

**TOWN OF NORTHFIELD, VERMONT
SELECT BOARD REGULAR MEETING
Minutes of March 12, 2024**

- I. ROLL CALL.** Select Board members K. David Maxwell, Charles Morse, Lydia Petty, Merry Shernock, and John Stevens. Also present were Manager Jeff Schulz, Acting Clerk Kenneth McCann, Pierre Gomez (Police Chief), Tom Davis (Economic Development Director), Eva Ciampaglia, Paul Ciampaglia, Sarah Capron, Elias Carpenter, Carolyn Stevens, Mary Nadon Scott, Gerard LaVarnway, Lois Melander, Susan Stillinger, Tim Swartz, and Elroy Hill.

The meeting was called 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. ORGANIZATIONAL MEETING OF THE SELECT BOARD

- a. Election of Chair.** Motion by Board member Morse, seconded by Board member Stevens, to appoint Lydia Petty as Chair. Board member Morse noted the Select Board has not had a female Chair for over twenty (20) years so it might be appropriate to have this happen again during Women's History Month. Board member Stevens said he has enjoyed Board member Maxwell's manner of handling Select Board meetings as Chair in recent years and he would like to see him continue in that role. Board member Shernock felt it probably would be better to stay with the current board leadership due to the large number of ongoing concerns now under consideration. **Motion failed 1-2-2, with Board member Morse voting in favor, Board members Shernock and Stevens voting in opposition, and Board members Maxwell and Petty abstaining.** Motion by Board member Shernock, seconded by Stevens, to appoint Board member Maxwell as Chair. Board member Morse believes we should get out of the habit of having the same person serve as Select Board Chair for several years. Board member Petty believed there had been some discussion over the past year of her stepping up from Vice-Chair to Chair at this time. She also believes there should be some regular rotation for this position. **Motion passed 3-2-0, with Board members Maxwell, Shernock, and Stevens voting in favor and Board members Morse and Petty voting in opposition.**
- b. Election of Vice-Chair.** Motion by Board member Shernock to appoint Board member Petty as Vice-Chair. Board member Petty declined the nomination and the motion died for lack of a second. Motion by Board member Shernock, seconded by Chair Maxwell, to appoint Board member Stevens as Vice-Chair. **Motion passed 5-0-0.**
- c. Select Board Subcommittee Assignments.** Motion by Board member Morse, seconded by Board member Shernock, to set the subcommittee assignments as follows: **Budget and Financial Review** (Board members Maxwell and Morse); **Town Buildings & Energy** (Board members Shernock and Stevens); **Economic Development** (Board members Petty and Morse); **Norwich University** (Board members Maxwell and Stevens); **Highway Planning & Project Oversight** (Board members Shernock and Stevens); **Public Safety Oversight & Planning** (Board members Petty and Shernock); **Labor Agreement & Bargaining** (Board members Maxwell and Shernock); and **Policy Review** (Board members Morse and Stevens). In addition, Board member Petty and Manager Schulz would continue to serve as Northfield's representatives to the Mountain Alliance. Stephen Fitzhugh would be Northfield's representative to Vermont Public Power Supply Authority (VPPSA) and Manager Schulz would serve as the alternate representative.

Chair Maxwell asked what the charge was of the Public Safety Oversight & Planning Subcommittee. Manager Schulz said the subcommittee members work with him and the chiefs of the Ambulance Service, Fire Department, and Police Department on long-term planning for those departments. Board member Petty said the subcommittee members also work on emergency management planning and also develop after action reports in the wake of local natural disasters.

Chair Maxwell then asked about the status of the Housing Subcommittee. Board member Petty said the subcommittee had difficulty holding its meetings due to the membership overlap with the Downtown Development & Housing Task Force that formed during last year's Vermont Council on Rural Development (VCRD) community visit. This made it difficult to achieve meeting quorums on a few occasions. The Housing Subcommittee has suspended its regular meetings for the time being although Board member Petty does believe it is important to have an active municipal committee addressing local housing concerns. She suggested discussing this matter with Manager Schulz and Economic Development Director Tom Davis to determine the future status of this subcommittee and perhaps limiting its scope to focus on achievable local goals. Board member Shernock asked if it were possible to merge the task force and subcommittee. Board member Petty didn't think that was likely as the task force has over thirty (30) members. In addition, since the task force is not a municipality body it is not bound by the Open Meeting Law and conducts a good amount of business by email. Chair Maxwell suggested a few members of the task force might want to also serve on the subcommittee. Board member Petty said that was possible although the extra time commitment necessary to serve on two similar committees might be a deterrent. It might be possible for a Select Board member to attend a task force meeting and report back on their current activities. Mr. Davis said the task force hasn't met for some time as the members have been focusing on a Central Vermont Habitat for Humanity project. However, he believes a meeting will be held in the near future. Chair Maxwell suggested that creating a viable municipal committee devoted to housing issues should be added to the list of community goals. Board member Morse noted there are a number of housing variables in Northfield including public housing units, private investment in creating new housing units, conversions of single-family homes to multi-family units, etc. It also is possible to create new housing on certain backroads through selective waiving of minimum lot requirements. Chair Maxwell said a number of Vermont communities have had success in promoting public-private partnerships in order to create new affordable housing. Board member Petty felt a Housing Subcommittee could serve a useful role in keeping the Select Board members aware of state and/or federal housing initiatives, grant opportunities, etc. Chair Maxwell felt the Select Board members should engage in a full discussion of this matter, perhaps at the next Select Board Retreat. The last one was held September 1, 2022 so perhaps the next one should be scheduled in the near future.

Board member Petty read a *Vermont Digger* article related to the Open Meeting Law and how the Town of Norwich was found liable for damages for not fully warning or providing minutes of its subcommittee meetings. She is concerned certain Northfield municipal subcommittees that meet largely in executive session, such as the Labor Agreement & Bargaining Subcommittee and the Northfield-Norwich University Subcommittee, might also be in violation of provisions in the Open Meeting Law. Manager Schulz said such meetings are warned in advance properly and minutes provided afterwards. These meetings do begin in open session but then go into executive session to discuss such appropriate matters as contract negotiations, personnel matters, legal issues, etc. that meet the state requirements for meeting in executive session. Board member Petty also noted these subcommittees have only two (2) Select Board members so there has to be extra care in not discussing subcommittee matters when not in a formal meeting. Manager Schulz will consult with the Vermont League of Cities & Towns (VLCT) to obtain a legal opinion on whether Northfield is fully compliant with Open Meeting Law requirements regarding its subcommittees, etc. Board member Morse said it appears the subcommittees that deal strictly with operations and maintenance (O&M) matters don't seem to have Open Meeting Law concerns. However, those that mainly deal with contractual matters appear to operate under a different set of rules. Chair Maxwell said Manager Schulz will work with the VLCT legal experts in order to draft a written policy that would govern the conduct of the two (2) aforementioned subcommittees that conduct much of their business in executive session. Chair Maxwell added that it is also important to meet the Open Meeting Law requirement that meeting minutes be posted within five (5) calendar days. **Motion passed 5-0-0.**

- d. **Regular Meeting Schedule (Dates, Time, and Location).** Motion by Board member Morse, seconded by Board member Shernock, that the Select Board will continue to hold its regular meetings on the second and fourth Tuesdays of each month at 7:00 p.m. in the Community Room located downstairs in the Brown Public Library. **Motion passed 5-0-0.**
- e. **Designation of Official Newspapers, Websites, etc.** Manager Schulz noted that last year, the Select Board members designated the *Northfield News* as the municipality's official newspaper for legal notices, advertisements, etc. At the same time, the social media website Front Porch Forum was designated the official website to post meeting agendas, announcements, etc. and the *Times Argus* was designated as a secondary official newspaper to be used whenever needed. Motion by Board member Shernock, seconded by Board member Stevens, to maintain these official designations for the next year. Board member Morse doesn't favor using the *Times Argus* as an official newspaper due to the additional expense. He felt posting on the Front Porch Forum, which was free, should be used instead. Manager Schulz said there are times when legal notices are required to appear in a local newspaper and sometimes the advertising deadlines for the weekly *Northfield News* cannot be met in time. However, Manager Schulz has encouraged Zoning Administrator Mitch Osiecki and other department heads to publish their notices in the *Northfield News* whenever possible. **Motion passed 4-1-0, with Board member Morse voting in opposition.**

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

V. PUBLIC PARTICIPATION (SCHEDULED):

- a. **Eva Ciampaglia: World Down Syndrome Day 2024.** Ms. Ciampaglia first wanted to thank the Select Board members for the opportunity to address the community about World Down Syndrome Day, which will be held on Thursday, March 21, 2024. This is a personal matter for her and her family as her granddaughter has Down Syndrome. When Ms. Ciampaglia learned of the existence of this special day, she thought it might be good to have a local event that would enlighten residents about those with Down Syndrome and help combat the myths and labels that envelope them. In fact, the theme of this year's celebration is "End the Stereotypes." Ms. Ciampaglia original thought was to have blue and yellow colored lights on display on the Common. However, the logistics of this proved too difficult so instead she has asked Depot Square merchants to display such lighting in their storefronts. In addition, community members can also show their support by wearing brightly colored clothing, including mismatched "crazy socks." Chair Maxwell is very supportive of this effort as he also has a family member with Down Syndrome. She lives in a group home. Ms. Ciampaglia noted people with Down Syndrome have been treated very poorly in many countries for quite some time but due to such awareness campaigns, conditions have been improving in recent years. Her husband, Paul Ciampaglia, then distributed Down Syndrome awareness rubber bracelets to the Select Board members and the other meeting attendees.
- b. **Tom Davis, Economic Development Director: Community Garden.** Mr. Davis said starting in March 2023, he has been working on the possibility of establishing a Community Garden on two (2) of the FEMA buyout properties located along Water Street. The first step in the process was to have the soil tested for heavy metals, etc. This was done with the assistance of Northfield resident Steve Fitzhugh, who is a Master Gardener. The soil was tested by the University of Vermont, which advised that due to the presence of some heavy metals, it would be best to have some fill put down and thus create raised garden beds. Mr. Davis provided copies of the soil analysis results to the Select Board members. Mr. Davis noted he was able to obtain a \$5,000 grant to complete the garden creation and about thirty (30) Northfield residents have already expressed some interest in getting involved with the project. The grant funds would be used to "remove and replace the existing soil with excellent gardening soil." Mr. Davis is now seeking Select Board approval to use these public properties for this purpose. There is a separate request for American Rescue Plan Act (ARPA) funds that the Select Board members will consider at a future time.

Board member Morse asked who would organize and operate the Community Garden. Mr. Davis said that would be determined once permission to establish the garden has been provided and the project is underway. Board member Morse is very active with the Northfield Farmers Market and would like to become part of the effort. He then suggested that a rodent fence be installed to protect the produce from their depredation. Board member Shernock asked if the Community Garden would be located across the street from the Dog River Park. Mr. Davis confirmed this and said it would be located directly opposite from the Dog River Park Pavilion. Board member Shernock felt establishing fencing to keep out rodents would not be sufficient as deer might also find this an attractive destination. Mr. Davis said there are some fruits and vegetables that deer will not touch. The committee that will operate the Community Garden could develop guidelines that encourage only planting such items in order to discourage deer incursions. Board member Shernock would also like to see raised beds installed. Board member Morse wonders if such raised beds and fencing would violate FEMA rules governing buyout properties. Mr. Davis doesn't believe this will be an issue. Board member Shernock would like some idea about who would be making the decisions governing the garden. Mr. Davis said his primary role in this process is to help establish the Community Garden. There are a good number of local residents who would like to become involved and they probably would form the basis of any governing committee. Manager Schulz said there are several community gardens in Vermont so it shouldn't be difficult to contact them and learn from their experience in how governing committees are established, organized, etc. Chair Maxwell asked about the timeline for this project. Mr. Davis said he would like to establish the first Community Garden this spring (if possible). Board member Petty suggested the Select Board could provide preliminary approval for Mr. Davis to establish the Community Garden. Logistical concerns, such as the creation of a governing body, etc., can be decided at a later time. Mr. Davis does like the concept of provisional approval but would like some Select Board participation from the beginning of the process so any initial steps taken are not overruled by the Select Board at a later time. Motion by Board member Morse, seconded by Board member Stevens, to approve the use of two (2) FEMA buyout lots on Water Street for a Community Garden once a final organizational structure and set of bylaws has been completed and presented to the Select Board members for their review. **Motion passed 5-0-0.**

VI. DEPARTMENT HEAD REPORT

- a. Pierre Gomez, Northfield Police Department (NPD) Chief.** Chief Gomez started with an update on NPD staffing. He said two (2) experienced police officers have committed to serving as NPD part-time officers. Chief Gomez then noted Vermont is now the most addicted state in the country with the highest self-reported percentage of adults using illicit drugs. He said the situation in Northfield is not too bad at this time but he would like to keep it that way by taking proactive steps. This includes attending monthly meetings of the Washington Center Intelligence Network, which includes regional police chiefs as well as representatives from Vermont Homeland Security and the Federal Bureau of Investigation (FBI). In addition, he sends one NPD officer each year to drug abuse training sessions held in Cape Cod, Massachusetts. This is free training and provides valuable information on conducting narcotics investigations that will stand up in court, etc. Regarding local complaints about speeding vehicles, Chief Gomez said this spring he will be stepping up enforcement at certain locations where the most resident concerns have been expressed. This includes South Main Street near the downtown area and on Water Street near Mayo Healthcare.

Board member Morse is very pleased with recent NPD activities but is a bit disappointed to hear how bad the narcotics problem is in Vermont. He is pleased Chief Gomez is addressing the local drug situation in a proactive manner. Board member Shernock asked about Chief Gomez's efforts in recruiting additional full-time NPD officers. Chief Gomez said difficulties with recruitment is a national problem as fewer people are seeking careers in local law enforcement. He has been increasing his recruitment of certified officers from other states but a major deterrent has been the lack of affordable housing in Northfield. This makes it especially difficult to recruit officers with families. He did note that the officers we do have here are working very hard and are pleased to be employed in a community that shows such strong support for local law enforcement.

Chief Gomez then reported that he has been reaching out to Central Vermont mental health experts in order to determine how best to approach persons with obvious mental health issues who are acting out in public. It is important that such interactions be handled properly so that there are no civil liability issues. Chair Maxwell asked about staffing concerns. Chief Gomez said the NPD is currently down one full-time officer so coverage shifts have been adjusted accordingly. He added that the NPD does have a good working relationship with the State Police and neighboring police departments who will provide assistance when needed. Chief Gomez said the situation will improve significantly when the aforementioned new part-time officers start working shifts. Chair Maxwell then asked about the NPD vehicle fleet. Chief Gomez said it is performing well overall with just minor repairs needed on occasion. There will be a new NPD cruiser arriving with the new fiscal year (07/01/24). Chair Maxwell thanked Chief Gomez for tonight's update and for the outstanding work he and his officers have been providing to the Northfield community.

VII. LIQUOR CONTROL COMMISSION

- a. **Liquor License Renewals: American Legion and Sodexo (Norwich University).** Motion by Board member Morse, seconded by Board member Shernock, to approve the liquor license renewals. Manager Schulz noted that no issues have been reported over the past year with either of the license renewal applicants. **Motion passed 5-0-0.**

VIII. APPROVAL OF MINUTES

- a. **February 27, 2024 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. A few typographical errors in the minutes were discovered and will be fixed. Board member Petty also thought the minutes regarding ARPA fund requests on Page 9 contained some factual errors. After some discussion, it was decided to table approval until corrections have been made.

IX. APPROVAL OF BILLS

- a. **Approval of Warrant #17-24.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #17-24 in the amount of \$1,708,689.43. It was noted this warrant includes \$1,153,000 in property tax payments collected by the municipality and afterwards forwarded to the Paine Mountain School District. Board member Shernock asked what was the "Police Donation Fund." Manager Schulz said there are donation accounts for each of the local emergency services. Unless the person making the donation specifies it must be used for a specific purpose, the funds are spent at the department head's discretion. Often the funds are spent on unbudgeted items. Chair Maxwell noted the Northfield Fire Department (NPD) usually receives donations fairly regularly, often in gratitude after an emergency response to a house fire. Board member Stevens noted the sidewalk sweeper needed brake repairs. He thought this unusual since this is fairly new machine that hasn't been used very much this winter. Manager Schulz will look into this. Board member Stevens thought the surveillance cameras installed on the Cox Brook Road covered bridges went through a lot of batteries. He suggested solar power be used instead. Manager Schulz said he also was surprised by how many batteries the cameras go through. He will look into alternative power sources. He did note the municipality was able to file an insurance claim for bridge damage reimbursement when the offending driver's license plate number was captured by the cameras. **Motion passed 5-0-0.**
- b. **Approval of Biweekly Payroll through March 3, 2024.** Motion by Board member Morse, seconded by Board member Stevens, to approve the biweekly payroll in the amount of \$107,117.22. **Motion passed 5-0-0.**

X. SELECT BOARD

- a. **Town Forest Stewardship Committee Appointment.** Motion by Board member Morse, seconded by Board member Petty, to appoint Colin Blackmon to a vacant position on the Town Forest Stewardship Committee (TFSC). Manager Schulz noted that Mr. Blackmon attended the most recent TFSC meeting and TFSC Chair Jeremy Whalen has recommended his appointment. **Motion passed 5-0-0.**

- b. Local Concerns Meeting (Cox Brook Road Covered Bridges): Tuesday, March 26, 2024, 6:00 p.m.** Manager Schulz said the State of Vermont received federal funds to be used on local bridge upgrade projects. The Vermont Agency of Transportation (VTrans) subsequently decided to use these funds for scoping projects on historic bridges and contacted municipalities for suggestions. VTrans then choose the three (3) covered bridges on Cox Brook Road for this scoping project. Part of this process is to hold a Local Concerns Meeting in order to receive local opinion about bridge conditions, any problems needing to be addressed, etc. VTrans will use this feedback to formulate recommendations to achieve any needed improvements, etc. Manager Schulz said invitation letters were sent to Northfield residents who live or own property near the bridges and he has encouraged them and other interested local parties to attend this meeting and express their views. Manager Schulz added that VTrans will not go forward with any approach that is not supported by the Northfield community.

XI. TOWN MANAGER'S REPORT

- a. Highway Department Vacancy.** Manager Schulz reported one of the Highway Department Equipment Operators has left to take another job elsewhere. The municipality will soon be advertising for his replacement.
- b. Dole Hill Road Conditions.** Manager Schulz said an engineering report has been received regarding the "slump" in the middle of this road. This matter will be discussed at the next Highway Subcommittee meeting so possible solutions can be explored.
- c. Cross Brothers Dam Removal Project.** Manager Schulz has tried to reach out to Katrina Dailey from the Vermont Natural Resources Council (VNRC) regarding whether this project will actually provide improved public access to the Dog River. Unfortunately, Ms. Dailey has been on an out-of-state vacation so Manager Schulz will try again later.
- d. Depot Square Kiosk.** Manager Schulz has spoken to Bizhan Yahyazadeh, the Norwich University (NU) Vice President for Facilities Operations, about the possibility of relocating the kiosk onto NU property near the Depot Square Armory. Mr. Yahyazadeh has responded positively to this request. Manager Schulz would like to have a long-term written agreement granting this permission.
- e. Brown Public Library (BPL) ADA Compliance.** Manager Schulz said the project to install automatic opening doors outside and inside the BPL building is mostly complete. The inner doors are now operational but the outer doors will need to be replaced first. Chair Maxwell asked if there has been any feedback from Accessibility, Walkability, and Pedestrian Safety Task Force members about this project. Manager Schulz said there was some concern about the height of the operating push buttons but these could be easily raised or lowered if needed.

XII. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. Northfield Post Office ADA Compliance Concerns.** Board member Morse noted at the previous meeting (02/27/24), the Architectural Barriers Act (ABA) of 1968 was cited as the reason federal buildings built before 1968 did not have to comply with more recent ADA legislation. However, Board member Morse reviewed the law's wording and found this exemption becomes void if the building has been modified since then. He believes that the wheelchair access ramp added to the side of the building was installed fairly recently and that might mean that the ABA exemption no longer applies. Board member Morse felt that should be mentioned in any further correspondence on this.
- b. Highway Department Kudos, etc.** Board member Morse wanted to thank the Highway Department for their creative and innovative ways of addressing Mud Season road problems. He also wanted to thank those Northfield residents who brought out their own chainsaws to help remove downed trees from the backroads after the recent snowstorm that was accompanied by strong winds.

- c. **Northfield Pedestrian Path Scoping Study.** Board member Petty said at the next regular meeting (03/26/24) there will be an “Alternatives Presentation” starting at 7:30 p.m. regarding pedestrian and bicycle access improvements for the path connecting Depot Square and the Dog River Park. The engineering firm (DuBois & King) involved with this project is seeking public feedback so they can develop recommendations. Chair Maxwell asked if cost estimates will be provided at that time. Board member Petty thought there might be ballpark figures for various options. The ultimate cost will depend on the amount of work to be done, i.e. installing new sidewalk, etc.

XIII. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. **Susan Stilling: Rabbit Hollow Road Bridge update.** Ms. Stilling noted the Select Board members hosted a Local Concerns Meeting with VTrans representatives last fall (09/26/23) about concerns involving the Rabbit Hollow Road Bridge. A number of Northfield residents who live by and use the bridge on a daily basis were present at that meeting at which various options were discussed regarding whether to rehabilitate or replace the current bridge, which has significant structural and other problems. Ms. Stilling asked if there were any updates on this. Manager Schulz said he spoke recently with Laura Stone, who is the VTrans Project Manager for this project. She reported that the VTrans engineers are now putting together their report based on the public feedback received that night as well as other concerns. Manager Schulz said Ms. Stone and other VTrans representatives should be ready to present their report to the Select Board members at another local concerns meeting in about six (6) months.

- XIV. EXECUTIVE SESSION.** Motion by Board member X, seconded by Board member Y, to go into executive session, in accordance with 1 VSA 313 (a)(1)], in order to discuss a legal matter and a personnel matter without Manager Schulz present. **Motion passed 5-0-0.**

The Board went into executive session at 9:45 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 10:34 p.m. No action was taken.

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

The Board adjourned at 10:35 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 are subject to approval at the next Select Board regular meeting.