regarding the \$12,600 that CVSWM alleges that Northfield will have to pay at the termination of its membership. This was the same demonstration given at the last Joint Board Meeting (05/25/10). Selectman Morse still maintains that, for various reasons, Northfield is not responsible for this debt. Selectman Adams noted that our attorney is working on this matter and that no payment will be made until this matter is resolved legally. Selectman Johnson thanked Selectman Morse for all his work on this. He added that it was unfortunate that the CVSWM Board would not accept the presentation.

Manager Allard noted that the Board would need to appoint representatives to the Mad River Resource Management Alliance (MRRMA). Presumably, these would be the same individuals appointed in March as CVSWMMD representatives. Motion by Selectman Adams, seconded by Selectman Morse, to appoint Fred White as Northfield's representative to the MRRMA and to appoint Charles Morse as the alternate representative. **Motion passed 5-0-0.**

- c. **Road Surface Management System (RSMS) Program.** Selectman Johnson stated that the Highway Subcommittee recommends the revised figures developed by Superintendent of Public Works William Lyon and Highway Foreman Peter G. Demasi since the last meeting. Amounts for specific roads were changed to reflect current conditions. The deficits projected in future years may be eliminated through other revenue sources (i.e. grant money); if not, the overspending would be eliminated. Manager Allard noted that Foreman Demasi did a reevaluation of the roads in the spring and found that some were not as bad as originally thought. Selectman Johnson added that testing of road materials from various suppliers has been completed. It was recommended that the normal bidding process be suspended this year so that a sampling of high-grade material from different sources be tried out to see which works best. The normal process of advertising for low bids, with revised specifications based upon the results of this trial period, would be reinstated next year.
- d. **Ambulance Billing Abatements.** Manager Allard noted that these were the normal end-of-the-fiscal-year write-offs for uncollectable bills. Motion by Selectman Morse, seconded by Selectman Johnson, to abate \$4852.97 in uncollectable ambulance billing. Selectman Goslant asked if this amount was higher or lower than usual. Selectman Morse remembered when the amount was much higher. **Motion passed 5-0-0.**
- e. **Recognition of former Police Chief Jeffrey Shaw.** Selectman Morse had emailed the other Board members a draft letter that recognized Chief Shaw for his service to Northfield as well as the various achievements during his tenure, i.e. obtaining grant monies, etc. He thought it would be a good idea if the Selectmen provided Chief Shaw with a letter of recommendation that he could use when applying for employment, etc. Selectman Adams felt that any such letter should be written by Manager Allard, as she had been Chief Shaw's immediate supervisor. Manager Allard stated that if she were asked to sign such a letter, she would prefer to draft it herself. She added that Chief Shaw himself made no request for a letter of recommendation from her. Selectman Goslant disagreed with some of the wording in Selectman Morse's draft; he felt that it was wrong to deny that there had been some problems during Chief Shaw's tenure. Selectman Morse stated that he would rework his draft in the form of a resolution recognizing Chief Shaw's achievements; the other Board members can decide for themselves whether or not they would like to sign it.
- f. **Joint Board Meeting (Tax Rates): Tuesday, July 6, 2010.** Manager Allard stated that the Town Selectmen and Village Trustees will be asked to approve the proposed tax rates at this meeting so that the tax bills can go out in time.
- g. **Status Reports: Various Projects**
  - 1. **Police Station Plaque.** Chair Sanders requested that a brass tablet honoring the late George Doney be installed in the Police Station's Training Room. He provided the exact wording to Manager Allard.

#### VIII. MANAGER'S REPORT

- a. **Status Reports: Various Projects**
  - 1. **Succession Plan.** Manager Allard provided the Board members with a draft generic succession plan. This can be on a future agenda for discussion if the Board chooses. Selectman Adams stated that he had expected something more specific regarding Superintendent Lyon's position, i.e. how have/will his various duties be reassigned, the training that will need to be done for his successors, etc.

**IX. PUBLIC PARTICIPATION:** Non-agenda items

- a. Kathleen Lott: Interim Police Chief.** Ms. Lott asked if an interim Police Chief had been chosen yet. Manager Allard stated that Northfield Police Sergeant Chris Outten had been appointed. She added that the deadline for applications for the vacant Police Chief position was this coming Friday (06/18/10). She added that there had been thirty-one (31) applications so far and that the Police Chief Search Committee would hold its initial meeting on Monday, June 21, 2010.

**X. EXECUTIVE SESSION (2).** Motion by Selectman Morse, seconded by Selectman Adams, to go into executive session with Manager Allard present in order to discuss a personnel matter (Town/Village Union negotiations). **Motion passed 5-0-0.**

The Board went into executive session at 9:07 p.m.

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

The Board came out of executive session at 9:55 p.m. No action was taken.

**XI. ADJOURNMENT.** Motion by Selectman Morse, seconded by Selectman Johnson, to adjourn. **Motion passed 5-0-0.**

The Board adjourned at 9:56 p.m.

Respectfully submitted,

*Kenneth L. McCann*

Kenneth L. McCann, Acting Clerk

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