

**TOWN OF NORTHFIELD, VERMONT
SELECT BOARD REGULAR MEETING
Minutes of July 23, 2024**

- I. ROLL CALL.** 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, Pierre Gomez (Police Chief), Thomas Alsheimer (Chair, Board of Listers), Thomas Davis (Economic Development Director), Marie Chilson (Northfield Senior Center), Ray Crowder (Town Forest Stewardship Committee), Judy Knapp (Northfield Middle & High School), Richard Lacroix, Jen Lawson, Bill Gant, Chris Bradley, William Smith, Shelly Ehrman, Jim Ehrman, Steve Davis, Ric Braman, David Lowenthal, Susan Stillinger, Trevor Morley, Gerard LaVarnway, Laurie Beth Putnam, and Elroy Hill.

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

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

- III. SET/ADJUST AGENDA.** Manager Schulz asked that Chris Bradley be added to the agenda under "Public Participation."

IV. PUBLIC PARTICIPATION (SCHEDULED):

- a. George Thompson, Western Avenue.** Mr. Thompson was not present.
- b. Lynn Doney: Large Display US Flag.** Mr. Doney was not present.
- c. Marie Chilson, Northfield Senior Center: ARPA Fund Request.** Ms. Chilson said the Senior Center has submitted a new ARPA fund request after their original request for \$325,000 for expansion and renovation of the Senior Center building was not approved by the Select Board members for lack of specificity and project cost estimates. However, the Senior Center was encouraged to reapply for ARPA funds that could be used to address specific deficiencies in the building. Ms. Chilson felt the current ARPA fund request does meet this requirement. The new request has three (3) components: \$28,000 for a new roof; \$36,000 for the renovation of the building's heating, ventilation, and air conditioning (HVAC) system; and \$26,000 to replace the building's floors and carpeting. Ms. Chilson said these price quotes all came from local companies and their work would come with warranties. Board member Petty asked if these building improvement requests were listed in order of priority. Ms. Chilson confirmed they were as the building's current aging and leaking roof is their main concern. Chair Maxwell said this request will be discussed later in the meeting as a possible action item.
- d. Jeremy Whalen, Conservation Commission: ARPA Fund Request.** Mr. Whalen was unable to attend tonight so Ray Crowder from the Town Forest Stewardship Committee (TFSC) was present to answer any questions about this ARPA funds request. This is a joint request from the Northfield Conservation Commission (NCC) and the Northfield Middle & High School (NMHS) for \$74,800 in ARPA funds in order to repair and rehabilitate trails located in the Town Forest and on NMHS property located on Garvey Hill. The Select Board members discussed this request at a previous meeting but asked that additional information be provided regarding the exact sites (with maps) of the work to be done, the project timeline, etc. There also was a request for letters of endorsement from school administrators as NMHS property would be involved. Chair Maxwell said the new information provided tonight for this request seems to address all the concerns raised by the Select Board members.

Board member Morse asked if NMHS officials submitted a request to FEMA related to storm damage to school property caused by heavy rainstorms the past two (2) summers. Judy Knapp from the NMHS is unsure whether a reimbursement claim was filed. The NCC tried to get some confirmation on this but were not successful. The trail damage was the result of several storms in recent years. It was noted previously that Vermont Youth Conservation Corps (VYCC) workers would be performing the bulk of work for this project and most of the ARPA fund request will cover the expenses of bringing them in. Board member Stevens asked where the workers would be housed during the project. Mr. Crowder believes the current plan is to transport them from their usual upstate sleeping quarters. Ms. Knapp said there had been some discussion of having some camp overnight in Northfield in order start their workdays earlier. Board member Petty believes the VYCC has both day workers and overnight crews. Mr. Crowder said an important part of this project is to get Northfield youth involved in trail rehabilitation and similar outdoor conservation work. Chair Maxwell said this request also will be discussed later in the meeting.

- e. **Chris Bradley: Northfield-Norwich University PILOT Agreement.** Mr. Bradley said at the last meeting (07/09/24), it was reported Norwich University (NU) did not provide its annual PILOT gift to the municipality for the last fiscal year (2023-2024). There was to be a subsequent meeting of Select Board members and NU administrators the following Friday (07/12/24) to discuss this and also the possibility of negotiating a new multi-year agreement regarding this. He asked if the payment was made at that time. Chair Maxwell said it was not but the negotiations for a new agreement are ongoing. As that is a contract matter, this will be discussed in executive session later in the meeting. Mr. Bradley hopes the negotiations go well as the municipality provides a number of significant services, including emergency response, to the NU campus.
- f. **Chris Bradley: Traffic Signal Question.** Mr. Bradley asked if the traffic signal at the intersection of North Main Street and Vine Street operates on a timer or if signals change with vehicle proximity. He has seen the signal change even if there are no stopped cars waiting. Manager Schulz believes the traffic signal currently operates on a timer but a major upgrade is scheduled for the near future and that probably will change as a result.
- g. **Chris Bradley: Select Board Chair Rotation.** Mr. Bradley said that prior to municipal merger, the Board of Village Trustees had a policy of rotating the Board Chair position every year. He hopes that the Select Board will now adopt the same policy. Chair Maxwell said the Select Board's Policy Subcommittee (Board members Morse and Stevens) would look into this possibility.

V. APPROVAL OF MINUTES

- a. **July 9, 2024 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. **Motion passed 5-0-0.**

VI. APPROVAL OF BILLS

- a. **Approval of Warrant #02-25 & 02-25A-C.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #02-25 & 02-25A-C in the amount of \$325,316.11. **Motion passed 5-0-0.**
- b. **Receipt of Biweekly Payroll through July 7, 2024.** Motion by Board member Morse, seconded by Board member Stevens, to receive the biweekly payroll in the amount of \$116,901.72. **Motion passed 5-0-0.**

VII. SELECT BOARD

- a. **American Rescue Plan Act (ARPA) Fund Requests.** Chair Maxwell said that he had requested information from Manager Schulz regarding retaining walls in the community that are in poor condition. There is a possibility of using ARPA funds to address these problems in a timely manner. Manager Schulz said the retaining wall on Elm Street has been in bad condition for several years. There is a \$480,000 estimate from 2018 to replace the retaining wall while also relocating any affected utility lines. Due to the great cost, another estimate was obtained the following year for installing metal sheet panels over the retaining wall in order to prevent further deterioration. The cost of this would be between \$140,000 and \$150,000. However, this would be a short-term fix and not very attractive. He then discussed additional problematic retaining walls on Water Street (near Carpenter Street), Pearl Street, School Street, and the corner of East Street and King Street. Manager Schulz felt the Elm Street retaining wall should be fixed within the next five (5) years but the others could wait a little bit longer. Chair Maxwell asked if all these retaining walls are the municipality's financial responsibility. Manager Schulz confirmed this was the case. Chair Maxwell said in the absence of up-to-date cost estimates, the Select Board cannot decide tonight whether or not to dedicate any ARPA funds to these repairs. This is just the beginning of a conversation that will require due diligence and much discussion. Manager Schulz noted that there currently is a \$100,000 balance in the Highway Department Capital Improvement Plan (CIP) budget for retaining walls and this amount could be supplemented by ARPA funds in order to hasten the repair process.

Chair Maxwell then turned to the revised ARPA funds request from the Senior Center. Board member Morse felt the roof replacement was the most urgent need for the building and he would favor providing these funds at this time. The two (2) other requests could be considered again at a later date. Motion by Board member Morse, seconded by Board member Petty, to provide the Northfield Senior Center with \$28,000 in ARPA funds for the replacement of the Senior Center building roof. **Motion passed 5-0-0.**

As for the ARPA funds request from NCC and NMHS, Chair Maxwell said a joint meeting with the Paine Mountain School Board will be held in the near future and he would like this request discussed at that time. As the trail work would not begin until next year at the earliest, he saw no urgency in making this decision and would prefer to hear input from school board members on this.

Chair Maxwell then noted two (2) new ARPA funds requests were received yesterday (07/22/24). The first was from the Gray Building Coalition, which is asking for \$250,000 in ARPA funds in order to renovate the building. The other is from the American Legion Post #63, which is asking for \$100,000 in ARPA funds in order to renovate its Depot Square building. After some discussion, it was decided that the applicants be asked to attend a future Select Board regular meeting in order to discuss their requests in person and answer any questions. It was noted today was the firm deadline for new ARPA fund requests. Already submitted requests will be discussed at future meetings.

Board member Petty noted that in the updated ARPA Fund Summary provided by Finance Director Laurie Baroffio, it is noted at the bottom that some ARPA funded items, such as the footbridge repairs and EV charger installation, turned out to be more expensive than originally estimated. Manager Schulz said these overages could either be addressed with additional ARPA funds or through the regular municipal budget process as these are not major expenditures. Chair Maxwell would like this document further updated so the Select Board can decide how to proceed regarding these cost overruns.

- b. Potential Revision of Disorderly Conduct (i.e. Noise) Ordinance.** Board member Morse noted the municipality's Disorderly Conduct Ordinance, which provides penalties for excessive noise disturbances, was approved in 2002. He recently was informed that there have been firearms discharges on Jarvis Lane for recreational purposes. Neighbors have complained about this and have requested that the municipality look into addressing their concerns. Board member Morse looked into this matter with the assistance of a local attorney and concluded that revising the Disorderly Conduct Ordinance would be the best way to proceed. The specific revision would add this to the list of prohibited noise offenses: "*Outdoor recreational discharge of a firearm in the high and medium density, industrial and downtown centers as identified in current zoning ordinances.*" Chair Maxwell asked what the process was for making this ordinance revision. Manager Schulz said a Public Hearing would need to be warned at least fifteen (15) days in advance. Once the ordinance revision has been approved, there also would be a thirty (30) day appeal period. Manager Schulz noted that a number of Vermont communities have dealt with similar problems and he suggested that the Town Attorney review this matter before proceeding further. Board member Morse noted a local attorney already has vetted the proposed revision wording. Board member Petty is unsure whether there actually is a public demand for this course of action. Motion by Board member Morse, seconded by Board member Stevens, to move forward on the Disorderly Conduct Ordinance revision by scheduling the required public hearing. **Motion passed 4-0-1, with Board member Petty abstaining.**
- c. CVFiber Agreement.** Manager Schulz said CVFiber was awarded \$90,000 in local ARPA funds in September 2022 with the understanding that these funds would be used to provide high-speed internet access to underserved Northfield households on the backroads. There recently have been questions about how this promised broadband expansion is proceeding and whether it would be impacted by CVFiber's upcoming merger with NEK Community Broadband. Manager Schulz asked the Town Attorney whether this merger would affect the municipality's agreement with CVFiber and he was informed it would not. Manager Schulz also asked Economic Development Director Tom Davis, who serves as Northfield's appointed delegate to CVFiber, to further explain the matter. Mr. Davis has been attending regularly scheduled CVFiber meetings and also has been reaching out remotely to CVFiber officials to get answers regarding the status of Northfield's ARPA fund contribution. Mr. Davis said CVFiber received a total of \$20,000,000 in ARPA funds from local communities and the planned merger is intended to further its ability to obtain outside funding. He added that CVFiber is obligated to spend the \$90,000 in Northfield ARPA funds within the community with the initial focus on households that still lack high-speed internet access even after TDS Telecom recent fiber network expansion on certain Northfield backroads. When there are no underserved households in Northfield, it is possible CVFiber could expand its network to additional backroads residences and perhaps provide pricing competition for TDS Telecom. Mr. Davis is still trying to get an update from CVFiber regarding their timeline for hooking up Northfield customers with high-speed internet. Board member Morse felt if there are any additional local funds left over once the underserved households have been hooked up, perhaps they should be used for alternative purposes such as the purchase of Starlink satellite dishes. Board member Petty would like to see some internet provider competition so that rural customers have other options other than just TDS Telecom. She then thanked Mr. Davis for advocating for Northfield in this process. Chair Maxwell agreed and hoped Mr. Davis will be able to provide additional periodic updates as the process progresses.

- d. **Northfield Police Department (NPD) Union Contract.** Manager Schulz said the negotiations for a new contract between the municipality and the union representing NPD officers have been ongoing over the past six (6) months. There now is a tentative agreement that the Select Board members will need to review and perhaps approve tonight. As this is a contract negotiation, it will be discussed later in the meeting in executive session.

VIII. TOWN MANAGER'S REPORT

- a. **Emergency Generators.** Manager Schulz noted the Select Board members authorized \$100,000 in ARPA funds for the purchase of emergency generators for the Police Station, Fire Station, Ambulance Bay, and Municipal Building. He sought sealed proposals for these purchases and recently awarded the bid to local business Precision Electric (Mark Fournier). The plan is to install the generators this October.
- b. **Rabbit Hollow Bridge.** Manager Schulz said the Vermont Agency of Transportation (VTrans) has nearly completed their scoping project for this bridge. Their final report should be available for Select Board review and discussion within six (6) weeks.
- c. **Cox Brook Road Covered Bridges.** Manager Schulz said the VTrans scoping of these three (3) covered bridges is an ongoing process and their final report should be available in about five (5) to six (6) months,

IX. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Town Common Drinking Fountain.** Board member Stevens recently discovered that the drinking fountain on the Common is inoperable. Manager Schulz said it was recently vandalized and Utility Superintendent James Russo will be fixing it with new parts as soon as possible.
- b. **Crosswalk Painting.** Board member Petty has seen the painting contractor in town recently and asked when the work should be completed. Manager Schulz said recent rainstorms did delay the process but all the crosswalks should be repainted within the next couple of weeks.
- c. **Recent Rainstorm Emergency Evacuations.** Chair Maxwell has learned that during the heavy rainstorm a couple of weeks ago, some Cox Brook Road residents were advised to evacuate and go to a local emergency shelter. The residents went to the NMHS but found the building locked. It was subsequently learned that the persons that made the evacuation recommendation were from out-of-state and were completely unaware of the local chain of command for such decisions. It also has been suggested they actually were advising the residents to go to the Williamstown High School, which had been established as an emergency shelter, but were unable to communicate this properly. Manager Schulz said this outside organization will be contacted and informed of the proper procedures and whom to contact in such emergency situations.

X. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. **Steve Davis: Disorderly Conduct Proposed Revision.** Mr. Davis thought if the Select Board members really do want to prohibit firearms discharge in the former village, this should be done through separate new ordinance and not by revising an existing ordinance.

- b. Richard Lacroix: Western Avenue Vacant Lot.** Mr. Lacroix noted there is a vacant lot at the intersection of Western Avenue and Water Street. He asked is this was a FEMA buyout property. Manager Schulz this was municipal property but it was not part of the FEMA buyout process. The municipality has tried to sell this property a couple of times through sealed bids but there was no interest. Mr. Lacroix is concerned that if a certain person buys this property, it might be turned into a junkyard. Board member Petty felt that since this property is located in a flood zone, the municipality probably should retain it. Board member Morse felt that if the municipality does eventually decide to sell it, all due diligence will be done beforehand to prevent it becoming a junkyard.
- c. Chris Bradley: Northfield-Norwich University PILOT Agreement (cont.).** Mr. Bradley stated that Vermont communities that host colleges or universities usually make solid determinations based on standard practices of how much those institutions should provide in PILOT funds each year rather than leaving the figure solely up to negotiation. He noted Randolph receives \$300,000 annually for hosting the local campus of the Vermont State University. Mr. Bradley said Northfield has a town charter so perhaps it should look at possible legal options to obtain the previously agreed upon annual gift. He also felt Northfield’s state representatives might be able to assist with the process.
- d. Elroy Hill: Lovers Lane Roadside Mowing.** Mr. Hill said the roadside grass and weeds at the corner of Lovers Lane and Vermont Route 12A have been so high lately that they were causing visibility problems for turning motorists. He recently went down there and cleared out the area himself. Mr. Hill thought it might be a good idea for the Highway Department to put down landscape fabric or some other material down at that location to prevent future growth.

XI. 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 contract negotiations with Manager Schulz present and with Board of Listers Chair Thomas Alsheimer present for some but not all of the executive session. **Motion passed 5-0-0.**

The Board went into executive session at 9:03 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 10:00 p.m.

Motion by Board member Morse, seconded by Board member Stevens, to approve the Northfield Police Department Union contract. **Motion passed 5-0-0.**

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

The Board adjourned at 10:05 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.

A video recording of this meeting is available at <https://youtu.be/V9eXrEJh49g>

These minutes were approved at the Select Board regular meeting of August 13, 2024.