

MINUTES REGULAR SELECT BOARD MEETING

6:00 P.M. Thursday, February 4, 2021

VIA ZOOM MEETING PLATFORM

Select Board

Eric Remick, Chair
Elizabeth Dow, Vice Chair
Lucian Avery
Shari Cornish
Ceilidh Galloway-Kane

Others Present

Shaun Fielder, Town Manager
Casey Rowell, Business Manager
Aaron Cochran, Police Chief
Tom Fadden, Road Foreman
Gail O' Brien

Others Present

Josh Allen
Ludwig Pulaski
Sven Fedorow
Kail Romanoff
David O'Brien

6:00 P.M. –Select Board Chair, Eric Remick, called the regular meeting to order.

6:01 P.M. – Set/Adjust Agenda – Add an Item # 6 to review Equity Committee candidates

Upon motion by Elizabeth Dow, seconded by Ceilidh Galloway-Kane, the Select Board voted to adjust the agenda as stated.

6:02 P.M. – 6:03 P.M. Select Board to approve minutes for the Regular Select Board meeting of January 21, 2021 and the Special Select Board Meeting of January 26, 2021

Upon motion by Ceilidh Galloway-Kane, seconded by Elizabeth Dow, the Select Board voted to approve the minutes of the January 21, 2021 Regular meeting and the minutes of the January 26, 2021 Special meeting, as written.

6:03 P.M. – Communication from the Audience - None

6:04 P.M. – 6:17 P.M. - Town Manager's Report– Given by Shaun Fielder

Following the last Select Board meeting, Shaun coordinated with Aldrich & Elliot on an informational brochure to provide background for the Wastewater Bond vote. That info is now posted on the Town website and we will continue to post on Front Porch Forum between now and Town Meeting to remind people about the vote.

Shaun reported that he is continuing to gather information for preparation of the USDA RDBG grant application and the Better Connections Grants. The USDA application is due February 19. The Town's Community Development Coordinator has reached out to area businesses seeking letters of support to supplement the USDA Application.

Shaun recently had communication with the VT USDA Area Director regarding option to dedicate previously received community facilities grant to cover predicted replacement costs for the Pedestrian Bridge. Award was initially allocated to Lamoyille Rally Valley Trail improvements and due to the fact, the State is taking over all construction activities and related costs this led to a situation where grant can be used in another capacity. Shaun discussed the possible reallocation of the grant funds to the Pedestrian Bridge.

Shaun has been communicating with Elizabeth Dow on the Hardwick Historical Society lease renewal and plans to have it processed next week. He also reported that he has had continued interaction with the Jeudevine Library contacts to keep on target with various action items for implementation of the project.

Shaun mentioned that he continues to monitor the state business operations guidance and the Town is maintaining office operations with limited contact and conducting business via phone, email and internet-based meetings. He understands that this can be frustrating for people not to be able to meet in person, but it is important that we keep diligent until we get back to a more normal place. Shaun thanked the Town employees for continuing to keep up with operations.

6:17 P.M. – 6:19 P.M. Road Foreman Report– Given by Tom Fadden

Tom reported that they had been busy plowing and have had a couple of water/sewer problems. Fortunately, there have been little breakdowns at this point, and he hopes they can continue with this pattern.

Tom emailed information to Eric on a truck purchase. He will share the information with the rest of the Board, and they will discuss this matter at the next meeting.

6:19 P.M. – 6:29 P.M. Hardwick Police Department Report – Given by Aaron Cochran

The incident report was sent out ahead of time. Aaron reported that the business checks that he spoke about last time have started. He also gave an update on COVID shots – everyone in the department has received their first shot with one having already received the second shot. They will all be vaccinated by the end of the month.

Aaron mentioned that there were several traffic crashes in January, which is typical. He also shared that Officer Jenness took over the Governor Highway Safety Program as Project Manager after Corporal Mitchell left. He was able to get some extra funds for DUI/Traffic safety patrol and equipment.

Eric mentioned that Doug M. asked about a recent study of race in traffic stops. Aaron shared that another study will be coming out, as there are some questions about the accuracy of that UVM study. There is some flawed information in the research. Chief offered to meet with Doug to discuss this. Lucian said that what Doug asked about was the lack of data from Hardwick on traffic stops. Chief shared that the most recent research was from 2014-2019, but there were software issues affecting data collection.

Ceilidh asked if Hardwick does have the data and Aaron indicated that they do keep this data. Lucian asked if the kinks in data collection are worked out now. Aaron said that the program is written into their computer system now so data collection practice is standardized, so all agencies will be on the same system that will track the race of people in traffic stops. Aaron said that it is concerning that the Officers are made to guess a person's race even under dim lighting or remote areas. He said that for accuracy the race should be on their driver's license and then when a ticket is issued, it would then be accurately tracked.

6:29 P.M. – 7:05 P.M. Item #1 Request for Select Board to establish right of way access to Depot Street property

Josh Allen purchased 42 Depot Street. Kail Romanoff (Josh's attorney) shared that after the purchase it was learned that there was never an easement for access to the property, therefore Josh cannot do anything without locating or documenting an existing easement or be granted one. He wants to see if the Select Board would authorize Shaun to get the Town attorney involved to negotiate some sort of legal access to Josh's property.

Eric said that if Josh intends to revitalize the building, then it seems that it would be a benefit to the Town. If we can facilitate that, it would be a positive step. Wiz said that the Hardwick Historical Society met on Monday and has concluded that they are neither for or against allowing an easement to go by their access area. The concern was plow damage to the historical Section House building.

Ludwig Pulaski with the State of Vermont mentioned that Elizabeth had a valid concern. He spoke about the Town needing to consult with the Agent of Transportation (VTrans) Historic officer before proceeding with this request. Ceilidh asked if the right of way is meant to just be a driveway or parking. She also asked if there has been any conversation with the other adjoining property owner. Josh wants to be able to drive through - get into the lot and then he would park in the field. He has not spoken to the other neighbor, as that is not a good access option.

Elizabeth would like to see something put into the paperwork that would protect the section house. She suggested maybe a physical barrier. Shaun asked Ludwig if there was a barrier to protect the section house, While the Town does own the property, VTrans has a \$1.00 right of first refusal if they decided to sell it or do anything with it. Ludwig said that in

general the State does not issue easements. In the past, if the State is offered any properties back, they take them. Any change to the property would require VTrans approval. It would be a “license” that would be issued, not an easement. They are willing to consider it but would be subject to specific stipulations. Sven Fedorow indicated that they are willing to work with the Town and Josh to try to assist in creating an access point to the property.

Upon motion by Ceilidh Galloway- Kane, seconded by Elizabeth Dow, the Select Board voted to direct the Town Manager to work with Josh’s attorney and VTrans to further investigate the right of way on Depot Street.

7:05 P.M. – 7:20 P.M. Item #2, Select Board to consider decision to initiate real estate sale of Town owned parcel to O’Brien (East Hardwick adjacent Main Street and Bridge that crosses Lamoille River)

The Town acquired this small parcel via probate court decision with settlement of estate. David and Gail O’Brien spoke about their desire to purchase this from the Town because it adjoins their property. It is a green space that they have already been taking care of through the years. They would like to purchase it, and have it continue to be a green space that belongs to them.

Ceilidh asked if the entire lot is in the flood plain and David confirmed this. It really is a green space and cannot be developed. Shari asked about our costs in acquiring it. Gail said that it was acquired from the Estate of Norman Albert Burnett in 2006 for \$1.00. The assessed value is \$500 and can also be considered fair market value according to the Town’s Assessor and Listers. The O’Brien’s made a previous offer of \$500. They also indicated that they are willing to pay for the legal expenses.

Upon motion by Ceilidh Galloway-Kane, seconded by Shari Cornish, the Select Board voted that the Town initiate a real estate sale of 0.12 acres next to the O’Brien property adjacent to Main Street and Bridge St.

Upon motion by Elizabeth Dow, seconded by Shari Cornish, the Select Board voted unanimously to authorize the Town Manager to act on behalf of the Town for the process.

Shaun will ensure that the proper process is followed with the posting of public notice and the conveyer of real estate for the Town would execute the deed once the appropriate time has passed and the sale is finalized. Shaun will facilitate the paperwork.

7:20 P.M. – 7:22 P.M. Item #3 CVSWMD Household Hazard Collection Day Request

The Central Vermont Solid Waste Management District has requested to have a Household Hazardous Waste (HHW) Collection event on July 10, 2021 from 9:00 a.m. – 1:00 p.m. at the Town Highway Garage [155 Creamery Rd.]

Upon motion by Lucian Avery, seconded by Shari Cornish, the Select Board voted to authorize the HHW Collection Day

7:22 P.M. – 7:29 P.M. Item #4, Business Manager to provide FY21 YTD Budget Status Report

The Business Manager gave a summary of the revenue and expenses YTD (through January 31, 2021) We are where we should be at this point in the year. See attachments for the summary.

7:29 P.M. – 7:45 P.M. Item #5 Select Board to review Pedestrian Bridge grant applications procedure to include funding options for replacement strategy.

Geoff, the CDC, is working on an application for a USDA RBDG Grant for \$250,000. The Board agreed at the January 26 Special meeting to use up to \$100,000 of the Fund balance to support the match. The issue was that USDA requires that the match plus their money must equal the total cost, which is estimated to be around \$500,000. Shaun was able to confirm that the existing \$175,000 grant that was for LVRT can be reallocated to this project. Therefore, with the proposed grant, plus the LVRT USDA grant, along with the match from the Fund balance, we can demonstrate that we have the financial aspects covered. Shaun said that we will still initiate fundraising strategies. We will attempt to cover

the costs. Eric spoke about how the Bridge ties into the LVRT, which is why we can reallocate the USDA funds from the LVRT \$175,000 grant that we were previously awarded.

Elizabeth asked if we could just commit \$250,000 of the fund balance. Ceilidh asked to clarify that we only need to demonstrate that we have the match, and we do not need to finalize the amounts this evening. Shaun said that for the budget we are proposing for the February 19, we cannot substantially change that in the future, so we do have to have a plan on where all project funds are going to come from. We can reduce the fund balance if we have fundraising, we just need to ultimately commit to complete. Shaun indicated that we must demonstrate that we have the funds now.

Shaun indicated that he has communicated with USDA and they want to help us to appropriately reallocate the grant money into a project that benefits the community. There was some discussion about the structuring of the total package and the match requirements.

Upon motion by Shari Cornish, seconded by Ceilidh Galloway-Kane, the Select Board voted to redirect the former \$175,000 LVRT USDA grant and combine it with \$250,000 USDA RBDG grant and then allocate \$100,000 from the Fund balance. Lucian abstained.

7:45 P.M. – 7:50 P.M. Item # 6 Review of Equity Committee candidates

Lucian recused himself and left the meeting. Two letters of interest have been received, one from Lucian Avery and another from Rutu Shah. Ceilidh reported that there are three open seats, so this would almost fill the committee if these two were appointed. The group discussed the Hardwick vs. non-Hardwick residents. The group reviewed the Letters of Interest prior to the meeting as they were provided ahead of the meeting.

Upon motion by Elizabeth Dow, seconded by Shari Cornish, the Select Board voted to appoint Lucian and Rutu to the Equity Committee.

Select Board Reports: Shari reported that Cathleen Gent (GM) is retiring from CVSWMD, and the Board decided last night to hire Lisa Liotta who oversaw the ARCC. They are continuing to search for a household hazardous site.

New Business/Old Business: Shari asked if the Pedestrian Bridge survey could possibly be opened back up because she has had several people contact her who did not get a chance to complete it. She wondered if it might be valuable to open it back up. Shaun suggested that people get in contact with Geoff Sewake cdc@hardwickvt.org. He is looking for letter of support from the community as part of the RBDG USDA application. Feedback is important, but we needed to draw a line at a certain point with the survey to allow time to review the data.

Elizabeth asked about reviewing the Mill St. speed where the State highway ends. She asked about one of the automatic radar signs. Shaun indicated that it was something recommended by the Traffic Safety Task Force. Ceilidh suggested that prior to April, the Board review what the priorities are for the summer season. We could review the budget around then and see if there are any funds available to complete some of the projects. Eric suggested that we attempt to make some decisions prior to Memorial Day.

Shari is going to be having a conference call with Gary Holloway from the Agency of Commerce and Community Development ACCD) and plans to discuss our Town Designation and what opportunities might be available for the Town.

8:00 P.M. Eric Remick, Select Board Chair, adjourned the meeting.

Minutes approved by: _____
Eric Remick, Select Board Chair

Minutes taken by: _____
Casey Rowell, Business Manager