

TOWN OF NORTHFIELD, VERMONT
SELECT BOARD PUBLIC HEARING & REGULAR MEETING
Minutes of February 13, 2024

- I. ROLL CALL.** Select Board Chair K. David Maxwell, Board members Charles Morse, Lydia Petty, Merry Shernock, and John Stevens. Also present were Manager Jeff Schulz, Acting Clerk Kenneth McCann, Mitch Osiecki (Zoning Administrator), Steve Fitzhugh (Planning Commission), Steve Davis (Planning Commission), William Smith (Development Review Board), David Mears (Northfield Conservation Commission), Russ Barrett (Northfield Conservation Commission), Jeremy Whalen (Town Forest Stewardship Committee), JuliBeth Hinds (Birchline Planning), Joseph Leavitt (DeLorean Power), Mary Nadon Scott (Accessibility, Walkability, and Pedestrian Safety [AWPS] Task Force), Kaitlyn Keating (Northfield Community Development Network [NCDN]), Carolyn Stevens (NCDN/AWPS Task Force), Kahwa Douoguih (NCDN), Bill Clements (AWPS Task Force), Delane McIlvene (AWPS Task Force), Ginny Kunkel (AWPS Task Force), Tim Schwartz (AWPS Task Force), Carl Pinkham (NCDN), Ruth Ruttenberg (NCDN), Gail Hall, Ray Kunkel, Heidi Kunkel, Nancy Peck, Laura Hill-Eubanks, Wallace McLean, Anne Donahue, Susan Stillinger, Ben Sanders, Mary McDaniel, Catherine Johnson, Don Doyon, Fred Nadon, Gerard LaVarnway, Margaret Smykal, and Elroy Hill.

Chair Maxwell called the meeting to order at 6:00 p.m.

- II. PLEDGE OF ALLEGIANCE.** Those present were asked to join the Select Board members in reciting the Pledge of Allegiance.

III. PUBLIC HEARING

- a. Town Zoning Bylaw Revisions.** Chair Maxwell began by quickly reviewing the procedures for public participation before opening the public hearing. He then asked those wanting to contribute their views to keep their remarks under five (5) minutes and allow others wishing to speak to do so before speaking a second time. Manager Schulz said this hearing is an opportunity for Northfield residents to comment on proposed revisions to the local zoning regulations. He added that the Planning Commission (PC) members have worked with consultant JuliBeth Hinds over the past two (2) years to produce the draft document now under discussion. Manager Schulz added that Ms. Hinds, Zoning Administrator Mitch Osiecki, and some PC members are here tonight to answer any questions. Steve Fitzhugh is the PC Chair and he provided an overview of the zoning bylaw revision process. He noted that a state planning grant provided the funds to hire Ms. Hinds to assist the PC members in revising the local zoning bylaws in order to bring them into compliance with state law and also reorganize them for easier reading, eliminate redundancies and/or contradictions, etc. Mr. Fitzhugh said the PC members held their own public hearing on December 6, 2023. They afterwards finalized the draft document that would be presented to the Select Board members in preparation for tonight's public hearing. With the exception of changes made to bring the bylaws in compliance with state law, Mr. Fitzhugh said there were few substantive changes to the current bylaws. The two (2) main changes were to reduce the minimum lot size in the low-density residential districts from five (5) acres to two (2) and to reduce the minimum road frontage on a new dwelling from two hundred feet (200') to one hundred feet (100'). Mr. Fitzhugh emphasized that the local zoning bylaws constitute a "living document" that can be further amended whenever the need arises. Chair Maxwell then asked if any members of the public would like to comment on the proposed zoning bylaws revisions.

David Mears is Vice-Chair of the Northfield Conservation Commission (NCC). He wanted to thank the PC members for creating such a comprehensive document but added that he and other NCC members have some concerns regarding some of its provisions. Mr. Mears said the NCC's main function is to protect Northfield's natural resources, including the Town Forest, from improper development. He is concerned that the revised zoning bylaws do not provide special designation for forested areas other than the blanket low-density residential designation. Mr. Mears also believes reducing the minimum lot size to two (2) acres would have a negative impact on the more rural regions of the community. He understands the reason for this change is to promote creation of new housing units in Northfield but didn't feel that most residents would like to have the rural aspects of this community damaged in the process. Mr. Mears would prefer that the minimum lot size in the low-density areas be kept at five (5) acres.

Laura Hill-Eubanks is a former PC member and was PC Chair when this zoning bylaw revision process began. She agrees with Mr. Mears that the current minimum lot size requirement should be kept as is. Ms. Hill-Eubanks believes local development should follow the expansion of municipal infrastructure into the less developed areas of the community. For example, extension of municipal sewer lines to Northfield Falls would greatly encourage further development in that area. However, Ms. Hill-Eubanks believes there also should be a balance between the needs for local economic development and the preservation of the more rural parts of the community. This viewpoint was incorporated in the current Northfield Town Plan, which was adopted less than four (4) years ago. Ms. Hill-Eubanks feels smart growth planning would recognize that further development should only be encouraged where the infrastructure exists to support it. Therefore, she would advocate that the minimum lot size be kept at five (5) acres for now. Manager Schulz asked if the Town Plan included the regulation of minimum lot sizes. Ms. Hill-Eubanks said that the document contained no set minimum sizes but did encourage keeping the rural areas reserved for recreational purposes, for wildlife protection, etc. She added that putting additional housing on unpaved backroads could create additional problems with road congestion, road damage, etc.

Nancy Peck is another former PC member and she agrees increased rural development would have a negative impact on the unpaved backroads. The additional traffic would not only include the new residents but also increased road usage from heavy delivery trucks, etc. Ms. Peck believes the unpaved backroads should be kept in good shape so that emergency vehicles can use them when needed but excessive usage would make it difficult for the municipality to maintain them to this standard. She feels that the five (5) acre lot requirement should be kept in place as Ms. Peck feels building new housing units in the more rural parts of the community would have little to no impact on the number of affordable housing units in Northfield. Ms. Peck felt it would be much more expedient to encourage conversion of one-family housing units to multi-family units in the downtown area to have a much larger impact in expanding the local housing stock.

Wallace McLean has resided on Homewilde Lane for the past fifty (50) years and he feels the current five (5) acre minimum lot size requirement is excessive. He lives in what is designated as a low-density residential district but he does have access to local infrastructure, i.e. paved roads, electric power, cable TV, etc. Mr. McLean said this area has seen increased development in recent years and he hasn't seen any negative impact on the roads, local wildlife, etc. He believes a blanket minimum lot size requirement that doesn't take into account such local conditions is not fair. Mr. McLean said that about ninety percent (90%) of Northfield's rural areas probably is unsuitable for new housing but also felt that the local regulations should be updated to allow for development in that remaining ten percent (10%) where it would be.

Jeremy Whalen is Chair of the Town Forest Stewardship Committee (TFSC). He also would like to see special protection status of the Town Forest and for pastureland in the local zoning bylaws. He added that TFSC members have been working on drafting language to establish conservation districts in Northfield in order to protect forested areas, etc. This would include Select Board approval of a conservation easement document and zoning the Town Forest as a protected recreational area.

Ruth Ruttenberg also served in the past as a PC member. She feels that all Northfield residents would like additional affordable housing as well as the protection of our natural resources. Ms. Ruttenberg believes we can do both through the zoning bylaws. She feels some low-density zones might be applicable for two (2) acre lot size minimums while other areas should maintain the five (5) acre lot size minimums. Ms. Ruttenberg thought that a blanket reduction would be a mistake and should be reexamined. If there is such a change, it should be targeted towards only those parts of town where appropriate. She also agreed that there should be more initiative to convert some single-family housing units to multi-family housing. In any case, Ms. Ruttenberg felt the changes now considered are ill-considered and should be further reviewed.

Ginny Kunkle thanked the PC members for all the work they put into the draft document now under consideration. However, she also felt more research should have been done regarding what kind of people would like to relocate to Northfield and what kind of housing they would prefer to live in, i.e. single-family homes, multi-family apartment units, etc. We need to be able to create affordable housing for those who cannot purchase rural property and construct new homes.

Steve Davis is a PC member who also serves on the Development Review Board (DRB). He said the main reason for lowering the minimum lot size to two (2) acres is the lack of available housing in Vermont. Mr. Davis felt smaller lot sizes and less government regulation would lead to the creation of additional housing units in Northfield. He would like to give all hard-working Vermonters the ability to own their own homes. With the State of Vermont now encouraging development in Northfield only along the Route 12 and 12A corridor, Mr. Davis felt that emphasis considerably limited the amount of land available for new housing in this community. He noted that the minimum lot size in Northfield was three (3) acres for a long time and the five (5) acre minimum is a fairly recent development. Mr. Davis lives on a backroad and he doesn't accept the view that new housing in the rural area inevitably causes the deterioration of unpaved roads. He also felt the housing crisis in Vermont has made obsolete the provisions in the Northfield Town Plan that would limit rural development. Mr. Davis feels this revision of the local zoning bylaws has created a chance to increase the amount of housing in Northfield and it would be a shame if this opportunity was missed.

Mary McDaniel doesn't feel that Northfield residents should isolate themselves from global concerns such as global warming, etc. Such concerns should make preserving our natural resources a local priority. There being no other comments from the members of the public present, Chair Maxwell closed the public hearing at 6:45 p.m. The Select Board members will discuss this matter later in the meeting when they consider action items.

IV. SET/ADJUST AGENDA. There were no changes to the posted agenda.

V. PUBLIC PARTICIPATION (SCHEDULED):

- a. Mary Nadon Scott, Accessibility, Walkability, and Pedestrian Safety Task Force: Northfield Sidewalk Survey Results.** Ms. Scott first thanked the Select Board members for allowing the survey results to be shared at this time. She noted the survey was conducted both through printed surveys as well as online submissions over a two (2) week period. There were 443 responses from Northfield residents, which can be broken down into 260 community members, 73 Northfield Middle/High School students, 72 elementary student parents/caregivers, 45 middle/high school student parents/caregivers, and 5 Northfield Elementary students. There was general agreement among about three-quarters of the respondents that the sidewalks located by the public schools are in fair to poor condition. In addition, 75% of the respondents who travel to the schools now do so by personal vehicle. Ms. Scott said the survey also allowed for public feedback through written comments. These comments have been categorized into a pie chart that shows respondent concerns about sidewalk conditions throughout the year, the need for better crosswalks, motorized traffic dangers, etc. Ms. Scott noted that although the Task Force members have requested the use of local American Rescue Plan Act (ARPA) funds to address poor sidewalk conditions, they also have looked into other sources of outside funding in order to address these problems. She hopes the Select Board members take the survey results into consideration when creating the priority list for sidewalk repair, installation, etc. Board member Petty was impressed that there were over four hundred (400) responses, which showed a high level of public interest in our sidewalk problems. Board member Shernock also found the written comments very illuminating. There were a number of references to the problems that snow and/or ice can cause when traversing local sidewalks in winter months. Chair Maxwell then thanked Ms. Scott and the other Task Force members for providing this valuable source of information to the Select Board members. This data will be very helpful when decisions regarding the local sidewalk situation are made in the coming months.

- b. Kaitlyn Keating, Northfield Community Development Network (NCDN): ARPA Funds Request (“River Walk” Path Scoping Study) update.** Since the last meeting (01/23/24), some Select Board members and Manager Schulz met with a representative from New England Central Railroad (NECR) regarding a possible railroad track crossing for the proposed river walk path. Board member Petty noted that the NECR representative indicated there probably would be strong objections from NECR management to establishing a trail crossing by the Fernandez Hardware store because of poor sight lines that make it a dangerous crossing location. It was noted there was a fatality at that location a few years ago. Although this person did not have the authority to make a final decision on behalf of NECR, he was not very encouraging that permission would be granted. Ms. Keating said NCDN members had understood that getting NECR permission might be difficult so they have looked at other possible path routes. They have considered splitting the proposed trail into three (3) segments with the first from Wall Street to the Senior Center, then from the Senior Center to the Main Street Bridge, and then from the Main Street Bridge to the riverside area behind the Dollar General store. Ms. Keating said with the upcoming dam removal and bridge replacement projects in The Main Street Bridge area makes it preferable that the latter segment be explored first. They have already been working with a contractor (Timber and Stone) on identifying property owners in the area as a prelude to reaching out to them for access permission. Their contractor has said completing even just one of the path segments would provide significant benefits to the Northfield community. Ms. Keating noted at that last meeting, the Select Board members authorized the use of \$5,000 in ARPA funds to conduct a conceptual study of the proposed riverside path. She then asked how NCDN should proceed in this matter.

Board member Morse said it would be preferable if NCDN would engage a contractor who has experience in dealing with railroad rights-of-way issues. He added that the commonly used pedestrian railroad crossing by Fernandez Hardware has always been discouraged by NECR due to safety issues. Unless a feasible alternate crossing site can be established, it is very likely people will continue to cross the tracks there whether or not it is sanctioned. Board member Morse noted this crossing is located on private property so the municipality cannot take its own steps to restrict access. He did feel there should be alternative routes for this riverside path that would include a safe railroad track crossing. Board member Morse noted the engineering firm DuBois & King is now working with the municipality on a Town Common rehabilitation project. Perhaps the question of establishing a safe pedestrian railroad crossing could be added to the scope of this project. Ms. Keating said NCDN is meeting with another consultant soon who has worked with the Cross Vermont Trail Association, which has established a series of bicycle and pedestrian trails traversing Vermont from Mallets Bay eastward to Wells River. They should have some experience in dealing with railroad rights-of-way and other private property access issues.

Board member Morse feels the riverside trail project has changed so much since it was first presented to the Select Board members that there should be some consideration at the next regular meeting (02/27/24) of rescinding the \$5,000 ARPA funds award. He felt this action was contingent on NCDN receiving NECR permission for the railroad track crossing. Board member Petty did not believe the motion awarding ARPA funds included such a stipulation. Board member Morse believed such a condition was clear when the motion was discussed. Ms. Keating also respectfully disagreed that the grant award depended on getting NECR permission at the beginning of the process. As there is some contention on this matter, Chair Maxwell felt it best that it be discussed in full at the next meeting when time will be set aside for ARPA fund requests. He noted there are several pedestrian railroad crossings in downtown Randolph and he cannot see why Northfield is treated in a different manner. Chair Maxwell also would like the procedure clarified regarding the future awarding of ARPA funds so there will not be any further confusion over what circumstances might lead to the rescission of such awards.

In the meantime, Board member Petty suggested Manager Schulz should get in contact with Katrina Dailey from the Vermont Natural Resources Council (VNRC), which is spearheading the Cross Brothers Dam removal project. She believes the plans for this project do include improved Dog River access as well as the possibility of creating a riverside parklet after the dam removal. It also might be useful for NCDN to interact with the engineers conducting the scoping study for improved safety for the pedestrian route along Wall Street and Water Street that would connect the downtown area to Dog River Park. Both Board members Petty and Shernock would also like to see the designs for the redesigned riverside path plans, i.e. updated maps, etc. Bill Clements from the AWPS Task Force cannot understand why NECR allows pedestrian railroad crossings in Randolph but here. He added there used to be a paved surface at the crossing by Fernandez Hardware but NECR tore that up at some point so the crossing is now more dangerous than it used to be. Board member Petty said NECR has no incentive to allow a path at that point since it traverses private property. However, she said NECR is willing to discuss improvements to the Wall Street crossing and that is our best bet for creating a safe railroad track crossing.

VI. APPROVAL OF MINUTES

- a. **January 23, 2024 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. **Motion passed 5-0-0.**

VII. APPROVAL OF BILLS

- a. **Approval of Warrant #15-24.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #15-24 in the amount of \$585,943.92. It was noted that of the total warrant amount, \$322,252.09 represented power purchases for the Northfield Electric Department (NED). Board member Morse asked about a \$780 payment for contracted street sweeping on South Main Street. Manager Schulz said this work was done in part to remove some leftover road material from the stormwater mitigation project. Board member Morse felt if this expense was related to that project, then the payment should come out of that Capital Improvement Plan (CIP) budget rather than from the operations and maintenance (O&M) budget. There was no objection to removing this payment from the warrant, which will have a revised amount of \$585,163.92. Chair Maxwell asked about a \$6,000 repair job for the 2020 Silverado truck. Manager Schulz said it was thought to be a mere brake repair job but at the dealership problems were also found with the ball bearings, transmission, etc. Manager Schulz has informed the department heads that in future they must obtain estimates and his expressed permission before similar major repairs are performed. Chair Maxwell asked about a \$19,900 charge to fix the heating system control system at the wastewater treatment facility. Manager Schulz said he explained this repair in full at last week's Utility Commissions joint meeting. This control panel controls the heating system for the three (3) separate buildings at that location. **Motion passed 5-0-0.**
- b. **Approval of Biweekly Payroll through January 21, 2024.** Motion by Board member Morse, seconded by Board member Stevens, to approve the biweekly payroll in the amount of \$119,248.74. **Motion passed 5-0-0.**
- c. **Approval of Biweekly Payroll through February 4, 2024.** Motion by Board member Morse, seconded by Board member Stevens, to approve the biweekly payroll in the amount of \$109,184.71. **Motion passed 5-0-0.**

VIII. SELECT BOARD

- a. **Town Zoning Bylaw Revisions: Select Board Recommendations.** Chair Maxwell asked if any of the Select Board members would like to comment on the proposed revisions to the Town Zoning Bylaws. Board member Morse noted zoning rules in Northfield have been adopted and periodically revised since 1973. These bylaws have the effect of law as they are enforced by the Zoning Administrator and rule violations are subject to penalties. He added this would be the tenth revision of the zoning bylaws, which were last amended in 2017. Board member Morse said the proposed bylaws were reorganized in order to make it much more readable and this was a much needed improvement. There is a set procedure for the revision process that includes these public hearings. Board member Morse has a number of suggested changes to the draft document now under discussion. Many of these were "housekeeping" matters involving typos and other minor problems. A full list of these will be provided in writing to Zoning Administrator Osiecki so the document can be amended.

Board member Morse also had more substantial suggestions including adding an additional zoning district designation, i.e. "recreational," for the Town Forest. Board member Morse also has concerns about lowering the minimum lot size in the low-density residential areas from five (5) to two (2) acres. He felt such a blanket change would have a very adverse effect on the unpaved backroads. He would like the five (5) acre minimum lot size in the current zoning regulations maintained. Board member Morse also would like the two hundred foot (200') minimum road frontage distance kept for new structures. He would like the language simplified in the "Fences" section that specifies that no wall, fence, or shrubbery should be erected on a street corner that would interfere with "traffic visibility." He understands the reason for this provision but the wording could be more concise. Manager Schulz said this paragraph certainly can be rephrased. Board member Morse also would like to see no restrictions on building new retaining walls unless they are located within the Town's right-of-way.

Board member Shernock agreed with many of Board member Morse's comments. She would also like to see some provisions regarding short-term rentals. Ms. Hinds said this matter could be addressed either through zoning bylaws or through a stand-alone municipal ordinance. Since the PC members did not discuss short-term rental issues during the revision process, Ms. Hinds thought it probably would be more expedient for the Select Board members to draft and adopt an ordinance. This matter could be addressed in future revisions of the zoning bylaws but addressing it now would delay the current approval process. Mr. Fitzhugh said that a separate ordinance would be much easier to adjust should local opinions of such matters change over time.

Board member Stevens had a number of concerns about the proposed changes, both major and minor, and these also will be presented in writing to the Zoning Administrator. A few of these concerns focused on perceived inconsistencies in the various tables provided in the document including the one concerning off-street parking standards. Board member Stevens also feels many of the zoning term definitions are not as precise as they should be. There also are some definitions not included in the document that should be, i.e. for "modular housing."

Board member Petty thanked the PC members, Mr. Osiecki, and Ms. Hinds for the proposed zoning bylaws under discussion, which she felt were a great improvement of the current regulations. As the municipality does need approved zoning bylaws that are compliant with state law, Board member Petty suggested approving the draft document with only a few changes at this time. For example, she would like the minimum lot size kept at five (5) acres subject to further review by the PC members. It is possible there are some areas along paved roads in the low-density districts where reducing the minimum lot size to two (2) acres is appropriate. There also can be a later discussion about whether it is applicable to create a special zoning designation for the Town Forest in order to preserve it for recreational purposes. Board member Petty noted that the municipality currently is seeking a Downtown Designation from the State of Vermont and not having approved zoning bylaws might delay this process considerably.

Chair Maxwell also believes that there might be places in the low-density residential districts where the two (2) acre lot size minimum might be appropriate. He also would like to see some of the downtown areas currently zoned as commercial or industrial rezoned for residential purposes. Mr. Osiecki said during the revision process, the PC members focused more on making the zoning bylaws compliant with state law rather than reorganizing the current zoning districts. Mr. Fitzhugh said in the interest of having approved zoning bylaws in place as soon as possible, he would favor retaining the five (5) acre lot minimum for now subject to future discussion and possible revision. There also could be future discussions of establishing special protections for the Town Forest, possible rezoning of the downtown areas, etc. Mr. Whalen said TFSC and NCC members would be willing to assist the PC members in developing the proper language for Town Forest protection in future revisions of the zoning bylaws.

Mr. Fitzhugh agreed with Board member Petty on the importance of Northfield getting Downtown Designation from the state as it would provide a number of benefits to the community including local economic development. He felt it was important to have approved zoning bylaws that are at very least compliant with state law. We could then move towards creating a more perfect document afterwards. Ms. Hinds agreed the five (5) acre lot minimum could be retained for now and the other non-substantive changes suggested tonight be incorporated into the draft document. The priority is to have approved local zoning bylaws that are compliant with state law. Otherwise, Northfield may miss out on the Downtown Designation status as well as become ineligible for a number of grant opportunities, etc. The PC would have to hold an additional public hearing due to the substantive changes now proposed, i.e. reverting to the previous lot sizes minimum, then adopt the proposed changes, and afterwards return the amended document to the Select Board members for a second public hearing and (hopefully) final approval. Manager Schulz asked if the approval process could be concluded within ninety (90) days. Mr. Osiecki believed that timeline was achievable. Ms. Hinds suggested that in the interim, the State of Vermont could be provided with a copy of the draft document to show Northfield will be approving zoning bylaws that are compliant state law in the near future. Chair Maxwell asked if the other Select Board members would accept the scenario proposed by Mr. Fitzhugh and Ms. Hinds. There was no opposition provided the reduction of the minimum lot size reduction was put on hold for the time being. Other issues could be resolved at a later date. Motion by Board member Morse, seconded by Board member Shernock, to approve the draft zoning bylaws document provided the 2017 zoning bylaws regarding minimum lot size and minimum road frontage districts be retained. In addition, the non-substantive changes suggested tonight will be reviewed and incorporated into the document. **Motion passed 5-0-0.**

- b. King Street Battery Energy Storage System Project.** Manager Schulz said a private developer (DeLorean Power) has plans to install a batter storage facility on King Street near the electric substation. As part of the state approval process, the developer submitted a Certificate of Public Good application to the Public Utility Commission (PUC), which then opened up the process to receive public comment from abutting landowners, the municipality, etc. During the review process, there were concerns raised about fire safety related to the facility as well as regarding the dilapidated structure (i.e. former veterinarian's office) at that location. Manager Schulz said the developer has appeared to make changes to its installation plans and at last week's joint meeting of the Utility Commissions, there was agreement that the previous concerns have been addressed and there was a recommendation to the Select Board members that the project should proceed. Joe Levitt is the Chief Technology Officer for DeLorean Power and he confirmed that DeLorean representatives did meet with King Street residents in order to discuss and try to resolve any concerns that they might have. As result of these interactions, DeLorean Power has agreed to raze the dilapidated structure, which could be considered a fire hazard, and work closely with the Northfield Fire Department (NFD) to resolve any other fire safety concerns. Board member Morse, who serves on the Electric Utility Commission, said it was good that the state approval process was done in a transparent manner that included all those who would be directly affected by it. He added that this battery storage facility will provide definite benefits to the community by providing a reliable public power supply source during high usage periods. The removal of the abandoned structure was a major concern of the abutting property owner (Margaret Smykal). Board member Morse does not believe the Select Board members should make any additional comments or requests to the PUC as he feels DeLorean Power has been responsive to the expressed concerns. Mr. Levitt said that in response to Ms. Smykal's concerns about how the new facility would appear from her home, DeLorean Power has agreed to install wildflower vegetation, additional trees, and green-slatted fencing in order to improve the site appearance. There also have been plan revisions to minimize any noise concerns and improve fire safety. Board member Shernock felt the new landscaping around the facility will result in a much more attractive neighborhood.

Board member Stevens asked if Ms. Smykal was pleased with the project changes made to date. Ms. Smykal was pleased with the changes made but still has some concerns about how this development would affect her property values, her home insurance costs, etc. Chair Maxwell suggested she speak to Manager Schulz about how to direct these concerns to the proper venue. He then asked how the structure removal would affect property tax collection. Manager Schulz said the property owner would still have to pay property taxes on the vacant parcel. Chair Maxwell asked if the Select Board members needed to take any additional action regarding this development. Manager Schulz said all that was needed was consensus that the Select Board will take no further action of their own. There was no objection to this suggestion.

- c. **Approval of Loan Agreement (Twenty-Year Evaluation of Wastewater System): \$41,200 at 0.0% interest.** Manager Schulz said this is the formal loan application to receive the funds for the expense of conducting an evaluation of the municipal wastewater system. This is a no-interest loan and the state will pay half of the project cost. Motion by Board member Morse, seconded by Board member Stevens, to approve and sign the Vermont State Revolving Loan Agreement in the amount of \$41,200 at 0% interest. **Motion passed 5-0-0.**
- d. **Approval of Grand List Certificate of No Appeal or Suit Pending (2023).** Manager Schulz said this is internal paperwork to be filed in the Listers' Office that confirms the 2023 Grand List has been finalized. Motion by Board member Morse, seconded by Board member Stevens, to approve and sign the certificate. **Motion passed 5-0-0.**
- e. **Approval of Back Pay Agreement Amount of \$57,908.35 to former Northfield Employee Chris Hoar.** Manager Schulz said as this matter involves personnel and legal issues, it should be discussed later in executive session. There was no objection.
- f. **Public Hearing (Australian Ballot Articles): Tuesday, February 27, 2024.** Manager Schulz said this public hearing is a state requirement as it allows residents to ask questions or make comments on the items to be voted upon by Australian Ballot. It also provides an opportunity for the non-profit organizations seeking public funds to provide additional information or answer any questions. All the groups with funding requests on the warning were sent a letter that strongly encouraged them to attend the meeting either in person or remotely.

IX. TOWN MANAGER'S REPORT

- a. **Northfield Town Report 2024.** Manager Schulz reported that the report has been delivered to the printer (Stillwater Graphics) and hardcopies should be returned for public distribution sometime next week. In the interim, the PDF version is available on the municipal website (<https://www.northfield-vt.gov/town-reports>).
- b. **Town Common Rehabilitation Project.** Manager Schulz said the first meeting of the project's steering committee was held yesterday (02/12/24). The project consultant (Emily Lewis, DuBois & King) presented a proposal for scheduling the public meetings that will fully engage community members in any future decisions to be made.
- c. **Highway Subcommittee update.** Manager Schulz said the Highway Subcommittee (Board members Petty and Sherlock) met last week (02/07/24) to discuss the creation of a priority list for upcoming sidewalk repairs. The subcommittee will meet again in a few weeks to continue the process.
- d. **Town Common Kiosk/Bus Stop Location update.** Manager Schulz reported the new building tenant at 70 Depot Square has asked that the travel information kiosk/bus stop on the property be removed so the new restaurant there can install outside seating at that site. The municipality has been given about a month to remove the kiosk so there will need to be some further discussion about determining both temporary and permanent relocation sites. Board member Stevens asked if the current location is within the municipal right-of-way. Manager Schulz said it was not; it is entirely on private property. Board member Morse noted when the kiosk was installed, the building tenant was Community Bank and they granted permission for the kiosk location. Manager Schulz is doing further research to see if there was ever a formal agreement with the property owner for allowing for the kiosk placement. He will provide the Select Board members with additional information when it becomes available. Manager Schulz will also be contacting Green Mountain Transit (GMT) about moving the bus stop.

X. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Northfield Ambulance Service (NAS) 2017 Unit update.** Board member Petty asked about the status of this ambulance unit. Manager Schulz said it is now having severe engine problems. The dealership that sold the unit to NAS has informed the municipality that it will not stand by the warranty. Manager Schulz said there seems to be no other alternative to replacing the engine, which should cost about \$30,000. He added that it seems vehicle dealerships are making great efforts to void extended warranties for spurious reasons.

XI. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. **Elroy Hill: Chevy Silverado Repairs.** Mr. Hill asked why this vehicle repairs weren't done internally by the Town Mechanic. Manager Schulz said the vehicle was brought to a local dealership under the assumption that the extended warranty was still valid. As he indicated earlier in the meeting, Manager Schulz has now made it clear to the department heads that all major vehicle repairs must first go to him for authorization. Board member Morse agreed with Manager Schulz's previous contention that automobile dealerships now try to void extended warranties for the flimsiest of excuses.

- XII. EXECUTIVE SESSION.** Motion by Board member Morse, seconded by Board member Stevens, to go into executive session, in accordance with 1 VSA 313 (a)(1)], in order to discuss a legal matter and a personnel matter with Manager Schulz present. **Motion passed 5-0-0.**

The Board went into executive session at 9:27 p.m.

Motion by Board member Morse, seconded by Board member Stevens, to come out of executive session. **Motion passed 5-0-0.**

The Board came out of executive session at 9:38 p.m.

Motion by Board member Petty, seconded by Board member Morse, to approve the back pay agreement in the amount of \$57,908.35 with former Northfield employee Chris Hoar. **Motion passed 5-0-0.**

Motion by Board member Morse, seconded by Board member Stevens, to go back into executive session, in accordance with 1 VSA 313 (a)(1)], in order to discuss a personnel matter without Manager Schulz present. **Motion passed 5-0-0.**

The Board went back into executive session at 9:44 p.m.

Motion by Board member Morse, seconded by Board member Stevens, to come out of executive session. **Motion passed 5-0-0.**

The Board came out of executive session at 10:09 p.m. No action was taken.

- XIII. ADJOURNMENT.** Motion by Board member Morse, seconded by Board member Stevens, to adjourn. **Motion passed 5-0-0.**

The Board adjourned at 10:10 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 revised and approved at the Select Board regular meeting of February 27, 2024.