

**TOWN OF NORTHFIELD, VERMONT
SELECT BOARD REGULAR MEETING
Minutes of April 9, 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, Ryan Dinneen (Casella Waste Management), Jeff Hatch, Carolyn Stevens, 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.** There were no changes to the posted agenda.

IV. PUBLIC PARTICIPATION (SCHEDULED):

- a. Ryan Dinneen, Casella Waste Management: Transfer Station Operations update.** Manager Schulz invited Mr. Dinneen, who manages the eight (8) municipal transfer stations under contract with Casella, to provide an update on the Northfield Transfer Station. He is also asked to explain how and why Casella will be making changes to its payment options next month. Mr. Dinneen said Casella has made a number of cleanup improvements since it began operating this transfer station about two (2) years ago. Their emphasis has been on providing excellent customer service. Mr. Dinneen said that one upcoming change is that all the transfer stations Casella operates will only accept checks and credit cards in future, not cash. The main reason for this is employee safety as it is dangerous for them to be carrying large amounts of cash. These transfer stations are often situated at isolated locations. Mr. Dinneen said this change has worked out well at the other transfer stations with no disruption of service. However, after some discussion, it was decided that the Montpelier Transfer Station will allow cash payments if exact change only is provided. That will be the policy at the Northfield Transfer Station as well for the foreseeable future. Mr. Dinneen said this new policy will also eliminate the need for the employees to obtain sufficient change from local banks, which sometimes is a difficult and time-consuming process. Board member Morse had seen a sign at the Northfield Transfer Station announcing that cash payments would no longer be accepted as of May 1, 2024. He is pleased to hear that exact change payments will be accepted. He is concerned about the credit card payments and whether the card itself will be separated from the customer. Mr. Dinneen said there would be a "tap to pay" system in place so credit cards will not leave the customer's hand. Board member Shernock was also concerned when she heard that cash payments would no longer be allowed so she is pleased to hear that exact change would be accepted. She asked what would happen if a customer did not have exact change. Mr. Dinneen said they wouldn't want to overcharge a customer so the employee would ask the customer if they had a checkbook or credit card on hand. There will be signage in place at the facility informing customers of the new payment options so regular customers should get used to bringing exact change in future. Board member Stevens noted the agreement with Casella states that they will cover all operating costs. However, the municipality is now paying the monthly rental fee for the portalet located there. Mr. Dinneen thought that Casella was paying for that. He will check on this. He did note that the agreement calls for the municipality to plow out the Transfer Station after snowstorms but Casella has been taking care of that themselves. Board member Petty asked if there would be signage notifying customers that cash payments in exact change would be accepted. Mr. Dinneen said there would be a posted sign to that effect. Chair Maxwell then asked Mr. Dinneen whether the transfer station has been operating well over the past couple of years. Mr. Dinneen said that the number of customers is not as many as originally anticipated. He did confirm that the facility is operating in an efficient manner with a solid customer base. Mr. Dinneen also is not aware of any customer complaints in recent months so the facility must be doing pretty well.

Chair Maxwell noted that the current operating agreement is for five (5) years and so it has another three (3) years to go. He then asked if the portalet is used by customers as well as employees. Mr. Dinneen said that was the case. Chair Maxwell asked if there was a discussion sometime of installing a permanent bathroom at the site. Manager Schulz said a cost analysis was done and the estimate was about \$20,000. This was not considered cost effective at the time. Manager Schulz then asked Mr. Dinneen if any major renovations were considered in the coming year. Mr. Dinneen said Casella probably will be upgrading the pavement at the facility. He added that the employee shack was upgraded recently and its power supply was also improved. Mr. Dinneen did not see any other major changes in the coming year. He then asked the Select Board members to contact him should they have any additional questions or concerns in future. Chair Maxwell then thanked Mr. Dinneen for attending tonight's meeting and providing such valuable information about the operations of the Northfield Transfer Station.

V. APPROVAL OF MINUTES

- a. **March 26, 2024 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. Board member Morse wanted it noted in the minutes that Manager Schulz left before the end of the meeting's executive session. That information will be added to the minutes. **Motion passed 5-0-0.**

VI. APPROVAL OF BILLS

- a. **Approval of Warrant #19-24 & #19-24A-D.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #19-24 & #19-24A-D in the amount of \$741,631.94. Board member Morse wanted it noted that of the total warrant amount, \$317,669 was spent purchasing power for the Northfield Electric Department (NED). Board member Stevens noted a \$411 payment for new cutting edges for the sidewalk plow. Manager Schulz said the edges do get beaten up fairly soon dealing with the sidewalks and other rough surfaces. Board member Petty noted that FEMA work on Kent Street cost about \$67,694. Manager Schulz said the contractor performed considerable work there to fortify the riverbank to lessen the possibility of future stormwater overflow damage due to major rainstorms. **Motion passed 5-0-0.**
- b. **Approval of Warrant #19-24E.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #19-24E in the amount of 132,719.16. Manager Schulz noted this payment is related to the refinancing of a bank note (see below). **Motion passed 5-0-0.**
- c. **Approval of Biweekly Payroll through March 31, 2024.** Motion by Board member Morse, seconded by Board member Stevens, to receive the biweekly payroll in the amount of \$127,486.26. Board member Shernock noted the \$40,000 Northfield Police Department (NPD) overtime budget has now been exceeded by \$352.54. Chair Maxwell said that was true but there are other NPD line items that are below the budgeted amounts so the NPD budget is overall in good shape. **Motion passed 5-0-0.**

VII. SELECT BOARD

- a. **Capital Expense Note (2022 Cat Loader).** Motion by Board member Morse, seconded by Board member Stevens, to approve and sign the Capital Expense Note for the 2022 Cat Loader in the amount of \$115,200 at 5.49% interest; to approve and sign the Capital Expense Borrowing Resolution; and to approve and sign the No-Arbitrage and Use of Proceeds Certificate. Manager Schulz said there was negotiation with banks when this note was refinanced in order to obtain the lowest possible interest rate. **Motion passed 5-0-0.**
- b. **Freight Yard Way Water Line Replacement and Upgrade Project.** Manager Schulz said there has been some discussion at previous Select Board meetings and Utility Commissions joint meetings about the possibility of using American Rescue Plan Act (ARPA) funds to upgrade the waterlines in the Freight Yard Way area as a means of encouraging local economic development. At their most recent meeting (04/01/24), the Utility Commissioners approved a motion to recommend the Select Board members use about \$35,000 in ARPA funds to purchase the new water pipes needed for this project.

The total cost of this project is estimated at about \$100,000, which includes the cost of materials, engineering, and waterline installation. Board member Morse said the plan is to replace the one hundred year plus old waterlines in the Freight Yard Way area with new eight inch (8") water mains, which would be an improvement over the six inch (6") mains now on site. Board member Morse felt the current water mains to not provide sufficient water capacity for significant economic expansion in the area. He added that the current local water ordinance may need to be updated to clarify the allocation of expense when a water customer hooks onto the new water main, etc. Manager Schulz said the current ordinance would need to be reviewed to determine whether such an amendment is needed and, if so, how it should be worded. Board member Shernock asked how many other aging water mains are located in this community. Board member Morse said there were quite a few as most of the downtown water supply system was installed around 1905. The upcoming water project will replace aging water mains along Main Street and along the streets leading to the new tank on Garvey Hill. Board member Shernock doesn't see much potential for economic development, including new housing units, in the Freight Yard Way area until it is better cleaned up from its past railroad usage. Board member Morse does believe there have been proposals to build new housing in the area but potential developers probably would not plan for this until the water mains have been upgraded to provide sufficient capacity. Board member Shernock has significant doubts that this would be a viable area for new housing units and also would not like to spend ARPA funds to benefit private investors. Board member Morse believes economic development in this underutilized downtown area would benefit the whole community by expanding the Grand List, etc. Board member Stevens noted if the new water pipe is purchased, it will be used somewhere in the community if not at this site. Board member Morse felt that if the pipe is not used on Freight Yard Way but elsewhere, then the Water department should reimburse the ARPA funds spent on its purchase. Board member Petty asked for a breakdown of the project costs. Manager Schulz said about \$35,000 would be spent on the new water pipes, about \$40,000 for engineering services, and about \$25,000 for other installation materials and equipment. That adds up to about \$100,000. Board member Morse noted that there is some ledge in the project area, which might increase installation costs. As for project timing, the plan is to save money by having the utility employees assist with the installation process. Since the utility departments are now understaffed and have other water projects planned for this summer, including installing new water main on School street and Pearl Street, this project probably will not be done until next year at the earliest.

Board member Petty asked if the recommendation to purchase the water pipe at this time was meant to avoid higher costs in the future. Board member Morse said that was the main motivation. Due to the recent closing of the Port of Baltimore, there might be supply chain issues in the near future that could lead to significant price increases. Board member Morse also believes that some form of housing will be developed on the Freight Yard Way site. Board member Petty would prefer for the municipality to work first with a potential developer who has solid plans for this location rather than just make assumptions about potential future uses for this area. She would like to see these solid plans before authorizing the use of ARPA funds to purchase the water pipe or the other related expenses. It was noted that there was not a formal ARPA funds request for this project, just a recommendation from the Utility Commissioners. It was noted that the original request for the upgraded water mains came about a year ago from a Freight Yard Way property owner who wanted to sell the land to potential developers. Chair Maxwell noted that this particular property has gone on and off the market over the past year but he had no real detailed information about this. He then asked if 8" water main would be sufficient for commercial development. Manager Schulz thought that size should be sufficient as that is the pipe size that services most of the commercial properties in this community. Board member Petty stated that she thought tonight there would be just the request for the \$35,000 in ARPA funds to purchase the new water pipe but it now seem that there now is a request on the table to fund the entire project at about \$100,000. She still would like to see a better conceptual plan for Freight Yard Way economic development before committing these funds. Chair Maxwell asked why the utility departments aren't funding this project themselves rather than requesting ARPA funds. These departments did receive ARPA funds over the past two years in order to stabilize utility rates and make up for revenue lost during the pandemic.

Chair Maxwell also would like to see solid plans for Freight Yard Way before authorizing this expenditure. As there is no need to take action on this at this time, he would prefer that more information is collected about this before proceeding any further. This would include more information about the feasibility of economic development in this area, whether that would include new housing units, what would be the timeline for the project, whether new easements would be needed for the project, etc.

- c. **Northfield Zoning Bylaws Update: Schedule 2nd Public Hearing.** Manager Schulz noted that the Planning Commission (PC) held its second public hearing last week (04/03/24) on proposed revisions to the local zoning bylaws. The document then under discussion included more recent revisions requested by the Select Board members after they held their own public hearing on this matter (02/13/24). That included restoring the minimum lot size to five (5) acres in the low-density residential districts, keeping minimum road frontage at two hundred feet (200'), etc. A copy of the most recent version of the proposed zoning bylaws with revisions highlighted was provided to the Select Board members. Manager Schulz said if the Select Board members wanted to hold their second public hearing in conjunction with a regular meeting, the earliest this could be done is Tuesday, May 14, 2024, since the public hearing needs to be warned at least fifteen (15) days in advance. It was then noted that former PC Chair Laura Hill-Eubanks sent an email to the Select Board members asking for further changes to the draft document. She stated that new state laws have set new standards for minimum lot sizes for multi-unit dwellings. Ms. Hill-Eubanks would like these changes incorporated into the draft document in order to maintain full compliance with state law. Board member Petty would like this matter reviewed to determine whether such changes are needed and if this would be considered a "substantive change" that would necessitate another PC public hearing. Chair Maxwell agreed that the Select Board members should hold off on scheduling their public hearing until this issue has been resolved. This matter will be discussed again at the next regular meeting (04/23/24).

VIII. TOWN MANAGER'S REPORT

- a. **Cross Brothers Dam Removal Project.** Manager Schulz said that the funding for this project is now fully in place. FEMA will pay the bulk of the expense with other public and private sources covering the balance. No local funds will be required. He also has checked with Karina Dailey from the Vermont Natural Resources Council (VNRC) and she confirmed this project remains on schedule for next year.
- b. **Main Street Waterline and Reservoir Replacement Project.** Manager Schulz said Project Manager Naomi Johnson (Dufresne Group) will provide the Select Board members with an update on this project now that voters have approved the bond vote.
- c. **Select Board Remote Meeting update.** Manager Schulz said the next Select Board regular meeting will have closed captioning for those attending the meeting remotely.
- d. **Northfield Falls Pedestrian Safety Improvements Project.** Manager Schulz said the contractor for this project (Nutchbrown's Construction) has been chosen and the work should be completed by this June. He has contacted the Vermont Agency of Transportation (VTrans) and they don't seem to have any concerns about this project interfering with their paving project along Vermont Route 12 this summer.
- e. **Green Mountain Power (GMP) Storm Response.** Manager Schulz wanted to commend GMP for their ability to restore power in Northfield relatively quickly in the wake of last week's heavy snowstorm.
- f. **Total Solar Eclipse Viewing Parties.** Manager Schulz wanted to thank all those who organized and assisted with the local viewing parties for yesterday's total solar eclipse. The weather cooperated and all went well. Board member Shernock sympathized with Northfield residents who got caught up in post-eclipse traffic jams while making their evening commutes home.

IX. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. Northfield Forestry Plan.** Board member Shernock noted that in the PC minutes provided in the packets it is stated there is a need for a local forestry plan. She spoke with David Mears from the Northfield Conservation Commission (NCC) and he believes that there is such a policy already in place. Board member Petty said the Town Forest Stewardship Plan was adopted in 2019 and it includes a copy of the Forest Management Plan that was prepared by Rose Beatty in April 2000. The PC members probably mean that this plan should be brought to date after twenty (20) plus years. Board member Petty believes Tree Warden Russ Barrett has been working on an updated plan.
- b. Cox Brook Covered Bridge Maximum Weight Limits.** Board member Shernock spoke recently with Norma Rooney from the Falls General Store. Ms. Ryan told her that she is concerned about the fuel delivery trucks that regularly use the covered bridges and whether they exceed the maximum weight limit. Board member Shernock believes we should be more rigid in enforcing weight limits on these bridges and encourage fuel delivery companies to find alternate routes. Manager Schulz said that there are alternate routes they can use. However, it is not possible to ban fuel delivery trucks from using the covered bridges as they are regarded as providing essential services. Manager Schulz will be working with VTrans regarding updated covered bridge signage as well as making any needed repairs to fix problems discovered during the recent scoping project, including those cited in the bridge inspection report for "Bridge #10," i.e. the Lower Cox Brook Covered Bridge. He will contact the fuel delivery companies about the Select Board members' concerns. Board member Stevens would like all three (3) covered bridges to have the same maximum weight limit as it is likely trucks that go through one covered bridge will go through all three during the same journey.
- c. Town-Wide Reappraisal update.** Board member Stevens asked about the status of the state-required town-wide reappraisal. Manager Schulz said Listers Chair Tom Alsheimer did solicit bids for this and three (3) were received from qualified appraisal companies. The cost of the reappraisal is in the Listers budget so Mr. Alsheimer and the other Listers will be working with the appraisers as the process proceeds. Although there has been indications that the State of Vermont might be taking over the reappraisal process, Manager Schulz doesn't see that happening in the near future.
- d. Mayo Block Tree Grates.** Board member Petty noted both of the tree grates in front of the Northfield Savings Bank (NSB) have been damaged, presumably by the sidewalk snowplow. She felt they all should be replaced with grates made of strong materials. Manager Schulz was also surprised by the damage and will work with NSB on getting this done. Board member Petty felt since it was our machinery that broke them, the municipality should pay for their replacement.
- e. Select Board Retreat.** Chair Maxwell noted that the last Select Board retreat was held a couple of years ago (09/01/22) so he would like to hold another one next month. At this meeting, the current list of municipal short-, medium-, and long-term goals can be updated to acknowledge those that have been accomplished and perhaps add new concerns to the list. The tentative date for the retreat was set for Tuesday, May 7, 2024 at a time and location to be determined. Minutes of the last retreat will be distributed to the Select Board members beforehand.

X. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. Jeff Hatch: Northfield Police Department (NPD) Concerns.** Mr. Hatch felt this was the proper time to exercise his First Amendment rights of free speech and the right to petition in order to express his serious concerns about the current state of NPD operations. He noted the NPD needed to settle at least two lawsuits this past year, which cost the taxpayers considerable amounts of money. Mr. Hatch is especially concerned with how these legal issues had been largely concealed from Northfield residents. He felt law enforcement in Northfield has been problematic for a number of years and he has had grave concerns about most of the police chiefs the municipality has hired in recent years. Mr. Hatch also doesn't like the fact that a good number of the police officers hired by the NPD only came to Northfield after being fired elsewhere.

Mr. Hatch believes that the current police chief (Pierre Gomez) still doesn't have his certification to serve as a Vermont law enforcement officer even though he has been the NPD chief for more than six (6) months. Mr. Hatch said that he has observed current NPD officers driving their patrol vehicles inappropriately by ignoring stop signs, etc. He basically feels there should be more accountability for NPD officers since Northfield taxpayers do pay their salaries. Mr. Hatch believes there should be a civilian oversight committee that would provide better supervision of the NPD and its officers than is currently being done. He felt this committee should have the authority to discipline and/or dismiss NPD officers who have behaved in an unprofessional manner.

Chair Maxwell said the Select Board members have to be very careful in discussing ongoing lawsuits as they usually involve personnel or other sensitive matters that state law permits to be discussed only in executive session. However, whenever these matters are resolved, they do become matters of public record and full disclosure is made of any settlements, etc. Chair Maxwell said Mr. Hatch should let Manager Schulz know of any concerns he might have of improper NPD behavior so that it can be addressed in an appropriate and timely manner. Board member Morse noted that the establishment of such a civilian NPD review committee would require voter approval of a Town Charter change as that authority now rests squarely with the Town Manager. Manager Schulz added that in one of the cases Mr. Hatch has cited (re: former NPD officer Christopher Hoar), the municipality did take legal action to dismiss him from the NPD due to allegations of improper behavior. However, due to the NPD union contract, the dismissal process does include binding arbitration and the arbitrator did find in Mr. Hoar's favor. This resulted in the \$58,000 payment for unfair dismissal. Manager Schulz did not agree with this decision but had to abide by it. He then added if Mr. Hatch has any additional complaints to make about any current NPD officers, Mr. Hatch should inform him as soon as possible so he can investigate the matter and provide a written response. Mr. Hatch then asked whether or not Chief Gomez has proper certification to serve as a law enforcement officer in Vermont. Manager Schulz said he spoke with Chief Gomez about this recently and was told he would have full certification within the next three (3) months. Chief Gomez has had partial certification since his hiring due to his previous experience in the Philadelphia Police Department. Chair Maxwell said the Select Board members will make sure that Mr. Hatch does receive a written response from Manager Schulz addressing his concerns.

- b. Elroy Hill: Northfield Highway Department Snowstorm Response.** Mr. Hill said that a large tree limb fell onto the sidewalk near the Bean Chevrolet building during last week's snowstorm. However, it was not removed by the snowplow operator when he was clearing the sidewalks in the area. Mr. Hill later cut up the tree limb himself and informed the Town Garage that the remnants were still by the sidewalk and should be removed as soon as possible. However, he still felt the debris was not removed as soon as it should have been. Mr. Hill believes that the Highway crew should be more concerned with the threat to public safety that such roadside debris presents. Mr. Hill also believes the snowplow was used to clear snow off the footbridge after the last two snowstorms even though that might further damage the bridge deck, which is in poor condition. Chair Maxwell believes Manager Schulz issued a directive to the Highway crew that this was not to be done in future. Manager Schulz really doubts that the snowplow was used on the footbridge given his strong instructions to the Highway crew about this. He will check on this with Acting Highway Foreman Karl Bailey tomorrow.

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

The Board adjourned at 9:18 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 April 24, 2024.