

TOWN OF SPRINGFIELD
SELECTMEN'S HALL – 96 MAIN STREET – THIRD FLOOR
REGULAR BOARD OF SELECTMEN MEETING
MONDAY, FEBRUARY 9, 2015 @ 7:00 PM

MEETING MINUTES

A. **CALL TO ORDER AND ROLL CALL:**

Chairman, Kristi Morris, called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited and Roll Call was taken.

Board Members Present: David Yesman, Chairman, Kristi Morris, Peter MacGillivray, Vice-Chairman, Stephanie Thompson and George McNaughton.

Also Present: Town Manager, Tom Yennerell, Comptroller, Jeffrey Mobus, Town Clerk, Barbara Courchesne, Police Chief, Douglas Johnston, Police Lieutenant, Mark Fountain, and Town Attorney, Stephen Ankuda.

B. **ANY REQUESTED ADDITIONS TO THE AGENDA:** Town Manager, Tom Yennerell, requested to add three, (3), more liquor licenses for renewal and David Yesman requested time to speak in regards to the Rental Registry. Chairman Morris noted there were no objections for either request. Additional renewals for Liquor Licenses will be added under F. **LIQUOR CONTROL COMMISSION: ITEM 3** and Rental Registry will be added under G. **NEW BUSINESS: ITEM 10.**

C. **MINUTES:**

- a. Ordinance Sub-Committee, Meeting Minutes, January 14, 2015
- b. Board of Selectmen, Meeting Minutes, January 26, 2015

MOTION: David Yesman moved to accept the Ordinance Sub-Committee, Meeting Minutes, January 14, 2015 and Board of Selectmen, Meeting Minutes, January 26, 2015 as submitted.
Seconded by Vice-Chairman, Stephanie Thompson.

George McNaughton requested an addition to the Board of Selectmen, Meeting Minutes of January 26, 2015. The fourth paragraph under D. **PUBLIC HEARING: ITEM 1: 188 Wall Street – Demolition Order Appeal.** The following sentence will be added at the end of the paragraph.

The Board of Selectmen requested a subpoena be issued for Mr. & Mrs. Bishop's insurance policy claims and noted a full recording of the meeting minutes and statements is on file at the Town Manager's office.

Vote: 5 Yes, passed unanimously

D. **CITIZENS TO ADDRESS THE BOARD:**

ITEM 1: Naomi Johnson, Dufresne Group, Bicycle/Pedestrian Path Scoping Study – Jason Rasmussen, Senior Planner, from Southern Windsor County Regional Planning Commission, (SWCRPC), and Naomi Johnson, Professional Engineer, from Dufresne Group are in attendance to go over the Bicycle/Pedestrian Path Scoping Study completed during October 2014. Town Manager, Tom Yennerell recommends the Board accepts the report and authorize staff and the Regional Planning Commission to seek funds for a design.

Ms. Johnson presented three options for the Bicycle/Pedestrian Path; Cross Country, Route 106, or Fairgrounds Road which were identified by STAG for the scoping study. She explained details for each option. Please note maps and excerpts of the complete report are attached to these minutes. Anyone wishing to review the complete report may do so by coming to the Town Manager's office.

Town Manager Yennerell commented the purpose of the presentation and for the Boards involvement is primarily to see what the conceptual plan is and to give a green light to move forward to the Town Staff, Regional Planning Commission and the STAG Committee. At this point, the Town is not asking for any funding. The Town would also be

looking for other sources of funding besides or in place of Town Funding. Town Manager Yennerell does not want to use tax dollars.

Ms. Johnson stated the next phase of the project would be the Design Phase; 90% would be paid for by VTrans and 10% would be the Town's responsibility. If the Board of Selectmen would like to continue with this project, the next step would be to submit an application to VTrans for funding. Jason Rasmussen pointed out the next opportunity for funding will be the summer of 2015.

MOTION: Peter MacGillivray moved to acknowledge the presented Bicycle/Pedestrian Path Scoping Study and authorize the Regional Planning Commission to submit an application to VTrans. Seconded by Vice-Chairman, Stephanie Thompson.

David Yesman feels \$4,000,000.00 to go to N. Springfield is too much money and does not support this project. He commented this is not FREE MONEY; it's the Tax Payers money. He also feels going through the Recycling Center area is also dangerous; it is too busy on Wednesdays and Fridays. Peter MacGillivray acknowledged the Fairgrounds Road and Route 106 options are busy areas and quite dangerous. He also reminded everyone the Toonerville Trail was once thought of as a crazy idea; there are many people that use the trail now. George McNaughton pointed out from his research, people want bike paths and walking trails. He also commented quite often N. Springfield feels left out; this is a good way to include them. The Federal and State funds are going to be spent; so he would like to see the funding go to the Town of Springfield.

Ethan McNaughton, Member of STAG, Springfield Trails and Greenways, shared the STAG group still has some funds available. He also stated STAG prefers the Cross-Country Trail. Mr. McNaughton also stated when you think of Vermont, you don't think of riding a bike on Route 106; you think of the route along the Black River, winding through the woods pushing strollers or biking along the path. He would like to see Springfield known as a place for biking trails. Having a trail going from the Springfield Boat Landing all the way to the Spring Weather trails would be great for the Town.

Chairman Morris commented years ago he was into biking, but is now a runner; he can appreciate the bike paths and trails. He also agrees with Board Member McNaughton about spending the funds in Springfield.

Vote: 4 Yes, 1 No (David Yesman)

Ethan McNaughton proposed STAG Members write the grant and work with the Regional Planning Commission and the Town. The Town will be the applicant for the grant. Chairman Morris agreed with this process.

E. **PUBLIC HEARING CONTINUATION:** (7:30 PM or ASAP)

ITEM 2: Demolition Order Appeal – 188 Wall Street – Mr. Bishop's Attorney, Richard Bowen, could not make the meeting tonight.

MOTION: George McNaughton moved for the Selectboard to grant a Continuation of the Public Hearing for Mr. & Mrs. Donald Bishop to be held on Monday, February 23, 2015 providing the subpoena requesting insurance claim information regarding 188 Wall Street property is submitted to the Town Attorney, Steve Ankuda, by Friday, February 20, 2015. Seconded by Vice-Chairman, Stephanie Thompson
Vote: 5 Yes, passed unanimously

Town Manager Yennerell questioned the motion; what happens if the Town Attorney does not receive the requested information? George McNaughton felt the Town has given Mr. Bishop enough time to submit his case and wanted information from a subpoena issued to Mr. Bishop. Town Manager Yennerell and Vice-Chairman Thompson feel we have to have the Continuation of the Public Hearing regardless if the Town Attorney receives any information. The request for a Continuation of Public Hearing was made so Mr. Bishop could have his own engineer inspect and present on his findings of 188 Wall Street. Chairman Morris doesn't dispute what Mr. McNaughton is saying. Town Attorney Ankuda suggested Mr. Bishop be given the opportunity to explain why he will not or cannot produce the requested information.

AMENDED

MOTION: George McNaughton moved for the Selectboard to grant a Continuation of the Public Hearing for Mr. & Mrs. Donald Bishop to be held on Monday, February 23, 2015 with a request for the insurance information, the Board of Selectmen will review the requested information at the time of the Public Hearing.
Seconded by Vice-Chairman, Stephanie Thompson
Vote: 5 Yes, passed unanimously

David Yesman noted that Jean Bishop's name has been on all the notices sent from the Town; should the Town insist she be at all the Public Hearings? Town Attorney Ankuda stated it is really up to Mrs. Bishop if she wants to attend. She is a co-owner on the properties and she did not appeal the orders. The appeals have been made by Mr. Bishop. Mr. Yesman also questioned about the Deed for 188 Wall Street, there is a clause stating that anybody owning the property shall keep the property in condition so it is not a nuisance to the adjacent landowners. Town Attorney said the adjacent landowners are the only ones that would be able to make a claim.

**F. LIQUOR CONTROL COMMISSION:
ITEM 3: Liquor Licenses**

Local Liquor Control Opened at 7:52 PM

Town Clerk, Barbara Courchesne, stated all five, (5), of the renewal for Liquor Licenses have been cleared through Police Chief, Douglas Johnston, the property taxes are current, and the appropriate training has been done by the applicants.

MOTION: David Yesman moved to approve the renewal liquor licenses for:
Oriental Palace Restaurant, Inc. d/b/a Oriental Palace Restaurant
Maxi Green, Inc. d/b/a Rite Aid Store #10313
Penguin Market, LLC d/b/a Penguin Market, LLC

Moose, Loyal Order of, Springfield Lodge #679, Inc. d/b/a
Moose, Loyal Order of, Lodge #679

Elks, Springfield Club #1560, Inc. d/b/a
Elks, Springfield Club #1560, Inc.

Seconded by George McNaughton
Vote: 5 Yes, passed unanimously

Local Liquor Control Closed at 7:55 PM.

G. NEW BUSINESS:

ITEM 4: Ordinance 2015-1 Health Nuisances – This is the second attempt on the First Reading of proposed Ordinance 2015-1 Health Nuisances. Attorney Ankuda pointed out in Section 7-47 Prohibited (a) the distance changed from 250 ft. to 175 ft. and (b) front door and front window and changed the wording to “has notified”.

David Yesman wanted to know who was going to enforce this proposed ordinance. George McNaughton stated the Town's Charter states the Police Department and the Town Manager are authorized to enforce ordinances. Mr. McNaughton also pointed out he will be requesting an Ordinance Officer, but that is not for discussion tonight. Vice-Chairman Thompson pointed out this is another way to move the groups of people hanging out in front of the Springfield Town Library and the 31 – 41, LLC Block. Peter MacGillivray also commented he has heard favorable comments in regards to the Police Foot Patrols along Main Street. He also suggested the Police Officers on Foot Patrols could give friendly warnings in the beginning of enforcing the ordinance.

MOTION: George McNaughton moved to accept Ordinance 2015-1 Health Nuisances, (Chapter 7. Health Sanitation, Nuisances, Article II. Nuisances, Division 2. Health Nuisances, Section 7-47 Prohibited Added Paragraph (10), Division 6. Enforcement, Added Section 7-110 Enforcement) on First Review.
Seconded by Vice-Chairmen, Stephanie Thompson

Char Osterlund, resident, asked for a verbal explanation of the distance. Town Manager Yennerell explained the distance would be from the corner of Park and Main Street to approximately the Congregational Church. She asked if smoking is a Health Nuisance downtown; why isn't it a Health Nuisance on Summer Street, Commonwealth Avenue, etc? Chairman Morris said it is. Ms. Osterlund understands the Town is trying to deal with the loitering and drug problems in order to make Springfield a better place; which she totally supports. However, this looks like a setup, be honest. People, who live in apartments, don't have a front yard. The downtown is the front yard for people living in apartments in that area. She feels this discriminates against people that do not have enough means to have a yard. She just wanted to share her concerns.

Vote: 4 Yes, 1 No (D. Yesman)

A copy of the proposed Ordinance 2015-1 Health Nuisances is attached. Attorney Ankuda pointed out a Public Hearing for the Second Reading should be scheduled.

MOTION: George McNaughton moved to schedule a Public Hearing for the Second Reading of a proposed Ordinance 2015-1 Health Nuisances for Monday, March 9, 2015 at 7:00 PM.
Seconded by Peter MacGillivray
Vote: 5 Yes, passed unanimously

ITEM 5: DRAFT Public Safety and Criminal Activity Policy – A “Motion and Policy Statement” was submitted by Judge Hudson at the October 6, 2014 Board Meeting. In the Town Manager’s opinion the original policy was not realistic. The policy was developed by the relevant Town staff and the Public Safety Committee. He recommends the Board approve the “Public Safety and Criminal Activity Policy”. Please note the attached DRAFT policy.

MOTION: George McNaughton moved to table this topic and send it back for reconsideration. He would like to see definite dates for follow ups written into the policy. The “fill in the blanks” were not done. The proposed “Motion and Policy Statement” as proposed by Judge Hudson has been gutted.

Mr. McNaughton stated he still receives calls from Landlords who call in tips and get arguments.

NO SECOND – MOTION FAILED

MOTION: Vice-Chairman, Stephanie Thompson, moved to approve the DRAFT of the Public Safety and Criminal Activity Policy. **NO SECOND – MOTION FAILED**

David Yesman questioned where the copy of Judge Hudson’s attachment of his review was.

MOTION: David Yesman moved to table this discussion until the next meeting pending comments from Judge Hudson when he reviewed the DRAFT of the Public Safety and Criminal Activity Policy.
Seconded by George McNaughton
Vote: 4 Yes, 1 No (Chairman, Kristi Morris)

ITEM 6: Boards & Commissions Appointment

MOTION: George McNaughton moved to appoint Char Osterlund for a one year term on the Springfield Energy Committee.
Seconded by Vice Chairman, Stephanie Thompson
Vote: 5 Yes, passed unanimously

ITEM 7: Approve Valley Street Sidewalk Grant Resolution – Town Manager explained the Regional Planning Commission has prepared a Valley Street Sidewalk Grant Application Resolution for the Board of Selectmen to approve and sign. The sidewalks would run from Main Street up the Town owned parking lot on Valley Street. The goal is to have the sidewalks installed after the utility work in the road way has been done. The grant is for a 50% match from the Town or “In Kind Services”.

MOTION: Vice-Chairman, Stephanie Thompson, moved to approve the Valley Street Sidewalk Grant Resolution and to have the Board of Selectmen sign the Resolution.
Seconded by Peter MacGillivray

Town Manager Yennerell read the Resolution.

Vote: 5 Yes, passed unanimously

ITEM 8: Unsafe Buildings – Town Manager Yennerell prepared an updated list of the Unsafe & Dilapidated Buildings. In addition, Town Manager Yennerell presented a letter from the property owner of 105 Clinton Street requesting a 90 Day Extension. David Yesman indicated a neighbor was interested in purchasing the property. George McNaughton questioned if the Town should get started on an Asbestos Report and go out for bids on the demolition and teardown of this property should the current owner ignore the Order.

MOTION: George McNaughton moved to issue a 60 Day Extension providing the owner seeks an Asbestos Report and share with the Town.
Seconded by David Yesman.

Peter MacGillivray thinks the Town should adhere to the 90 Day Extension request. Town Attorney Ankuda stated an Appeal was filed, the owner passed away, so the appeal was on hold. Again, George McNaughton stated his opinion of a 60 Day Extension with the Asbestos Report. David Yesman agrees with George McNaughton's idea. Chairman Morris stated he could not support a motion with conditions attached. George McNaughton stated if the current owner provides the Asbestos Report, the Order of appeal could start. David Yesman wanted to know why the Town is going through all of these hoops when there are ordinances in place. Why doesn't the Town use the tools we have in place? Vice-Chairman Thompson wanted to know where the funds are coming from. David Yesman said the Town should pay for the demolition and teardown of the property and file a lien against the current owner.

Vote: 2 Yes (David Yesman and George McNaughton)
3 No – MOTION FAILED

MOTION: Vice-Chairman, Stephanie Thompson, moved to grant a 90 Day Extension and set the date of May 11, 2015 as the Order of Appeal.
Seconded by Peter MacGillivray
Vote: 3 Yes and 2 No (David Yesman and George McNaughton)

ITEM 9: Armory Acquisition – As requested from Selectboard Member, George McNaughton, the Board will be discussing the Armory Building on Fairgrounds Road. Town Manager Yennerell explained the State has offered the Armory Building to the Town of Springfield without any financing consideration. The building, based upon documentation, appears to have some environment issues; such as asbestos, PCB, and thermostats that contain mercury. In addition, the building is not on the Town Sewer System and the Town does not have funds to take on projects, let alone a building with known problems. If the building was obtained, it would stand vacant as it is now. He also suggested if the Town is interested in the Armory Building, and it seems like the Town should consider it because the Town owns the property underneath the building, that the Board would adopt a policy as to what the building would be used for. If the building was to be used for groups other than Town Personnel, that we develop fees for the use of the building. In addition, Town Manager Yennerell suggested the Board asked the State to make the improvements regarding the environmental issues.

George McNaughton has been researching and working on the Armory Acquisition Project for over a year. There needs to be a discussion with the State regarding some of the environmental issues. He feels some of the environmental issues may have been taken care of by the State. At first the State was asking \$190,000.00 for the Armory; now they have offered it to the Town of Springfield. He wants to know if the Board is interested in pursuing the property, and if we are we need to have some kind of plan.

1. Negotiating with the State for any additional cleanup and 2. Need a plan of use

Mr. McNaughton has been looking at a Public Cannery with a certified kitchen and licensed personnel. There have been discussions with RVTC regarding that plan. He feels the building is too large for just a Public Cannery so he is proposing to use the smaller rooms for the Maker's Guild. RVTC will be opening a Maker's Guild, but that is primarily for students and people working on proto-type products. If they needed room for production, they would use the Armory building.

He feels it is time for "Thumbs Up" or "Thumbs Down" on the Armory Project from the Board. If it is "Thumbs Up" he would like to receive public input, go to the Planning Commission; go to Parks & Recreation and Public Works because the Town Garage is right beside it, as well as the aquifer. There is also a Maintenance Building that was used by the State and a decommissioned Firing Range that used small caliber ammo. Mr. McNaughton also stated he wondered if the Town should own the Armory or should a subsidiary of the Town own the Armory. He is hoping there will be enough grants available for the project. His goal is to not have any loans or request an appropriation on taxes. Mr. McNaughton wants the Town to keep control of the site because it is next to the Town Garage and aquifer.

Vice-Chairman Thompson would like to explore other ideas of use for the building and she agrees with the Town Manager in regards to the environmental issues. She also wants to proceed at a slow and study pace; not rush into anything. Peter MacGillivray is interested in a Maker's Guild and likes the idea of obtaining grants to cover the expenses. He would like to see the State cover the environment issues. Mr. MacGillivray would also like to see the building on the grant list. George McNaughton wants to set a meeting for public input. He also pointed out the "Operator" who was clearly the State, is the one who has the liability. Town Attorney Ankuda stated the Deed states the property goes back to the Town. The Town is going to have to deal with the Armory sooner or later. Chairman Morris is looking for a time line. He asked what the Board wanted to do.

**MOTION: George McNaughton moved for the Board of Selectmen to consider the acquisition of the Armory located on Fairbanks Road for alternative use. The Board set a Public Hearing date for public input, and refer the project to the Planning Commission, Parks & Recreation and Public Works Departments for their comments.
Seconded by Peter MacGillivray**

Vice-Chairman Thompson agrees with the first sentence of the motion, but not the remaining part. She doesn't want to put the cart before the horse. David Yesman stated the Town is responsible for enough solid waste and caution everybody to tread very carefully. He doesn't want the Town to spend a dime on this project. George McNaughton stated he was not backing down, he feels public support for the project is very important and it is necessary the State knows what the Town of Springfield wants. He doesn't want to accept a building with problems either. Peter MacGillivray agrees with the Public Pressure on the State.

Vote: 2 Yes, 3 No (Chairman, Kristi Morris, Vice-Chairman, Stephanie Thompson, and David Yesman) MOTION FAILED

**MOTION: Vice-Chairman, Stephanie Thompson, moved to authorized the Town Manager and Town Attorney begin the process in communicating with the State regarding the remediation issues and developing a process for an acquisition fo the Armory. In addition, explore what the building could be used for.
Vote: 5 Yes, passed unanimously**

ITEM 10: Rental Registry – David Yesman stated the Town’s Rental Registry list should not have been turned over to the State Fire and Safety Division. He also went on to comment out of 225 registered properties, the Springfield Housing Authority had 3 properties randomly selected for inspection. Mr. Morlock’s property is known as “Low Hanging Fruit” because the State knows he will take care of his property. Mr. Yesman went on to state there are all kinds of places around this town that desperately need safety inspections. He also stated in his opinion the Rental Registry isn’t working; he suggested the Rental Registry be scrapped.

The Board was sympathetic and understood Mr. Morlock’s frustration.

H. **TOWN MANAGER’S REPORT:** The Town Manager’s Report is in the Board of Selectmen’s Packets and can be located on the Town Web-site.

I. **FUTURE AGENDA ITEM PROPOSALS:** Chairman Morris asked Board Members for future agenda items. The only request was from George McNaughton. He would like to discuss the possibility of an Ordinance Officer.

J. **OTHER MINUTES & CORRESPONDENCE:**

- a. Springfield Airport Commission – Meeting Minutes, January 22, 2015
- b. Springfield Highway and Water/Wastewater Departments – Monthly Reports, August through December 2014
- c. Springfield Housing Authority, Agenda, February 10, 2015
- d. Springfield Library Board of Trustees – Meeting Minutes, January 13, 2015
- e. Springfield Library Board of Trustees – Agenda, February 9, 2015
- f. Springfield On The Move – Meeting Minutes, December 18, 2014
- g. Springfield On The Move – Agenda, January 15, 2015
- h. Springfield Police Department – Monthly Report – January 2015
- i. SRDC – Meeting Minutes, December 23, 2014
- j. SRDC – Agenda, January 27, 2015
- k. SWCRPC – Press Release, January 28, 2015

Chairman Morris noted copies of the above correspondence could be picked up at the Town Manager’s Office.

K. **ADJOURNMENT:**

MOTION: David Yesman moved to adjourn the meeting of Monday, February 9, 2015.
Seconded by Peter MacGillivray
Vote: 5 Yes, passed unanimously

Meeting closed at 9:34 PM.

Submitted by



Donna M. Hall,
Recording Secretary

SECTION 1 SUMMARY

The objective of this project is to create a safe route for pedestrians, bicyclists and other potential recreational users to travel from the Springfield downtown area to the North Springfield recreational facilities. The study includes an evaluation of the following options as possible corridors for reaching North Springfield:

1. Option 1 Local roads in Springfield downtown and North Springfield with a cross country route along the Black River
2. Option 2 Route 106 and Reservoir Road
3. Option 2b Route 106 and Maple Street
4. Option 3 Local roads for the entire route including the entire length of Fairgrounds Road

Characteristics for each of these alternatives routes were reviewed including right-of-way widths, roadway features, traffic data, historic/archaeological features, natural resources and other environmental impacts.

An Archeological Resource and Historical Preservation Assessment was completed which identified the portions of the route parallel to the Black River as "on or adjacent to locations with high potential for pre-contact and historic archeological deposits". For the other portions of the study area the report notes that the majority of these corridors have been disturbed during grading and roadway construction therefore impacts are not expected, provided the route utilizes existing sidewalks and roadways. When the proposed route is further defined during final design, the potential for archaeological impacts should be reviewed again if the cross country route is the selected option. This review consists of conducting a Phase IB archaeological reconnaissance survey.

Three environmental issues were identified for the Option 1 route. No environmental issues were identified for the other routes. The environmental issues for Option 1 include:

1. Class II wetlands adjacent to the Recycling Center.
2. Black River floodway and 100 year flood plain.
3. Hazardous waste sites on Riverside Middle School property.

The alternative routes were reviewed at a Local Concerns meeting. As a result of the meeting, the following Purpose and Need Statement was developed.

The purpose of the project is to create a multi-use path from Riverside Middle School to the North Springfield Reservoir and Springweather Recreational Area located in North Springfield, Vermont.

The need for the project is to facilitate the safe movement of bicycles and pedestrians between downtown Springfield and the Village of North Springfield, with connections to the Middle School and Springweather Recreational Area.

All of the optional routes start at the intersection of Park Street and Main Street and terminate at the North Springfield Reservoir. Following a review of the roadway characteristics for the various routes, the alternatives that utilize existing roadway corridors (Options 2, 2b and 3) were eliminated due to the significant conflicts between vehicles and potential pathway users as described in Section 4. The original extent of the Option 1 route was modified to start at Riverside Middle School (RMS) rather than Park Street, since it would not be feasible to construct a pathway or bicycle lane on Park Street and Pearl Street without acquiring property and removing structures.

The recommended alternative to connect downtown Springfield to the North Springfield recreational facilities is a shared pathway from Riverside Middle School to the Town well field on Fairgrounds Road, with on road bicycle facilities to continue the route north to the reservoir area. The advantages of this route are the scenic aspects of a route along the Black River, the ability to construct a shared pathway and a cross-country route that avoids conflicts between pathway users and vehicular traffic.

Phase 1 of the project is a 6,000 lf (1.1 mile) shared pathway from Riverside Middle School north along the Black River to the Recycling Center. Phase 2 is another 6,000 lf segment from the Recycling Center to the north end of the Town well field on Fairgrounds Road. Bicyclists traveling between the pathway and the North Springfield Reservoir, a distance of about 5,700 ft, will utilize the existing roadway shoulder since the roadways from Fairgrounds Road to the reservoir area are not wide enough to accommodate a bike lane or shared pathway. Improvements to create a sidewalk network to the reservoir are not included in the recommended project.

Alternative materials of construction were considered for the pathway surface. The cost for a bituminous asphalt pavement surface is estimated at about \$6/ft more than the cost for a crushed ledge surface. A paved surface is recommended due to the increased durability and the minimal increase in capital costs compared to crushed ledge. The construction cost in 2014 dollars for a paved pathway is estimated at \$2,629,000.

The construction costs for sidewalk improvements between the north end of the pathway on Fairgrounds Road and the North Springfield Reservoir are estimated at \$739,000 in 2014 dollars. This project consists of new sidewalks on Fairgrounds Roads, Elm Street, and Maple Street and replacement of the existing deteriorated sidewalks on Elm Street and Main Street. If the existing sidewalks are not replaced, the new sidewalk construction cost is estimated at \$594,000 in 2014 dollars.

The total project cost for a shared pathway with a paved surface and from Fairgrounds Road to the North Springfield Reservoir is \$4,089,000 based on construction in 2014. The total project cost for Phase 1 is \$1,895,000 and the total project cost for Phase 2 is \$2,194,000. Based on funding under the Bicycle and Pedestrian Program, the local share of the total project cost is \$190,000 for the Phase 1 shared pathway project. However, other funding programs have different local match requirements. After the Town reviews and endorses this study, we recommend applying to the VTrans Bicycle and Pedestrian Program for design and construction funds to implement the pathway project.

SECTION 3 PURPOSE AND NEED

General

Developing a Purpose and Need statement requires obtaining input from local citizens, meeting with Town staff representatives, and Springfield Trails and Greenways (STAG) representatives. This task also includes reviewing characteristics of the area and reviewing local/regional plans to identify the relationships of the planned improvements to these plans.

Local input was obtained by conducting a public meeting. In preparation for the meeting, several planning meetings were held with Town staff, STAG members, VTrans representatives and Jason Rasmussen, the Municipal Project Manager with Southern Windsor County Regional Planning Commission. The committee meetings identified the preferred alternative as a shared use path originating at Riverside Middle School and continuing north along the Black River to the North Springfield Village area then transitioning to on-road facilities. Existing sidewalks in North Springfield Village and new sidewalks on Fairgrounds Road, Elm Street, and Maple Street would be utilized by pedestrians traveling to the North Springfield Reservoir and the existing road shoulder would be utilized by cyclists. This alternative was reviewed at the Local Concerns meetings along with advantages and disadvantages of all the alternative routes.

Local Concerns and Alternatives Presentation Meeting

A Local Concerns Meeting was conducted on October 23, 2013 to discuss alternative pathways in the project area and obtain input from the public regarding the purpose and need for the project. A copy of the meeting minutes is included in Appendix C.

The alternative routes identified as Options 1, 2, 2a and 3 were reviewed and consensus from the attendees was that Option 1, with a cross country shared pathway parallel to the Black River, is the preferred alternative. Both Route 106 and a route along the length of Fairgrounds Roads were considered high risk due to traffic conflicts.

The attendees voiced strong support for the project and expected the pathway would receive heavy use.

Relationship to Town and Regional Plans

The Springfield Town Plan and the Southern Windsor County Regional Transportation Plan both contain goals, policies and recommendations in support of the proposed improvements.

The Springfield Plan contains language in the transportation, energy and economic development sections as follows:

Goals:

- Promote inclusion of alternative modes of transit of persons and goods in design, maintenance, and reconstruction of Town and State highways, and in land use abutting these highways.
- Continue to participate in regional transportation planning efforts through participation in the Transportation Advisory Committee of the Southern Windsor County Regional Planning Commission.
- Reduce transportation energy consumption.
- Encourage non-motorized vehicles and pedestrian traffic.

Objectives:

- Promote the potential for pedestrian and non-motorized traffic through the development of pedestrian walkways, the location of goods and services in close proximity to higher density residential areas, and the development of bikeways and greenways.
- The Town can encourage less driving through the development and/or maintenance of an interconnected system of sidewalks and walking/bicycle trails, linking residents to schools, stores, work and home.
- Work to improve the quality of life in Springfield by creating opportunities for young people; protecting natural, scenic and historic resources; and improving recreational opportunities.

The Southern Windsor County 2009 Regional Transportation Plan contains the following policies and recommendations in Volume 2, Chapter 5; Alternative Modes of Transportation:

Policies:

- Adopt the Regional Bicycling and Walking Plan as part of the Regional Transportation Plan.
- Promote transportation in village centers, downtowns, and growth centers which feature bicycle, pedestrian, and other forms of non-motorized forms transportation.

Recommendations:

- Work with interested towns to investigate the feasibility of developing bicycle and pedestrian facilities.
- Implement recommendations contained in the Regional Bicycling and Walking Plan.

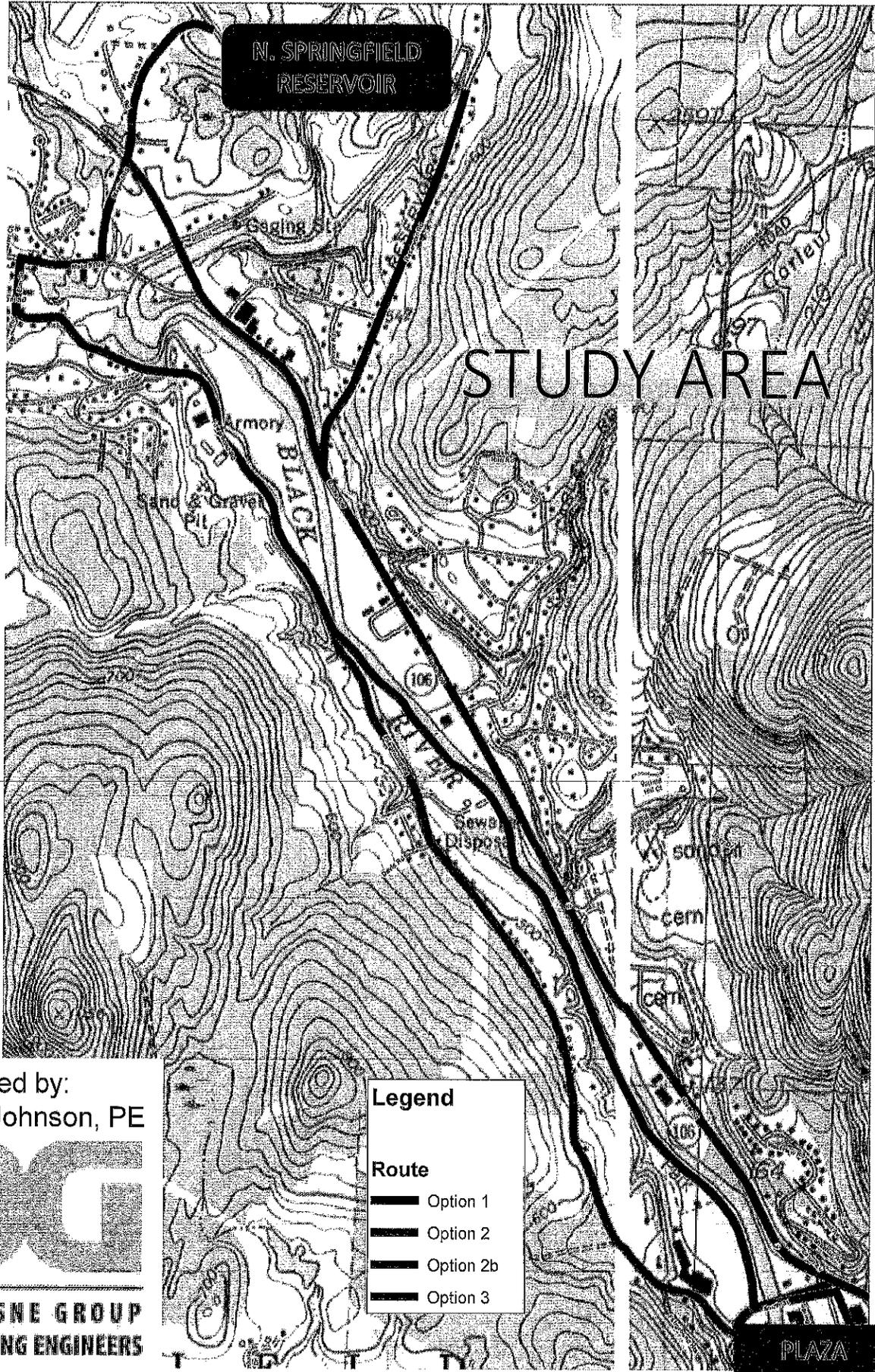
Both the Town Plan and the Regional Transportation Plan support the recreational pathway project.

Purpose and Need Statement

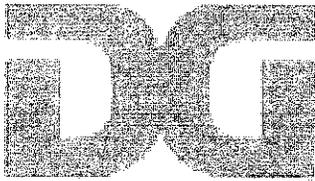
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The need for the project is to facilitate the safe movement of bicycles and pedestrians between downtown Springfield and the Village of North Springfield, with connections to the Middle School and Springweather Recreational Area.

SPRINGFIELD PATHWAY STUDY



Presented by:
Naomi Johnson, PE



**DUFRESNE GROUP
CONSULTING ENGINEERS**

Legend

Route

-  Option 1
-  Option 2
-  Option 2b
-  Option 3

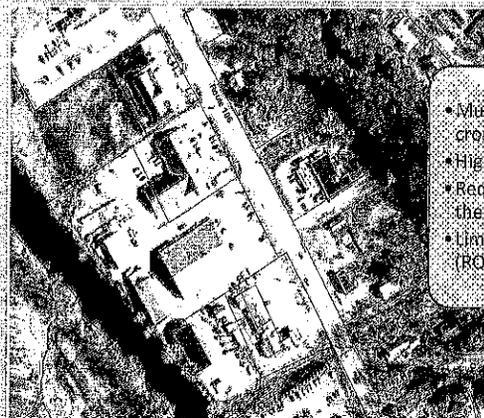
EVALUATION OF ALTERNATIVES

Cross Country



- Shared pathway
- Private property crossings
- Black River and other scenic features
- Natural resources effects

Route 106

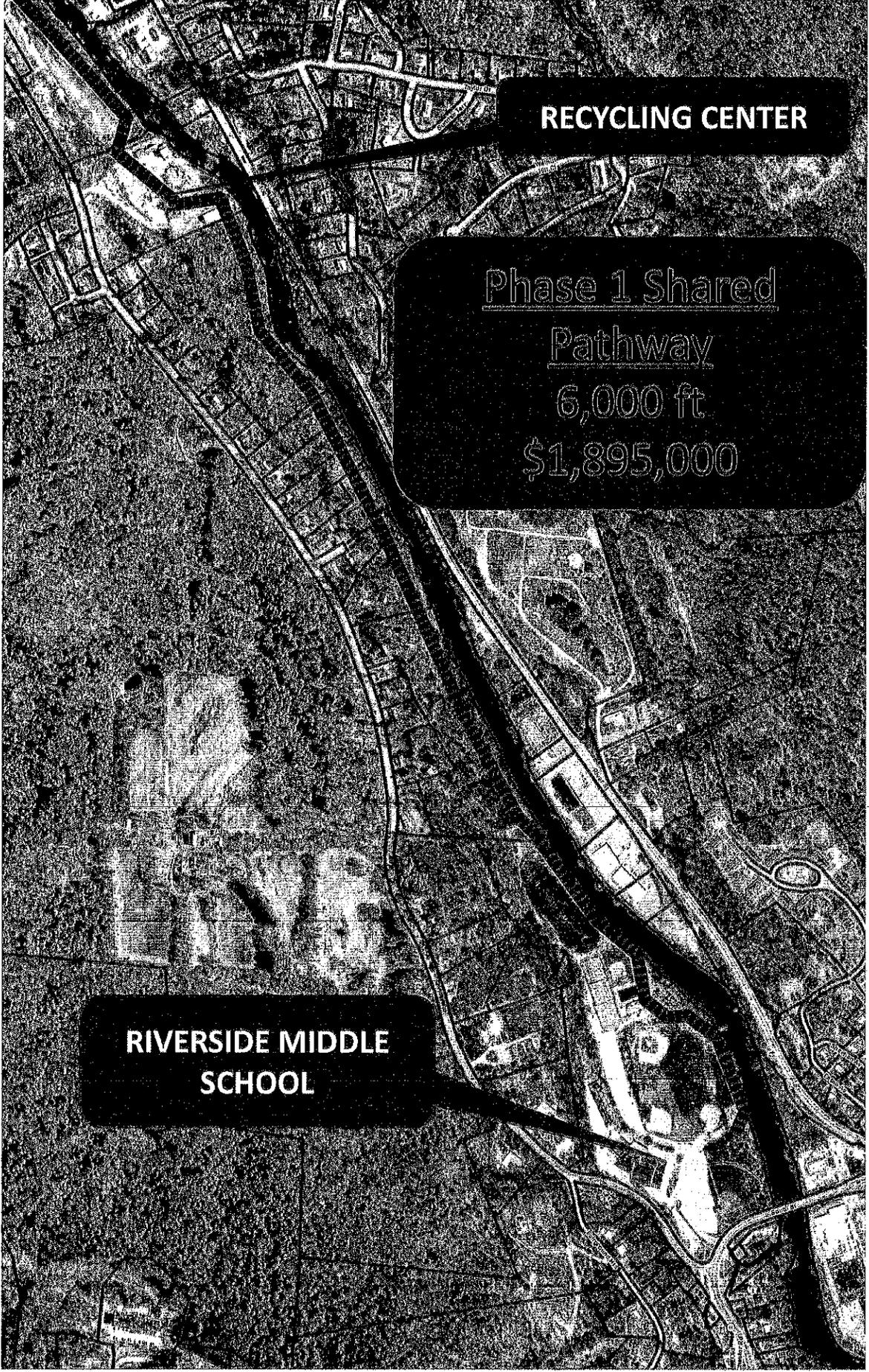


- Multiple drive crossings
- High vehicular traffic
- Requires modifying the road cross section
- Limited Right of Way (ROW)

Fairgrounds Road



- Multiple drive crossings
- Requires modifying the road cross section
- Limited ROW

An aerial photograph of a residential and commercial area. A dark, winding path is highlighted, representing the Phase 1 Shared Pathway. Two callout boxes are overlaid on the map. One box in the upper right points to a specific location labeled 'RECYCLING CENTER'. Another box in the lower left points to a large building labeled 'RIVERSIDE MIDDLE SCHOOL'. A third box in the center-right contains project details: 'Phase 1 Shared Pathway', '6,000 ft', and '\$1,895,000'.

RECYCLING CENTER

Phase 1 Shared
Pathway
6,000 ft
\$1,895,000

**RIVERSIDE MIDDLE
SCHOOL**



TOWN WELL FIELD

Phase 2 Shared Pathway
6,000 ft
\$2,194,000

RECYCLING CENTER

TOWN OF SPRINGFIELD
ORDINANCE 2015-1

SHORT TITLE: An ordinance to amend the Administrative Code;
Chapter 7. Health, Sanitation, Nuisances
Article II. Nuisances
Division 2. Health Nuisances
Section 7-47 Prohibited
Added Paragraph (10)
Division 6. Enforcement
Added Section 7-110 Enforcement

CATEGORY: New Legislation

PROCEDURE: 1) Introduction-First Review: Read and amended at regular
Select Board meeting on February 9, 2015 and entered in the
minutes of that meeting which were approved on _____.

2) Second Review and Public Hearing: _____, 2015.
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 2 Health Nuisances, Paragraph (10) concerning the protection of
the health of the public and patrons at Springfield Town Library and other
locations within the designated downtown areas and to provide for
enforcement of the Nuisance Ordinance.

Approved as to form: _____

And as revised on: _____

And as adopted on: _____

Stephen S. Ankuda, Esquire
Town Attorney

ARTICLE II
NUISANCES
DIVISION 2
HEALTH NUISANCES

Section 7-47 Prohibited

10. No person shall smoke tobacco while standing, sitting, pacing, kneeling or lying upon a public sidewalk, street (except while occupying a motor vehicle in traffic), curb, crosswalk, or walkway, or within the entrance way to a private home, business or apartment complex immediately connected to a public sidewalk, within the following areas of the designated downtown:

- (a) While on the same side of the street as the Springfield Public Library and within 175 feet to either side of the main public entrance to the same.
- (b) In front of any residence, church, business establishment or apartment complex whose owner or authorized agent has posted a no smoking sign in its front door or front window and has notified in writing the Town Clerk and the Chief of Police of said posting.

Section 7-110 Division 6. Enforcement.

- (a) A civil penalty of not more than \$100.00 may be imposed for violation of this Article.
- (b) Any fine or penalty may be appealed to the Springfield Town Manager. The appeal shall be in writing and shall be filed with the Town Manager within ten (10) days of the invoice date. The appeal shall be acted upon by the Town Manager within fifteen (15) days after the receipt of the appeal notice. Upon such appeal, the Town Manager shall act to reserve, affirm or modify in any regard the original invoicing determination of the Administrative Officer. The Town Manager shall issue a written decision to the aggrieved party.
- (c) All civil ordinance violations and all continuing civil ordinance violations, where the penalty is \$800.00 or less, shall be brought before the judicial bureau pursuant to Vt. Statutes, Title 4, and Title 24, Chapter 59. If the penalty for all continuing civil ordinance violations is greater than \$800.00, or injunctive relief, other than as provided in subsection (d) of this section, is sought, the action shall be brought in the criminal division of the superior court, unless the matter relates to enforcements under Vt. Statutes, Chapter 117, in which instance the action shall be brought in the Environmental Division of the Superior Court.
- (d) The judicial bureau, on application of the Town may order that a civil ordinance violation cease.
- (e) Civil enforcement of municipal zoning violations may be brought as a civil ordinance violation pursuant to this section or in an enforcement action pursuant to the requirements of Vt. Statutes, Chapter 117.

EFFECTIVE DATE: This ordinance shall become effective 60 days after its adoption by the Springfield Select Board. If a petition is filed under Vt. Statutes, Title 24, Sec. 1973, this statute shall govern the taking effect of this ordinance.

Springfield Select Board

Dated: _____

Public Safety and Criminal Activity Policy For the Town of Springfield, VT

It is the policy of the Springfield Selectboard to provide emergency services for responding to public safety needs of our citizens and visitors for unsafe conditions.

Regarding criminal activity, substance abuse and other forms of lawlessness the Selectboard emphasizes the need for community networking and alliance for witnessing and reporting any such activities on our streets and in our neighborhoods.

Residents, Town employees and visitors are encouraged to take an active role in reporting activities deemed to be suspicious in nature or to report an actual crime.

- a) Criminal or suspicious activity should be reported to the Springfield Police Department (SPD) dispatcher at 885-2113. Calls will be handled in an efficient, effective and courteous manner.
 - b) Unsafe health conditions should be reported to the Springfield Health officer currently staffed by the Fire Chief or his Deputy at 885-4546. When public safety health related complaints are received at the SPD, the police dispatcher will refer the reporting party to the Health Officer.
 - c) Unsafe, as defined in section 5-26 of the Springfield Town Code, building conditions should be reported to the Town Manager at 885-2104 for referral to the Selectboard. When an unsafe building related complaint is received at the SPD the complainant will be referred to the Town Manager.
1. When criminal or suspicious activity is reported to the Police Department, the dispatcher will log the date and time of call, enter the occurrence into the computer system and notify the shift officer in-charge
 2. The shift officer in-charge will review the reported occurrence, determine its priority in nature and assign it to a patrol officer. Note, officers may be assigned multiple citizen reports and will respond to each as time permits. Emergency and high priority calls will take precedent over a non-emergent or lesser priority calls.
 3. The assigned officer will investigate the reported occurrence and file a written report within the police department. If the citizen's report warrants further investigation, it can be delayed to a future shift or reassigned by the authorization of the Sergeant, OIC, or Lieutenant.
 4. When requested by the citizen initiating the call, the investigating officer, or other SPD personnel, will update the reporting party with a follow up as timely as possible. Follow up contact can be returned by the investigating officer, OIC or dispatcher. The Police Department is a 24-7 operation and updates will likely occur during

normal business hours. Not all citizen reports are eligible for a status update. See examples listed below.

- a) Citizen reports that warrant further criminal investigation because they involve children or are domestic in nature involving multiple parties, and/or confidential in nature may not receive an update due to the sensitivity of the information.
- b) Criminal investigations will not be compromised by premature release of information.
5. Persons who report a criminal or suspicious activity, that do not receive an update should attempt to contact the investigating officer, via the SPD dispatcher. Routine shifts include four 10-hour days and updates may be delayed; due to officer days off, vacation or training. The SPD dispatcher should notify the caller that the officer is on leave and the anticipated time of return to work.
6. The public is encouraged to contact the Chief of Police or the Lieutenant regarding police policy and/or explanation for those citizen reports not eligible for updates.
7. A "Request for Police Report" and "Personnel Complaints" forms are available on the SPD website at www.springfieldvtpd.org
8. Current routine monthly criminal activity will continue to be distributed and reported to the Selectboard.
9. The Springfield Police Department uses local news media and the Springfield Police Department Facebook page to report criminal activity.

Adopted this _____ day of _____ 2015.

Kristi C. Morris – Chairman

Stephanie Thompson – Vice Chairman

Peter MacGillivray

George T. McNaughton

David Yesman