

**TOWN OF NORTHFIELD, VERMONT
SELECT BOARD REGULAR MEETING
Minutes of September 13, 2022**

- I. ROLL CALL.** Select Board Chair K. David Maxwell, Board members Julie H. Goodrich, Charles Morse, Lydia Petty, and John Stevens. Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, John Helfant (Chief, Northfield Police Department), Donald Smith, Joel Dohmeier (TDS Telecom), Ray Pelletier (CVFiber, Northfield Delegate), Debbie Zuaro (Chair, VOREC Grant Implementation Committee), Sally Davidson (Northfield Activity Group), Bethany Drum, (Northfield Activity Group), Kaitlyn Keating (Northfield Community Development Network), Rory Partlow, Kristi Partlow, Steve Davis, Donald Doyon, Carolyn Stevens, George Goodrich, Kimberly Caldwell, Jennie Zea, Colin Bright, Tom Davis, and Elroy Hill.

Chair Maxwell called the meeting to order at 7:00 p.m.

- II. PLEDGE OF ALLEGIANCE.** Those persons present were asked to rise and recite the Pledge of Allegiance. The remote contingent also participated as much as possible.

- III. SET/ADJUST AGENDA.** Chair Maxwell said Kaitlyn Keating from NCDN has asked to be added to the agenda to provide information about this year's "Night on the Common."

IV. PUBLIC PARTICIPATION (SCHEDULED)

- a. Donald Smith: Union Brook Road Parking Ticket Questions.** Mr. Smith lives on Union Brook Road and said he received a ticket several months ago for parking in front of his own home. Mr. Smith said he had parked in the road to load his family into the vehicle for a trip to an amusement park. He said Northfield Police Department (NPD) Chief John Helfant arrived around 9:30 a.m. and gave him a ticket for illegal parking. Chief Helfant then left the scene but returned later and proceeded to question members of Mr. Smith's family. Mr. Smith has subsequently reviewed the local traffic ordinance, which was approved in 2014, and has found nothing that would prevent him from parking in front of his house. In addition, the local ordinance provides fines for first offenses of \$7.00, which can increase to \$15.00 for repeated violations. However, the parking ticket he was written carried a \$60.00 fine. Mr. Smith did take this matter to court where the presiding judge added another \$100.00 to the fine amount. Mr. Smith has appealed the ticket to a higher court. He now feels that he has been harassed by the NPD for no reason and would like compensation for the time he has spent trying to resolve this situation. Mr. Smith said he was not obstructing the road. In addition, he has repeatedly expressed concerns about how fast people drive on this road but nothing has been done. Chair Maxwell thanked Mr. Smith for sharing his concerns. He then asked Chief Helfant to respond to Mr. Smith's allegations.

Chief Helfant said Mr. Smith was cited under state law and not under the local parking ordinance. He added that local ordinances deal with situations specific to their communities such as limiting parking on certain streets at certain times or setting speed limits for certain roads. State law forbids parking unattended vehicles on public highways and that is why Chief Helfant issued a ticket in this instance. State statute does provide for higher fines than is permissible under local traffic ordinances. Chief Helfant said he usually doesn't issue tickets for first offenders but Mr. Smith had been warned repeatedly about not parking in the road. Chief Helfant added he saw today that Mr. Smith has parked his motorcycle in the road. He now is giving him a warning not to do this in future.

Board member Morse said a Select Board meeting is not a court of law. The Select Board members could amend the local traffic ordinance if it was felt it needed updating but they cannot interfere with specific traffic violations. He added that most traffic violations are based on state statutes. Specific local restrictions are civil matters.

Mr. Smith noted that there is an overnight winter parking ban in Northfield but he saw several vehicles parked illegally on Union Street this past winter that were neither ticketed or removed. Chair Maxwell said Mr. Smith should contact Manager Schulz if he feels the local traffic ordinance is not being enforced consistently.

- b. **Kaitlyn Keating, NCDN: Night on the Common.** Ms. Keating said this year's Night on the Common, which celebrates Northfield volunteers and provides them a forum for public interaction, will be held on Tuesday, September 20, 2022, from 5:30 p.m. to 7:30 p.m. The event will be held in conjunction with the weekly Farmers Market, which will have extended hours of operations. Northfield Savings Bank will be sponsoring the event and providing free ice cream. There also will be live music and a community photo taken at 5:30 p.m. Local volunteer groups will have booths and/or tables where information about their activities will be distributed. In order to site these and other exhibits, the south side of Depot Square will be closed to traffic. Ms. Keating now is personally inviting the Select Board members to join in the festivities. Chair Maxwell then thanked Ms. Keating, other NCDN members, and the Farmers Market for organizing this celebration of Northfield's community spirit. Carolyn Stevens also encouraged residents to take part in the evening's festivities, especially the community photo. The resulting picture looks so much better when a large number of people participate.

V. APPROVAL OF MINUTES

- a. **August 23, 2022 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Goodrich, to approve the minutes. **Motion passed 4-0-1, with Board member Maxwell abstaining.**
- b. **September 1, 2022 (Board Retreat).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. Board member Goodrich would like it clarified that she would like to have the current water fountain on the Common repaired rather than replaced. **Motion passed 5-0-0.**

VI. APPROVAL OF BILLS

- a. **Approval of Warrant #05-23.** Motion by Board member Morse, seconded by Board member Goodrich, to approve Warrant #05-23 in the amount of \$1,745,268.53. Board member Stevens noted repair bills for the Highway Department's Western Star and the Mack Truck. Manager Schulz will provide more information on these repairs. Chair Maxwell noted that of the total warrant amount, \$1,124,000 represents property taxes collected by the municipality and then forwarded to the Paine Mountain School District. **Motion passed 5-0-0.**
- b. **Approval of Biweekly Payroll through August 21, 2022.** Motion by Board member Morse, seconded by Board member Goodrich, to approve the biweekly payroll in the amount of \$115,282.04. **Motion passed 5-0-0.**
- c. **Approval of Biweekly Payroll through September 4, 2022.** Motion by Board member Morse, seconded by Board member Goodrich, to approve the biweekly payroll in the amount of \$106,808.59. **Motion passed 5-0-0.**

VII. SELECT BOARD

- a. **CVFiber Request for ARPA Funds.** Manager Schulz said CVFiber is a Communications Union District (CUD) formed in 2018 in order to provide high-speed internet to underserved areas of Central Vermont. Northfield is one of twenty-one member communities. In a June 15, 2022 letter, Northfield's appointed CVFiber delegate, Ray Pelletier, asked the Select Board members to consider contributing five percent (5%) of local American Rescue Plan Act (ARPA) funds to CVFiber in order to expediate the process of providing broadband service access to the 550 Northfield households now underserved. This proposed contribution would be \$90,000. If this request is approved before September 15, 2022, the State of Vermont will match this contribution. Manager Schulz said both Mr. Pelletier and a representative of local internet provider TDS Telecom, which has its own fiber optic expansion project in the works, were invited to participate remotely in tonight's meeting. Chair Maxwell suggested having a motion in place before the discussion takes place. Motion by Board member Morse, seconded by Board member Stevens, to allocate \$90,000 in Northfield ARPA funds to CVFiber.

Board member Morse said he attended his first ARPA funds community engagement meeting last Sunday (09/11/22). He said broadband internet expansion was a very popular topic. Board member Morse noted TDS Telecom recently issued a press release stating that its fiber internet expansion project will be coming to several Vermont communities, including Northfield, in the near future. The press release doesn't indicate when the project will be completed or whether all currently underserved households will be included. Board member Morse does believe that should the Select Board members do authorize the funding for CVFiber, those funds would be spent in Northfield.

Joel Dohmeier is TDS telecom's Director of Regulatory Revenue, Strategy & Compliance. He said the engineering for installing new optic fiber in Northfield has been completed and the project probably will start in 2023. Mr. Dohmeier said TDS Telecom will be bearing the full cost of this project and will provide high-speed internet at competitive prices. The current plan is to provide this upgrade to about ninety percent (90%) of the TDS Telecom service area. Unfortunately, there will be some households located in remote, rural areas that will be left out of the process as it would not be economically viable to hook them up. Providing high-speed internet to those households is why government assistance programs were established. However, TDS Telecom will provide service to the vast majority of the Northfield market.

Board member Petty feels despite TDS Telecom's planned expansion project, there will be Northfield rural residents who will not be included in the process. Therefore, she feels the ARPA funds should be contributed to CVFiber in order to assist those who inevitably will be excluded. Board member Stevens noted the TDS Telecom expansion project is expected to start next year but asked when it would be completed. Mr. Dohmeier said it probably would take two years. It might be sooner in Northfield due to its denser population areas and there shouldn't be any supply chain issues.

Board member Goodrich, whose husband George is owner/operator of local internet provider Trans-Video, said no one questions that stable broadband internet service is something everyone needs today for work, education, entertainment, etc. However, since CVFiber's operations are limited to underserved areas, she is concerned that if TDS Telecom does complete its local expansion project within the next couple years, it might be possible that the \$90,000 contribution would not be spent in Northfield. Therefore, she cannot support providing these local ARPA funds to CVFiber.

Chair Maxwell noted that by Mr. Dohmeier's own admission, about ten percent (10%) of the Northfield community could be excluded from their fiber optic project. He asked Ray Pelletier, who serves as Northfield's appointed delegate to CVFiber, if he can guarantee that the Northfield ARPA funds provided to CVFiber would be spent in Northfield. Mr. Pelletier said the ARPA funds, which would be doubled to \$180,000 by the state, would be spent here in Northfield in order to provide the 550 underserved households with high-speed internet. CVFiber plans to start its Northfield project in 2024 and he feels there will be enough of these households remaining underserved by for-profit internet providers that the local ARPA funds will be spent here.

Board member Goodrich felt a better use of these ARPA funds would be to purchase Starlink internet satellite dishes for underserved residents. These purchases could be done next year or sooner. Board member Morse agreed that spending the \$90,000 this way would benefit more residents than CVFiber's wired system. Mr. Pelletier asked if there was a plan in place that would govern how this distribution of free Starlink equipment would operate. Board member Morse said there is no proposal in place. He also doesn't know if this purchase would be permissible under ARPA guidelines, etc. Mr. Pelletier noted there are some local rural areas where the Starlink dishes couldn't operate reliably due to nearby hills, trees, etc. that would disrupt the satellite signal. Bad weather, especially snow storms, also can adversely affect the signal.

Board member Petty believes Mr. Pelletier's assertion that providing these ARPA funds to CVFiber is not a gamble. There will be a good number of local underserved households even after TDS Telecom completes its local expansion project. She also would like to see the contribution amount doubled by approving this contribution tonight before the state's deadline expires. Mr. Pelletier stated again that there are some rural areas that for-profit internet providers like TDS Telecom and Trans-Video will never reach because installation and line maintenance costs would make it unprofitable.

Board member Morse asked if CVFiber will still perform its broadband expansion project in Northfield even if local ARPA funds are not provided. Mr. Pelletier said it would. CVFiber will need to bond to fund its operations regardless of ARPA contributions. These funds, however, would reduce the bond amount, which would benefit future subscribers by lowering their monthly charges. All subscribers will pay the same monthly charge whether or not their own communities provided ARPA funds to CVFiber.

Motion passed 3-1-1, with Board member Morse voting in the negative and Board member Goodrich recusing herself in order to avoid the appearance of a conflict of interest.

- b. Wayfinding Master Plan Bid Results.** Manager Schulz said the Vermont Outdoor Recreation Economic Collaborative Committee (VOREC) Grant Implementation Committee decided soon after the \$121,000 state grant was awarded that one of the funded projects should be the creation of a wayfinding master plan for the community. This project would produce a comprehensive map of the Town Forest trail system, design and install trail markers and other signage, etc. An RFP for this project was sent out in early August and six submissions were received by the September 2, 2022 deadline. The VOREC committee members reviewed the bids at their meeting last night and it was their unanimous decision to recommend the project be awarded to DuBois & King (Randolph VT) for a total amount of \$46,548.75. VOREC Committee Chair Deborah Zuaro confirmed that DuBois & King’s proposal stood out from all the rest as it showed great knowledge of the Northfield community. Ms. Zuaro said DuBois & King has completed many projects here before and the VOREC committee members believe they will do an outstanding job. Motion by Board member Morse, seconded by Board member Stevens, to award the Wayfinding Master Plan Project to DuBois & King as recommended by the VOREC Grant Implementation Committee. Chair Maxwell asked if we would be departing from the municipal purchasing policy since two other bids were lower than DuBois & King’s. Manager Schulz doesn’t believe the policy requires going with the lowest bidder if it is felt another bidder has more expertise, experience, etc. Board member Petty, who also serves on the VOREC committee, said the project RFP was written in such a way as to emphasize that work quality was considered a more important factor than total project cost. Board member Morse is willing to follow the recommendation of those who drafted the RFP and evaluated all the submitted proposals. Board member Petty added that the DuBois & King proposal was the only one to take into account special local conditions. Several of the other one bids seemed to be generic proposals that could have been submitted to any community. Manager Schulz also attended last night’s meeting and it was the unanimous verdict that the DuBois & King proposal was the only one worthy of serious consideration. Board member Maxwell thanked all the VOREC committee members for their work on this project. **Motion passed 5-0-0.**

VIII. TOWN MANAGER’S REPORT

- a. South Main Street Stormwater/CSO Elimination Project.** As he indicated at the last meeting (08/23/22), Manager Schulz said this project had to be put on hold for re-engineering when it was found existing water and sewer lines in the project area were not where they should have been according to the construction plans. The plans have been redrawn and it is expected the work crew will either return by the end of this week or early next week. However, due to the delay it is probable that the work on the side streets will be postponed until next spring.
- b. Paving Projects.** Manager Schulz said the paving projects on Stony Brook Road, Freeman Road, and Central Street have been completed. Overall, he is pleased with the work done though some minor corrective measures might have to be taken on Central Street. Board member Stevens was very pleased with the work done on Stony Brook Road. Chair Maxwell noted there had been a request for repaving on Mill Street. Was this done? Manager Schulz some patching of the worst sections was done. Chair Maxwell would like all the problems on this street fully addressed in the near future.
- c. Select Board Retreat.** Manager Schulz said at the recent Select Board Retreat one of the short-term goals discussed was a thorough examination and evaluation of current municipal policies to determine which (if any) should be updated. He has started work on revisions of the municipal purchasing policy, which has several references to dollar amounts that probably are outdated due to inflation and other factors. Manager Schulz will provide the revised document for discussion at an upcoming Select Board regular meeting. Chair Maxwell said he will be working with Manager Schulz to create a list of all the immediate, short-term, and long-term goals promoted during the retreat. This action list will be distributed to Select Board members at a future meeting.

- d. **Slaughterhouse Road Covered Bridge.** Manager Schulz said the bridge reinforcement project should start in a couple weeks when the repair materials (i.e., lumber, etc.) arrive. The contractor believes this should be a two-day project.

IX. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **ARPA Community Outreach Meetings.** Board member Petty thanked those who attended Sunday morning's meeting at the United Church. The final scheduled meeting will be held this coming Wednesday night (09/14/22) at 6:30 p.m. in the Northfield Senior Center.
- b. **Dog River Symposium.** Board member Petty also wanted to thank all those who organized Sunday afternoon's symposium on the current status and the future of the Dog River. The Northfield Conservation Commission (NCC) was one of the lead organizers and much valuable information was provided at this symposium.
- c. **Northfield Community Revolving Loan Fund (NCRLF).** Board member Goodrich asked if there had been any new developments in this program. Manager Schulz said a mailing was done to local businesses in order to contact potential loan applicants. We now are waiting for formal applications to be received.
- d. **Local Volunteers Appreciation.** Chair Maxwell before has expressed his gratitude to the members of Northfield Gardeners for all the hard work they do to beautify this community. Since members Sally Davidson and Bethany Drum are present tonight, he would like to repeat his appreciation. Chair Maxwell also thanked Northfield Observances volunteers for organizing this year's Labor Day Weekend Festivities, which again provided much entertainment for residents and visitors to the community.

X. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. **Sally Davidson, Northfield Activity Group: "Trunk or Treat" on the Common.** Ms. Davidson is asking for the Select Board members' permission to hold this Halloween night candy distribution on Monday, October 31, 2022. In order to promote safety for both the candy providers and participating children, she is asking that the south side of Deport Square be closed to traffic that day starting at 3:00 p.m. There was no objection. Chair Maxwell then thanked Ms. Davidson and the other event organizers as this has become a very popular annual celebration for local youth.

XI. EXECUTIVE SESSION. Motion by Board member Morse, seconded by Board member Petty, to go into executive session, in accordance with 1 VSA 313 (a)(1)], in order to discuss a personnel matter and a contract negotiation. **Motion passed 5-0-0.**

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

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

The Board came out of executive session at 9:00 p.m. No action was taken.

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

The Board adjourned at 9:00 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 Select Board regular meeting of September 27, 2022.