

**TOWN OF SPRINGFIELD
SELECTMEN'S HALL – 96 MAIN STREET – THIRD FLOOR
REGULAR SELECTBOARD MEETING
MONDAY, FEBRUARY 8, 2016 @ 7:00 PM**

MINUTES

- A. **CALL TO ORDER AND ROLL CALL:** Acting Chair, Stephanie Thompson, called the meeting to order at 7:00 PM. The Pledge of Allegiance and Roll Call was taken.

Board Members Present: Vice-Chairman, Stephanie Thompson, George McNaughton, Peter MacGillivray, and Walter Martone. Chairman, Kristi Morris, absent.

Town Administration: Town Manager, Tom Yennerell.

- B. **MINUTES:**
a. Regular Board of Selectmen, Meeting Minutes, January 25, 2016.

MOTION: **Walter Martone moved to approve the Regular Selectboard, Meeting Minutes of January 25, 2016 with the noted changes.**
Seconded by Peter MacGillivray
Vote: 4 Yes, passed unanimously (Chairman, Kristi Morris, Absent)

Walter Martone requested to change the first sentence at the top of page 4. The sentence should read: *Chairman Morris read out loud the four, (4), recommendations from the Charter Review Committee.*

Peter MacGillivray requested to change fourth paragraph, first sentence on page 2. The sentence should read: *Vice-Chairman Thompson stated she did not have any sympathy for absent landlords and felt the landlord has had enough time to accomplish the request made from the Selectboard.*

- C. **CONSENT AGENDA:**
ITEM 1: Toonerville Trail Permit – 2nd Annual Wrestling 5K Color Gauntlet
ITEM 2: Toonerville Trail Permit – American Foundation for Suicide Prevention
“Walk to Prevent Suicide – Out of the Darkness”
ITEM 3: Toonerville Trail Permit – 2nd Annual Run the River Team Challenge
ITEM 4: Certificate – No Appeal or Suit Pending – Grand List
ITEM 5: Proclamation – Elijah Pianka

Acting Chair Thompson read the list of items from the Consent Agenda section. No Items were pulled from the Consent Agenda section.

- MOTION:** **Peter MacGillivray moved to approve Items #1 through #5 under the Consent Agenda section.**
Seconded by Walter Martone

Peter MacGillivray requested the recording secretary to reflect the actual set up and pick up times for ITEM #3 of the Consent Agenda section. The time should be 5:00 to 9:00 PM; not 6:30 to 8:30 PM which is just the event time. The other Selectboard Members had no objections to this request.

Vote: 4 Yes, passed unanimously (Chairman, Kristi Morris, Absent)

Town Manager Yennerell read the Proclamation for Elijah Pianka out loud. Elijah received many congratulations from the Selectboard Members, Town Administration, and the Citizens in the audience.

- D. **ANY REQUESTED ADDITIONS TO THE AGENDA:** None
- E. **OLD BUSINESS:**
ITEM 6: Charter Review Committee Organization

MOTION: George McNaughton moved to appoint Peter MacGillivray and Walter Martone as the two Selectboard Members to review applicants, conduct interviews with candidates, and make recommendations for appointments to the Charter Review Committee.
Seconded by Acting Chair, Stephanie Thompson.

A brief discussion took place as to where interested citizens could acquire an "Appointed Office Questionnaire". To request an Appointed Office Questionnaire, please refer to the Town's Website, www.springfieldvt.gov/office2.com or call Donna Hall at the Town Office, 885-2104, Ext. 221. Appointed Office Questionnaires will be accepted until 4:30 PM on Tuesday, February 16, 2016.

Vote: 4 Yes, passed unanimously (Chairman, Kristi Morris, Absent)

F. NEW BUSINESS:

ITEM 7: 1st Reading of a Proposed Ordinance called Certain Nuisances Within School and Licensed Day Care Zones. Town Manager Yennergell stated tonight was the First Reading of Division 7. Certain Nuisances within School and Licensed Day Care Zones of Chapter 7. Health, Sanitation, Nuisances. There would still need to be a Second Reading and two, (2), Public Hearings.

Selectboard Member, George McNaughton volunteered to read Sections 7-150 through 7-153. Acting Chair Thompson called for input from the Selectboard, Town Manager, and the Public. There was a discussion on the types of graffiti and what would be a suitable amount of time before the graffiti would be removed or covered. As far as the graffiti, the decision to leave the ordinance as proposed was made [Section 7-152 Definitions (2)]. In addition, there was a slight change made to [Section 7-152 Definitions (3)]; the wording at the end of the sentence should be fourteen days – not two weeks for consistency throughout the proposed ordinance. A copy of the proposed ordinance is attached to the minutes.

MOTION: George McNaughton moved to accept the wording change to Section 7-152 Definitions (3) from two weeks to fourteen days for consistency and to acknowledge tonight as the First Reading of Division 7. Certain Nuisances within School and Licensed Day Care Zones of Chapter 7 Health, Sanitation, and Nuisances.
Seconded by Walter Martone
Vote: 4 Yes, passed unanimously (Chairman, Kristi Morris, Absent)

Acting Chair Thompson indicated the next step would be to schedule a Public Hearing and the Second Reading of the proposed ordinance. After a very brief discussion, Monday, March 7, 2016 at 6:00 PM there will be a Public Hearing and the Second Reading for the proposed ordinance.

G. TOWN MANAGER'S REPORT: The Town Manager's Report may be viewed on the Town's Website or a copy may be picked up at the Town Manager's Office.

H. OTHER MINUTES & CORRESPONDENCE:

1. Airport Commission, Agenda & Meeting Minutes, January 28, 2016
2. Energy Committee, Minutes, December 17, 2015, Approved & Minutes January 21, 2016, Not Approved
3. Fire Department, Monthly Report, January 2016
4. Springfield Housing Authority, Minutes, January 12, 2016 & Agenda February 9, 2016
5. Springfield On The Move, Minutes, December 17, 2015 & Agenda, January 21, 2016
6. Springfield Police Department, Monthly Report, January 2016
7. Springfield Regional Development Corporation, Minutes, December 22, 2015 & Agenda, January 27, 2016
8. Springfield Senior Center, Monthly Newsletter, February 2016

Acting Chair Thompson read through the list of Minutes and Correspondence noting copies could be obtained from the Town Manager's Office or be found on the Town's Website.

I. CITIZEN'S COMMENTS: There were no Citizen's Comments. However, Tom Yennergell acknowledged the three, (3), Coaches of the Springfield High School Field & Track Team. The Selectboard, Town Administration, and Citizens in the audience congratulated and thanked Jim Fog, Josh Dikeman, and Stephen Lawrence for their time spent with the youth of our community. Jim Fog also pointed out that Josh Dikeman has been coaching students within the community for approximately ten, (10), years and that he and Stephen Lawrence have learned a great deal from him.

J. EXECUTIVE SESSION----Personnel

MOTION: Peter MacGillivray moved for the Selectboard to go into Executive Session to discuss a personnel issue at 7:35 PM.
Seconded by George McNaughton
Vote: 4 Yes, passed unanimously (Chairman, Kristi Morris, Absent)

Submitted by,

Donna M. Hall

Donna M. Hall,
Recording Secretary

The Selectboard came out of Executive Session at 7:50 PM.

K. ADJOURNMENT:

MOTION: George McNaughton moved to adjourn at 7:51 PM.
Seconded by Walter Martone
Vote: 4 Yes, passed unanimously (Chairman, Kristi Morris, Absent)

The meeting adjourned at 7:51 PM.

Executive Session Recording by Tom Yennerell, Town Manager

TOWN OF SPRINGFIELD
ORDINANCE 2016-1

SHORT TITLE: An ordinance to amend the Administrative Code;
Chapter 7. Health, Sanitation, Nuisances
Article II. Nuisances
Added: Division 7. Certain Nuisances Within School and Licensed Day
Care Zones
Added: §§ 7-150 - §§ 7-153

CATEGORY: New Legislation

PROCEDURE: 1) Introduction-First Review: Read and amended at regular
Select Board meeting on February 8, 2016 and entered in the
minutes of that meeting which were approved on _____.

2) Second Review and Public Hearing: _____.

3) Additional Second Review and Public Hearing: N/A.

4) Notice of Hearing posted in public places on _____
and published on _____.

5) Date of adoption _____.

6) Other actions.

AUTHORITY: This ordinance is adopted by the Select Board of the Town of Springfield
under authority of Vt. Statutes, Title 24 Sec. 1971, Springfield Charter
Art. One, §V.

PURPOSE: It is the purpose of this ordinance to add Chapter 7, Article II Nuisances,
Division 7 Certain Nuisances Within School and Licensed Day Care
Zones concerning the protection of the health and safety of children and
the public and the protection of property within School and Licensed Day
Care Center Zones and to provide for enforcement.

Approved as to form: February 2 2016

And as revised on: _____

And as adopted on: _____



Stephen S. Ankuda, Esquire
Town Attorney

TOWN OF SPRINGFIELD
ORDINANCE 2016-1

SHORT TITLE: An ordinance to amend the Administrative Code;
Chapter 7. Health, Sanitation, Nuisances
Article II. Nuisances
Added: Division 7. Certain Nuisances Within School and Licensed Day
Care Zones
Added: §§ 7-150 - §§ 7-153

That the Code of Ordinances of the Town of Springfield, Vermont is hereby amended by adding
DIVISION 7 and Sections 7-150 to 7-153 which reads as follows:

DIVISION 7. CERTAIN NUISANCES WITHIN SCHOOL AND LICENSED
DAY CARE ZONES

Sec. 7-150 Be it found, declared and ordained as follows:

- (a) That the quality and character of the areas which are proximate to Schools and licensed day care centers are of special concern to the Springfield Community for a variety of reasons including, but not limited to the following:
 - 1. Such areas are areas frequented by children and vulnerable adults;
 - 2. Such areas are areas frequently surveyed by persons interested in investing in the community, or becoming a resident of the community.
- (b) That the Federal and State governments have found it to be in the best interest of the public health, safety and welfare to prohibit certain persons who have been found guilty of certain crimes from residing in or near such areas, and enhance certain penalties for drug activity in school zones.
- (c) In recognition of the increased pedestrian traffic, especially that of children, the Town and the State have provided for decreased speed limits within such areas all in the best interest of the health, safety and welfare of the community.
- (d) That there have been several studies linking the existence of dilapidated buildings, buildings which are poorly maintained, or having other signs of blight such as broken windows, boarded up windows, graffiti, haphazard use of flake board or plywood to replace siding or windows to crime or less than wholesome activities.
- (e) That there has been local input from real estate professionals which indicates that run down neighborhoods located near schools have a disproportionate adverse effect on the value of property throughout the community.
- (f) That it is in the best interest of the health, safety and welfare of the community that a high priority be assigned to cleaning up and requiring appropriate exterior maintenance of structures within a school zone.

Sec. 7-151 Prohibition.

No owner or occupant of land within a School or Licensed Day Care Zone within Springfield shall cause, allow or suffer any structure within said zone to become Blighted or Dilapidated and/or Ill-maintained or Ill-repaired.

Sec. 7-152 Definitions.

- (a) For purposes of this section, Blighted, Dilapidated, Ill-maintained or Ill-repaired shall include, but not be limited to the following:
- (1) Broken windows not repaired within fourteen days by replacing the glass window;
 - (2) Graffiti not promptly removed;
 - (3) Use of any unfinished building material such as tyvek, plywood or flake board or metal roofing as an exterior veneer not in keeping with the remainder of the structure's veneer, or to board up broken doors or windows, except on a temporary basis not exceeding two weeks;
 - (4) Failure to maintain surfaces which were designed to be protected from the elements by continuous roofing, paint, stain or siding.
 - (5) Use of porches or decks visible from the sidewalk or street for storage of trash, or junk;
 - (6) Failure to keep the structure secure from the elements or the use of tarps to secure the structure from the elements except on a temporary basis not to exceed fourteen days.
- (b) For purposes of this section a School or Licensed Day Care Zone is defined to mean: within 500 feet of the property boundary of a public or accredited private School or Licensed Day Care Center.

Sec. 7-153 Penalty and Enforcement.

A violation of this ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau or in the Windsor County Superior Court, at the election of the Town Administrative Officer.

- (a) Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 23 V.S.A. §§ 1974a and 1977 et seq. A civil penalty of not more than \$500.00 per violation.
1. A municipal ticket will be issued 15 days after written notification of violation is mailed by the Town Administrative Officer if the violation has not been corrected in accordance with this ordinance. Each day that the violation continues shall constitute a separate violation of this ordinance.

2. For purposes of issuing the municipal ticket or enforcement in the Judicial Bureau, the Town Administrative Officer or the Town Constable shall be designated enforcement officer(s). Said designee(s) shall issue tickets and may be the appearing officer at any hearing.
- (b) Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Town of Springfield may pursue all appropriate injunctive relief. In addition, a civil penalty of not more than \$800.00 per violation may be imposed for violation of this ordinance.
1. A civil action may be initiated in the Superior Court within [30 days] after written notification of violation is mailed by the Town Administrative Officer if the violation has not been corrected in accordance with this ordinance. Each day that the violation continues shall constitute a separate violation of this ordinance.