

**TOWN/VILLAGE OF NORTHFIELD
JOINT BOARD MEETING
BOARD OF TOWN SELECTMEN
BOARD OF VILLAGE TRUSTEES
Minutes of January 21, 2013**

- I. ROLL CALL.** Select Board Chair Chris Bradley, Selectmen Brad Denny, Charles Morse (7:08 p.m.), John Quinn III, and Gregory Sanders; Trustees Chair Kevin T. Beal, Trustees Colin T. Bright, Dennis Donahue, Stephen Fitzhugh, and K. David Maxwell (absent); Town Manager Robert Lewis and Village Manager Jay Marcotte; Merger Committee members Mel Adams, Carolyn Stevens, Donald Wallace, and Christopher Curtis; Nanci Allard, Nancy Berini; and John Stevens.

Prior to the Joint Board Meeting, the Town Selectmen and Village Trustees held a Public Hearing beginning at 6:00 p.m. for the purpose of obtaining written or oral views on the proposed plan for Town and Village merger to be voted upon at the next annual Town Meeting (March 5, 2013).

Select Board Chair Bradley stated that Selectman Morse would be late for this meeting as he now is attending a meeting of the Mad River Resource Management Alliance (MRRMA). Chair Bradley then noted that the text of the Merger Plan has not been revised since the Merger Committee formally presented it to the Town Selectmen and Village Trustees in early November 2012. He then asked if anyone would like to speak on the matter.

Nanci Allard stated that at the last public hearing on this topic (01/02/13), she had spoken of budget and financial concerns arising from the proposed municipal merger. She still feels that Northfield residents are being asked to vote on something that does not have firm numbers. In addition, Village residents are being asked to relinquish valuable assets (i.e., municipal utilities) without any assurances that they will be protected.

Trustees Chair Beal stated that the Town and Village Managers will be creating a combined municipal budget before the vote is taken so that Northfield residents can see the fiscal impact of merger. This information would be distributed as widely as possible both in hardcopies and on the municipal website. Ms. Allard still believes that the merger process is being fast-tracked before the voters can get a full consideration of the costs of this Merger Plan, financial or otherwise.

Selectman Denny noted that the Merger Plan provides for two (2) transition periods; municipal merger would not take effect until July 1, 2014 and afterwards there would be a nine (9) member combined Select Board until March 2015. The details of running a merged municipality can be developed at that time. Ms. Allard would like these particulars before the vote is taken.

Mel Adams, who served as Chair of the Merger Committee, stated that in drafting the Merger Plan, the committee did not envision either the Town or Village giving up anything as there would be a consolidation of the municipality's assets. He also believes that the boards should be able to work things out.

Ms. Allard stated that there needs to be some consideration of how Northfield utilities have subsidized Town operations in the past, such as Water/Sewer workers assisting the Town Highway crew with snow plowing, etc. She is concerned that Village utility ratepayers will be subsidizing Town taxpayers. Trustee Bright believes that if this unfair situation has existed for a number of years, this is the time to correct it through merger. He felt that the Merger Plan's vagueness on some matters would allow for changes that would ensure fairness regarding this ratepayer versus taxpayer issue. Merger Committee member Donald Wallace noted that utility customers living outside the Village have never had a say regarding utility operations; should the Merger Plan pass, they would at last have a voice.

Merger Committee member Carolyn Stevens felt that this Town versus Village argument is misleading as the merged community will be a continuation of both entities; the combined municipality will be called the "Town of Northfield" because this is the State of Vermont's preferred nomenclature. She does not feel that the Village will be giving everything up to the Town.

Merger Committee member Chris Curtis stated that the committee's assignment was to create a document that would achieve the consolidation of Northfield Town and Northfield Village; he believes that the Merger Plan would accomplish this. Mr. Curtis also felt that specific operational concerns, including those involving the utility departments, would need to be worked out over time.

Selectman Denny stated that the central question is whether Northfield wants to retain two (2) relatively weak local government units or instead form a single strong, united government unit. He added that in this twenty-first century, local governments need to be both sophisticated and strong so Northfield should move in the direction of a unified community.

Trustee Fitzhugh noted that the Merger Plan states that the combined municipality would set electric rates; in fact, the Village currently submits rate changes to the Public Service Board (PSB), which actually sets the rates. He would like this clarified in the text. Mr. Adams had no objection to this minor rewording. Trustee Fitzhugh also is concerned about the two (2) new utility commissions and their relationship to the new consolidated Select Board. Mr. Adams stated that the Merger Committee members envisioned that these utility commissions would have an advisory role only. Given that the consolidated Select Board would have responsibilities over matters now split between two elected boards, such as highways, utilities, etc., it was thought that it could make effective use of a dedicated committee that could make recommendations on utility matters. Final decisions, however, would remain with the elected officials.

Selectman Denny felt that another argument in favor of merger is that a consolidated community would facilitate economic development; matters that currently have to come before both boards, such as utility expansion beyond Village borders, would no longer fall into a "gray area of responsibility." As the utilities have all expanded outside the Village, merger would equalize the situation for all users. Selectman Denny noted that since thirty percent (30%) of Northfield land is exempt from taxation, the municipality needs to be especially efficient in its attempts to expand the tax base. Chair Beal noted that the bulk of this tax-exempt property is owned by Norwich University (NU), which is a great asset to the community in the number of jobs it provides to the local economy, etc. Mr. Wallace noted that even with these exemptions, NU is one of the three (3) largest taxpayers in Northfield.

Ms. Allard noted that the Village always was willing to expand utility services beyond its borders. She added that it was the Town that decided to change its Sewer Ordinance to remove the stipulation for mandatory hookups when a plan was developed to expand sewer lines into the Wellfield Protection area. This change undermined the fiscal underpinnings of the project, which has since been put on hold. Chair Bradley confirmed that the Select Board took this action to protect residents in the area who had perfectly functioning private septic systems; he felt at the time that it was the Select Board's responsibility to look out for its constituents' interests.

Selectman Morse arrived at this time.

Motion by Trustee Donahue, seconded by Trustee Beal, to amend the Merger Plan by adding the word "respectively" to the end of Section 12A. (This is in regards to Trustee Fitzhugh's concern stated above regarding who actually sets electric rates.) **Motion passed 8-0-1, with Selectman Morse abstaining.**

Trustee Fitzhugh left at this time to attend a Planning Commission meeting.

Chair Bradley noted that Trustee Fitzhugh has researched adding lien authority for delinquent electric accounts to the Merger Plan. The Town of Hardwick has incorporated this authority into its charter and the language it used seems to be appropriate for Northfield. Motion by Selectman Morse, seconded by Selectman Sanders, to amend the Merger Plan by inserting as the new Section 12B the following: "The charges and rates for electric service shall be a lien upon real estate, wherever located, furnished with such service in the same manner and to the same effect as taxes are a lien upon real estate under 32 V.S.A. §5061. The owner of such property furnished with electric service, wherever located, shall be liable for such charges and rates." Chair Beal noted that the wording above had been circulated amongst the Town Selectmen and Village Trustees with no objection. It also has been approved by attorney Paul Giuliani. Putting this into the Merger Plan would eliminate the need for a future charter change. Mr. Adams did not believe that the Merger Committee members would oppose this amendment as it would put Northfield on equal standing with other communities with municipal electric departments. It was noted that mechanisms for waivers due to hardship, etc., could be formalized through a future ordinance. Manager Marcotte stated that Vermont Public Power Supply Authority (VPPSA) also has endorsed this action. **Motion passed 8-0-0.**

Chair Bradley asked if the Board members had any other revisions they would like incorporated in the text. Selectman Denny noted that Selectman Sanders had earlier requested a reference in Section 1 to Section 10. Mr. Adams suggested that perhaps Section 10 should be moved up to become the new Section 2. **There was no objection to this revision.**

Chair Bradley noted there was another past request to revise Section 11A to include a reference to Section 12 (as there are in Sections 11B and 11C). Motion by Trustee Bright, seconded by Trustee Donahue, to amend the Merger Plan by adding the phrase "as specified in Section 12" to the end of Section 11A. **Motion passed 8-0-0.**

There being no other questions or comments, the Public Hearing closed at 7:45 p.m. The Joint Board Meeting began immediately.

II. PUBLIC PARTICIPATION: None.

III. DISCUSSION

a. **Town/Village Merger Plan.** Motion by Trustee Bright, seconded by Selectman Morse, to approve the Merger Plan as modified during tonight's Public Hearing. **Motion passed 8-0-0.**

b. **Approval of FY 2013/2014 Town General, Town Highway, and Village Highway Budgets.** Motion by Selectman Morse, seconded by Selectman Denny, to approve the FY 2013/2014 Town General, Town Highway, and Village Highway budgets as presented by management and dated January 16, 2013.

Selectman Morse believes that it is a mistake to spread \$41,000 in debt over the next two (2) years as this would burden future Select Boards. Chair Bradley noted that this shortfall is due to uncollected delinquent property taxes; a tax sale will be held this coming spring so most of this amount should be recouped then.

Chair Beal sees some changes to the Village Highway budget that the Village Trustees approved earlier (12/18/12). He believes that it would be proper form for the Village Trustees to rescind their previous approval and then adopt the new budget. Motion by Trustee Bright, seconded by Trustee Donahue, to reconsider its previous approval of the FY 2013/2014 Village Highway budget. **Motion passed 3-0-0.** Motion by Trustee Bright, seconded by Trustee Donahue, to approve the FY 2013/2014 Village Highway budget as presented by management and dated January 16, 2013. **Motion passed 3-0-0.**

Trustee Bright then thanked both the Town and Village Managers for all their hard work in devising such good highway budgets.

Motion to approve the FY 2013/2014 Town General, Town Highway, and Village Highway budgets passed 5-0-0.

c. **Moretown Landfill update.** Selectman Morse provided a report from his earlier meeting this evening. He stated that should the State continue in its intention to close the Moretown Landfill, this would leave the landfill in Coventry as the only one in Vermont able to accept municipal waste. It would be expected to raise its rates should this occur, which would be an added expense to residents in addition to higher transportation costs. Also, the Agency of Natural Resources (ANR) has suggested that there are other landfill sites that could be developed but this would take several years and a lot of money. Selectman Morse stated that the landfill's owner has hired an engineering consultant to look into fixing the odor problems as well as the possibility of generating electricity at the site. He believes that if a proper action plan is submitted to the State, there might be a reconsideration of the scheduled closing. Manager Marcotte stated that, as the Boards requested, he is drafting the letter of support for the continued operation of the landfill. A local newspaper article regarding appeal process was incorrect regarding the deadline for such submissions as well as the recommended verbiage. Selectman Morse will forward the new information to Manager Marcotte for incorporation into the letter. Chair Beal believes that the ANR has shown a real lack of planning in letting this situation get so far out of hand that Vermonters now are being threatened with steep increases in the cost of waste disposal. Selectman Morse feels that the ANR has no real expertise regarding landfills and overreacted when landfill neighbors first raised a stink about the stench.

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

V. ADJOURNMENT. Motion by Trustee Bright, seconded by Selectman Denny, to adjourn. **Motion passed 8-0-0.**

The Joint Board Meeting adjourned at 8:02 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

These minutes are subject to approval at the next meeting.

An audio recording of this meeting is available in the Town Manager's Office.