

**TOWN/VILLAGE OF NORTHFIELD
JOINT BOARD MEETING
BOARD OF VILLAGE TRUSTEES
BOARD OF TOWN SELECTMEN
Minutes of May 27, 2014**

- I. ROLL CALL.** Select Board Chair John Quinn III, Selectmen Brad Denny, Lynn Doney, Matthew Gadbois, and Kenneth W. Goslant. Trustee Chair Dennis Donahue, Trustees Kevin T. Beal, K. David Maxwell, and James R. Wilson. Also present were Town Manager Robert Lewis, Acting Village Manager Stephen Fitzhugh, Acting Clerk Kenneth McCann, Laurie Baroffio (Finance Director), James Dziobek (Police Chief), Patrick DeMasi (Utility Superintendent), Ramon E. Hudson (Road Foreman), Justin Pickel (Animal Control Officer), Thomas Nesbitt (Phelps Engineering), Trudy Jones, David Black, Candace Medeiros, Fred Pattin, Lorna Sturtevant, and Kathleen Lott (*Northfield News*).

Prior to the regular meeting, the Village Trustees and Town Selectmen held a Public Hearing beginning at 7:00 p.m. pursuant to 20 V.S.A. § 3546 for the purpose to hear evidence and receive testimony on a complaint of a "public nuisance" concerning an unlicensed dog named Hunter owned by Rebecca Martin presently residing at 203 King Street. Trustee Chair Donahue opened the meeting to anyone who would like to address this matter.

Justin Pickel is the Animal Control Officer for Northfield as well as a part-time Northfield Police Officer. He stated that there have been at least four (4) complaints regarding the dog in question that included running at large, menacing behavior, etc. However, Mr. Pickel believes that some recent complaints actually may involve a different yellow Labrador that resides on Turkey Hill Road. It was only after this public hearing was scheduled that Mr. Pickel determined that there might be confusion over the identity of the dog causing trouble. Town Manager Lewis stated that he has been aware of complaints regarding one or both of Ms. Martin's dogs since he began working as Town Manager in July 2011. He asked if Ms. Martin has done anything recent to rectify the situation. The King Street residents present said that nothing substantial had changed.

Mr. Pickel stated that Ms. Martin currently has two (2) unlicensed dogs and he has personally advised her of the necessity to license both dogs with the Town Clerk's Office as soon as possible. Manager Lewis noted that the dogs in question appear not to have been licensed for several years. He asked Mr. Pickel if he has written any tickets for this violation. Mr. Pickel stated that Ms. Martin is still in the grace period since he informed her in person that she was in violation. Beginning on Monday, June 2, 2014, Mr. Pickel will begin issuing tickets should the dogs remain unlicensed.

Candace Medeiros has lived on King Street for the past two (2) years and has had a number of bad experiences with Ms. Martin's dog Hunter. For example, the dog once cornered her on a neighbor's porch and began growling and exhibiting other threatening behavior until Ms. Martin's son took the dog away. Another time, Hunter and another dog (possibly not Ms. Martin's) prevented her from entering her own house while they were going through her trash cans. About two (2) weeks ago, she found a bite mark on her horse and signs that a dog had broken through the fence to get to the horse. Given his past aggressive actions, Ms. Medeiros believes (but cannot prove) that Hunter was the guilty party.

Lorna Sturtevant has lived on King Street for thirteen (13) years and said that she has had problems with Ms. Martin and her dogs since they moved to King Street about three (3) years ago. She added that both Martin dogs run wild all the time and the yellow Labrador (Hunter) once threatened her in her own garden. At that time, Ms. Martin's companion yelled at Ms. Sturtevant and blamed her for the dog's actions. She has repeatedly met with Manager Lewis on this matter, written numerous complaints, etc. so she is wondering why it is taking so long to get something done. Ms. Sturtevant added that the dog already has attacked a child in his own backyard. In general, she primarily blames dog owners for bad pet behavior and wishes that there were more effective ways to deal with irresponsible pet owners.

Select Board Chair Quinn would like Mr. Pickel to continue to monitor the situation in addition to start issuing unlicensed dog tickets next week as he pledged. Mr. Pickel confirmed that he would do so. Selectman Goslant asked if the Animal Control Ordinance, which specifically outlawed dogs from "running at large," was still in effect. Mr. Pickel said that it was but the animal must be caught in the act before it can be impounded.

Chair Donahue felt that since there was some confusion over which dog was responsible for the more recent incidents, another public hearing on this matter should be held in another month or so with additional information gathered in the interim. Chair Quinn would like a written report prepared and distributed before the next public hearing is scheduled. Dave Black suggested that the King Street residents should keep their cameras handy so that any future violations can be documented and forwarded to Mr. Pickel.

Ms. Medeiros is disappointed that no action can be taken at this time given the recent attack on her horse. She is afraid that this might happen again if nothing is done. Ms. Medeiros also is concerned that her own dog, which she keeps properly restrained in her yard, might also be put in danger. Chair Donahue stated that the municipality must be careful to follow the state guidelines for such matters lest it open itself up to lawsuits from dog owners. He emphasized that this issue is being taken very seriously. Ms. Sturtevant was pleased that the Boards finally are taking action.

As there were no other questions or comments, the Public Hearing was closed at 7:25 p.m. The Joint Board Meeting began immediately.

II. PLEDGE OF ALLEGIANCE. The Board members and the public were asked to rise and recite the Pledge of Allegiance.

III. SET/ADJUST AGENDA. Manager Lewis and Manager Fitzhugh would like to table consideration of the agenda item "Approval of Proposals to Provide Cleaning Services for Brown Public Library & Municipal Building" until a future meeting.

IV. PUBLIC PARTICIPATION:

- a. Thomas Nesbitt, Phelps Engineering: Water System Improvements Projects (Central Street & King Street).** In the Board packets was a letter from John Kiernan, Phelps Engineering Vice-President, that provided cost opinions and breakdowns for both the Central Street (and Washington Street) and the King Street segments of the overall project. The estimated cost for the Central Street improvements would be \$1,145,000 and the King Street improvements has a projected cost of \$877,000. These are the amounts that Mr. Kiernan and Mr. Nesbitt recommend be included on the warning for the bond vote that is tentatively scheduled for late July 2014. Mr. Nesbitt stated that these cost estimates are for the water systems improvements only and do not include added expenses for addressing stormwater concerns by installing catch basins, etc. The Boards would need to decide whether to perform this additional work at the same time or wait until later. Mr. Nesbitt also suggested that the Boards may want to consider rounding up the amounts on the bond vote warning in order to cover potential cost overruns.

Chair Donahue asked how much the additional stormwater work would cost. Mr. Nesbitt does not have the exact figures with him but he estimated about \$100,000. Manager Fitzhugh stated that although there is need to use caution when dealing with enterprise funds, he thought it was preferable to do all the needed work once the ground is opened up. Mr. Nesbitt also felt it would be a good idea to use the same construction contractor to do all the work. Manager Fitzhugh noted that Daniel Currier from the Central Vermont Regional Planning Commission (CVRPC) has developed some preliminary plans to address the Central Street stormwater problems by installing grassy strips that would divert the stormwater to retaining ponds near the Village Common. Although he is not familiar with these plans, Mr. Nesbitt would be willing to work with Mr. Currier and Utility Superintendent Patrick DeMasi on this matter. Manager Lewis added that the state eventually will be mandating that municipalities deal effectively with stormwater overflows so it would be a good idea to prepare ahead of time for that day. Mr. Nesbitt stated that Phelps Engineering should be able to provide the cost estimates for addressing these stormwater concerns before the deadline for the bond vote warning to be approved and signed (at least thirty days before the election).

Chair Quinn noted that the cost estimates for the Central Street work includes a lot of sidewalk repair expenses. Trustee Beal stated that this is only for sidewalks torn up during water main installation. Trustee Maxwell asked where the new mains would be installed on King Street. Mr. DeMasi was not sure but he did not think that they would go under the sidewalks as the utility poles are situated there. Chair Donahue would like a "ballpark cost" for the additional stormwater work prior to the next regular meeting of the Village Trustees (06/10/14). Mr. Nesbitt will coordinate with Mr. DeMasi to generate that information.

Selectman Denny noted that the main reason behind the King Street project is low water pressure; would there be a new water source for the street to resolve this? Mr. Nesbitt stated that the primary reason for the low water pressure was the reduced size and poor condition of the current water pipes. King Street would continue to get its water from the water main located along Main Street. Selectman Goslant asked if there were any stormwater issues on King Street. Mr. DeMasi said that there was not because the catch basins there empty directly into the nearby Dog River. Chair Donahue then thanked Mr. Nesbitt for the information provided tonight.

V. JOINT DISCUSSION

- a. **Approval of FY 2014-2015 Inter-Departmental Charges Policy.** Finance Director Laurie Baroffio stated that the Town Selectmen and Village Trustees received a draft version of this policy when they were meeting to develop the post-merger combined budget. Although some minor changes were agreed upon at that time, the policy has never been formally approved and she would like that done tonight. Selectman Goslant asked to be reminded what these changes were. Ms. Baroffio said that there were some minor adjustments regarding the Equipment Rental Fee, Government Administration, and PILOT Funds. Motion by Selectman Denny, seconded by Trustee Maxwell, to approve and sign the FY 2014-2015 Inter-Departmental Charges Policy. **Motion passed 9-0-0.**

- b. **Possible Purchase of Jumping Jack Tamper.** Road Foreman Ramon Hudson would like the Boards' authorization to purchase a new jumping jack tamper. The one that the Highway Department owns is old and past its replacement age. The Water/Sewer Department does own one but there are times when it is already in use when the Highway department needs it. The cost of purchasing a new one is \$2500. Trustee Beal asked how old was the tamper owned by the Water/Sewer Department. Mr. DeMasi thought that it was about three (3) years old.

Chair Quinn thought that this matter had been discussed during the budget process. Manager Lewis confirmed that it had been and it was felt that the two departments could share the one tamper without any problem. Manager Fitzhugh noted that the construction season in Vermont is relatively short and \$2500 is not a lot of money to make sure that all the summertime work that needs to be done does get completed in time. Chair Quinn still believes that the current equipment should be shared.

Selectman Gadbois does not have a strong objection to this possible purchase except that this matter was discussed during the budget process and there was a decision made at that time. He believes that the Boards should stick to the budget that was approved. Mr. Hudson stated that unanticipated revenue was generated by his department by selling the old jack hammer as well as some scrap metal. The funds obtained should pay for this purchase. Chair Quinn noted that some unexpected expenses also have come up since the budget was approved.

Mr. DeMasi stated that his department's increasing installation of new pipe would keep the Highway Department from being able to use the tamper to install new culverts when it wanted to do so. In addition, the constant use of the tamper by both departments would result in increased wear and tear, thus shortening its effective lifespan. Also, the utility departments that are supported by ratepayers cannot be expected to purchase equipment for the Highway Department.

Chair Donahue asked if there was a motion to authorize this purchase. Trustee Beal did not believe that there were enough votes at this time to support this action. He agreed with the need to keep to an approved budget but also felt that circumstances do change over time that might require exceptions. Trustee Beal then suggested postponing further discussion of this matter for a month or so to see if the hardships that have been predicted tonight actually do occur. If real problems can be documented, this might change some minds on this matter. Selectman Gadbois still felt it was important to adhere to the budget that the voters approved. Chair Quinn noted that the Boards did agree to purchase a new dump truck ahead of schedule when the need for this was fully demonstrated. He did not believe that any similar urgency had been proved tonight for a new jumping jack tamper. He would like to see this proof before supporting this purchase.

- c. **Sale of Former Police Station (52 East Street).** Manager Fitzhugh stated that the Village Trustees have formally approved the sale of the two (2) East Street properties to the high bidder, William Lyon, for \$35,000. A thirty (30) day notice needs to be posted before the sale can be finalized and this posting began on Monday, May 19, 2014. There are a couple issues related to this sale that should be resolved tonight: the appointment of a Conveying Real Estate Agent for this sale as well as a Board recommendation on how the net sale proceeds should be used.

Motion by Trustee Beal, seconded by Trustee Wilson, to appoint Manager Fitzhugh as the Conveying Real Estate Agent. **Motion passed 4-0-0.**

Chair Donahue stated that at the last Village Trustees regular meeting (05/13/14), there had been two (2) suggestions on how the net funds generated by this sale should be used: to cover the shortfall for the purchase of the new one ton truck or to put the funds into the Municipal Building CIP account to finance needed repairs/improvements. Manager Fitzhugh noted that some of the sale funds would have to be used to bring the utility lines on the site into compliance. Green Mountain Power (GMP) will do this work but they have not yet provided their estimate for the cost.

Chair Quinn agreed with the proposal to use the net sale proceeds to address the Municipal Building's current deficiencies. Motion by Trustee Maxwell, seconded by Trustee Beal, to put the net sale proceeds of the East Street properties in the Municipal Building CIP account. Ms. Baroffio noted that at one time there had been some consideration of using the funds obtained from selling the East Street properties to cover the remaining shortfall in the earlier phase (south side) of the Village Common Rehabilitation Project. The current shortfall is about \$21,000. Trustee Beal still favors setting aside the proceeds for the Municipal Building. Trustee Maxwell asked how much is in the current Municipal Building CIP account. Ms. Baroffio said there was about \$38,000. **Motion passed 9-0-0.**

- d. Village Common Rehabilitation Project update.** Manager Fitzhugh stated that the project is nearly completed with some landscaping to be done along with crosswalk marking, etc. The Vermont Agency of Transportation (AOT) should be performing their inspection soon of the work to make sure all was done properly. In addition, Manager Fitzhugh learned this afternoon that TDS Telecom will be doing some rooftop work on their Depot Square office building over the next couple of days. This will require that a few parking spaces be closed off so that the work crane can be sited. Manager Lewis has concerns over the curb slope at the northeast corner of Depot Square and whether there will be sufficient sidewalk snow clearance this winter. Manager Fitzhugh stated that the design was the model preferred by AOT. He believes that this model is favored because it better addresses stormwater concerns. If there is a problem this winter, Manager Fitzhugh is sure that the Highway crew will be able to find a solution.
- e. LED Streetlight Replacement Project update.** Chair Donahue stated that at a Special Meeting last week (05/20/14), the Village Trustees approved the recommended bid for furnishing the LED light fixtures for this project. Last Wednesday (05/21/14) was the deadline for the submittal of the bid proposals for the installation of these new LED light fixtures. Two (2) bids were received: Northline Utilities LLC (\$42,140) and Bemis LLC (\$47,580). Manager Fitzhugh recommends awarding the bid to Northline Utilities LLC, which not only was the low bidder but also provided a comprehensive bid package showing their experience with this type of work. Motion by Trustee Wilson, seconded by Trustee Beal, to accept management's recommendation and award the bid to install LED streetlight fixtures to Northline Utilities LLC for an amount not to exceed \$42,140. Selectman Goslant noted that Manager Fitzhugh has done a lot work on this project and largely thanks to his efforts, there should be huge cost savings in this project over the initial estimates. Manager Fitzhugh confirmed that the original estimated total project cost was about \$330,000. With the already approved \$72,000 expense to purchase the LED light fixtures and the installation cost to be authorized tonight, the actual project expense should be about one-third ($\frac{1}{3}$) of the original estimate. This does not include any Efficiency Vermont rebate funds, etc. Manager Fitzhugh added that the LED light fixtures have been ordered and should be delivered in two (2) to four (4) weeks. Installation probably can be scheduled near the anticipated delivery date. **Motion passed 9-0-0.**
- f. Town/Village Merger Transition update.** Manager Lewis stated that he and Manager Fitzhugh are attempting to schedule meeting times to discuss reconciling Town and Village ordinances, etc. Manager Fitzhugh added that he met with David Mullet from the Vermont Public Power Supply Authority (VPPSA) to ensure that ownership of all the Village's utility stock and certificates will automatically change over to the Town of Northfield upon the effective date of merger (07/01/14).
- g. Town Manager Search Process update.** Trustee Beal, who is Chair of the search committee, stated that another candidate was in Northfield today. This was the third candidate to be interviewed in person by the committee members, meet with the department heads, etc. The committee will be meeting again later this week (05/29/14) to discuss how to proceed so there is no recommendation for action at this time.

VI. BOARD OF VILLAGE TRUSTEES

- a. **Approval of Minutes: May 13, 2014 (Regular Meeting).** Motion by Trustee Beal, seconded by Trustee Wilson, to approve the minutes. **Motion passed 4-0-0.**
- b. **Approval of Minutes: May 20, 2014 (Special Meeting).** Motion by Trustee Beal, seconded by Trustee Wilson, to approve the minutes. **Motion passed 3-0-1, with Trustee Maxwell abstaining.**
- c. **Approval of Bills: Warrant #23-14.** Motion by Trustee Maxwell, seconded by Trustee Wilson, to approve Warrant #23-14 in the amount of \$188,667.88. **Motion passed 4-0-0.**
- d. **Annual Village Meeting.** Chair Donahue read the warning for the final Annual Northfield Village Meeting, which will begin at 7:30 p.m. in the Mary Granai Corrigan Auditorium at the Northfield Middle/High School on Tuesday, June 3, 2014.
- e. **Status Reports: Various Projects**
 1. **Village Trustee Vacancy.** Chair Donahue noted that Trustee Maxwell's term will expire on Village Meeting Day. However, the term of the seat that Manager Fitzhugh resigned from upon assuming his current position will not expire until Town Meeting Day 2015. Trustee Maxwell has volunteered to serve the remainder of this term, which after July 1, 2014 will be on the post-merger consolidated Town Select Board. This position will be advertised in case anyone else from the general public is interested in serving. If possible, Chair Donahue would like the Board to fill the seat at its next regular meeting (06/10/14).

VII. LIQUOR CONTROL COMMISSION

- a. **Liquor License Renewal Application: The Woods at Wihakowi.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the liquor license renewal. **Motion passed 5-0-0.**

VIII. BOARD OF TOWN SELECTMEN

- a. **Approval of Minutes: May 12, 2014 (Regular Meeting).** Motion by Selectman Gadbois, seconded by Selectman Denny, to approve the minutes. **Motion passed 5-0-0.**
- b. **Approval of Bills: Warrant #23-14.** Motion by Selectman Gadbois, seconded by Selectman Denny, to approve Warrant #23-14 in the amount of \$87,319.64. Selectman Gadbois asked about a \$11,494 purchase of plant mix. Mr. Hudson said that this was road gravel placed on numerous backroads during Mud Season. Chair Quinn asked if it really cost only \$2500 to have the trees on Cardinal Lane removed and the stumps ground down. This was confirmed by Mr. Hudson. Chair Quinn thought it might be a good idea to get an estimate from the same company to remove some of the excess trees at Memorial Park. Selectman Goslant stated that the Recreation Committee is planning to make some recommendations at the next Select Board meeting (06/09/14). **Motion passed 5-0-0.**
- c. **Approval of Bi-Weekly Payroll through May 11, 2014.** Motion by Selectman Gadbois, seconded by Selectman Goslant, to approve the bi-weekly payroll in the amount of \$52,723.73. Selectman Goslant asked for an explanation of the acronym in the "GHSP Billable Special Detail" for the Northfield Police Department. Chair Quinn said that it stood for the "Governor's Highway Safety Program." **Motion passed 5-0-0.**
- d. **Special Town Meeting.** Chair Quinn noted that the Australian Ballot election of the new utility commissioners will take place in the lobby of the Northfield Middle/High School on Tuesday, June 3, 2014, from 7:00 a.m. to 7:00 p.m. Early and absentee balloting also is available through the Town Clerk's Office. It was noted that participation in the election is limited to registered Northfield voters who are customers of at least one of the local municipal utilities (Water, Sewer, and/or Electric).
- e. **Status Report: Various Projects.** The Town Selectmen had nothing to add.

IX. MANAGERS' REPORTS

- a. **Village Manager Fitzhugh**
 1. **Smart Meters.** Manager Fitzhugh and Utility Office Manager Doug Reed recently spoke with GMP regarding smart meter installation and other requirements. He will continue to gather information on this before making a recommendation to the Boards.

b. Town Manager Lewis

- 1. Sale of Used Dump Truck.** Chair Quinn asked if the used dump truck was sold last week. Manager Lewis stated that there is a potential buyer but he has not yet committed himself on the sale. Trustee Maxwell asked if the purchase of the new truck is contingent on selling the old one. Chair Quinn stated that this had been the agreement during the budget process. Manager Lewis stated that the listed sale price for the old dump truck is \$34,000 since this is the shortfall in the budget for the purchase of the new one. Manager Fitzhugh would like to know whether or not Mr. Hudson has authorization to place the order now for the purchase of the new dump truck. Trustee Beal felt that the Boards had authorized the purchase irrespective of the sale of the old one. Selectman Gadbois said that the new truck could not be purchased until the 2014/2015 fiscal year begins on July 1, 2014. Manager Fitzhugh agreed that the truck would not be purchased until the new fiscal year but the dealer needs to be informed beforehand whether the Town is committed to the purchase so that the new truck can be placed on order. Mr. Hudson added that there is a two (2) month period to prepare the vehicle for municipal service. The sooner the order can be placed, the sooner the vehicle can be delivered to Northfield for immediate usage. Chair Quinn is confident that the old truck will be sold eventually but the final selling price remains uncertain. Trustee Beal would favor authorizing the commitment to purchase now and work out the final financing at a later time. Manager Lewis also is sure that the old truck will be sold and that it would be a mistake to postpone placing the order. Mr. Hudson was concerned that holding off on placing the order might mean that the new truck would not be ready for service until mid-winter. Chair Quinn asked if a motion was needed to authorize Mr. Hudson to place the order. Trustee Beal did not think so since the purchase itself has already been authorized by both Boards. The Town Selectmen and Village Trustees only need to provide direction on this matter. After further discussion, the consensus of the Boards was to allow Mr. Hudson to contact the dealer and commit to the purchase of a new dump truck.

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

XI. EXECUTIVE SESSION. Motion by Trustee Beal, seconded by Trustee Wilson, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss a personnel matter with Manager Fitzhugh present. **Motion passed 9-0-0.**

The Boards went into executive session at 9:25 p.m.

Motion by Trustee Beal, seconded by Trustee Maxwell, to come out of executive session. **Motion passed 9-0-0.**

The Boards came out of executive session at 9:50 p.m.

Motion by Trustee Beal, seconded by Trustee Maxwell, to endorse Manager Fitzhugh's recommendation to renew an employment contract with Utility Superintendent Patrick DeMasi. **Motion passed 8-0-1, with Trustee Donahue abstaining.**

XII. ADJOURNMENT. Motion by Trustee Beal, seconded by Trustee Wilson, to adjourn. **Motion passed 9-0-0.**

The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

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

These minutes were approved at the regular meetings of the Town Selectmen and Village Trustees respectively held on June 9 and 10, 2014.