

MINUTES REGULAR SELECT BOARD MEETING
6:00 P.M. Thursday, November 4, 2021
MEMORIAL BUILDING
20 CHURCH ST. 3RD FLOOR AND VIA ZOOM

Select Board

Eric Remick, Chair
Ceilidh Galloway-Kane
Elizabeth Dow
Shari Cornish
Michael Deering

Others Present

David Upson, Jr. Town Manager
Casey Rowell, Business Manager
Alberta Miller, Town Clerk
Aaron Cochran, Police Chief
Tom Fadden, Road Foreman
Tonia Chase, Assistant Town Clerk
Matt Krajeski, Assessor (Zoom)

Others Present

Doug McClure (Zoom)
Tom Halperin
Ellen Halperin
Ray Bellavance
Rollin Severance
Linda Mae Clow
Brenda Bolieu

Regular Meeting

6:00 P.M. – Eric Remick, Select Board Chair, called the meeting to order. It took a couple minutes to end the Public Hearing and start the Select Board meeting on the Zoom platform.

6:03 P.M. – Set/Adjust Agenda – The Business Manager requested to switch the order of items #1 & 2

Upon motion by Elizabeth Dow, seconded by Shari Cornish, the Select Board voted to adjust the agenda as stated.

6:04 P.M. – Communication from the audience - no one was present for anything besides an agenda item.

6:04 P.M. – Select Board to approve minutes for the Regular Select Board meeting of October 21, 2021, the Special meeting minutes of October 21, 2021, and the Public Hearing minutes of October 21, 2021

Upon motion by Shari Cornish, seconded by Elizabeth Dow, the Select Board voted to approve all three sets of minutes, as written. Michael abstained.

6:05 P.M. – 6:08 P.M. Town Manager’s Report– Given by David Upson

David reported on recent activities regarding the Pedestrian bridge, the Municipal Planning Grant, a meeting he attended about Act 164 Retail Cannabis, and a right-of-way issue on Depot Street. *See attachments for full report.*

6:08 P.M. – 6:11 P.M. Road Foreman Report– Given by Tom Fadden

Tom gave a report on the status of the trucks and putting plows on them. We should be getting the new dump truck in the next two weeks and his truck should also be repaired soon.

The crew did brush cutting in the village by renting a chipper. They have been spot grading for potholes. They have also been hauling ditch stone and stamatt to the garage for springtime.

6:11 P.M. – 6:20 P.M. Hardwick Police Department Report - Given by Aaron Cochran

Aaron reported that for October they had 232 incidents. This number was like the volume they used to have when they covered Greensboro. He reported that they had a repeated animal problem with cows in the road, but it was eventually resolved.

Hardwick Police Dept. (HPD) was involved with a homicide investigation in Greensboro until the Vermont State Police took it over, but they will still be involved in the court process as some officers may need to testify.

The weather was not great for Halloween, but it went well and there were many kids out. The HPD assisted with the closure of streets, so trick or treaters could be safe. Aaron spoke with residents who indicated they had four hundred kids. People seemed happy about being able to go back to this tradition.

Aaron reported that they had to get a new battery for one of the radar signs. The other has been up and the one with the new battery will be put up in various areas soon. He encouraged people to share if they think there is a specific area that needs to have a sign. They can be put up for 2 weeks at a time due to battery capacity. Ceilidh asked if the sign would also go to E. Hardwick. Aaron indicated that could be done now that they have two.

Aaron shared that the memorial bench for Lisa Fecteau at the Public Safety building will hopefully be installed next week and then the flagpole will be installed after.

Eric asked about the progress of developing an alarm policy. Aaron indicated it is being worked on.

Aaron shared about the time-consuming nature of some of their calls, especially when the incidents center around mental health issues.

6:20 P.M. – 6:58 P.M. Item #1 Linda Mae Clow has requested to discuss the new water/sewer rates

Linda Mae Clow came to the meeting with a few other residents to discuss the new water/sewer rates. Her bill went up almost \$100. She is concerned about how high the bills are.

Tom Halperin asked about why the quarterly allotment went to 8,000 from 10,000 gallons. Eric explained the purpose of the water meters was to be equitable so that “the more you use the more you pay.” There was discussion about the percentage of users that are using less than 8,000 gallons. At the time the rates were being reviewed, it was about 45% of users that were using less than 8,000 gallons.

Tom Halperin commented that it was less than half of users, so the change negatively affected 55% of users. That was not the intention of the Town. It was to meet the expenses to operate the budget and make the billing equitable based on usage.

Ray Bellavance also expressed frustration with the new system and how it affects the elderly and low-income users. He questioned the overage charge on the sewer and how he can be charged for overage if he washes his car or waters the garden and it does not go into the sewer system. It was explained that we do not have sewer meters for anyone, so the sewer overage matches the water because we must presume that what comes in goes out the same way. There is no definitive way to measure the sewer, so matching it to the water is the most effective way to determine the sewer overage.

David talked about the necessary upgrades to the sewer plant. Ceilidh explained that the cost of this project did cause the sewer rates to go up, but the Town did their best to produce rates to meet the cost with a fair and equitable billing.

Rollin Severance expressed concerns about the process of setting the rates. He shared that the national average usage is 7,200-9,000 gallons per person.

Eric reminded everyone that the Town sets new rates every year, so they are welcome to be involved in the process next year. Rates are reviewed in July and August and then the rates are set in September to be effective with the first quarterly billing of the fiscal year (July-September). The process is open to the public.

The Board thanked the residents for their honest and candid feedback.

6:58 P.M. – 7:09 P.M. Item #2 Assessor Matt Krajeski to present two Error & Omissions requests for Hardwick Electric Department

Matt shared that the Hardwick Electric (HED) utility equipment value had been incorrectly coded in the Town's grand list as taxable when they should have been non-taxable due to the PILOT (payment in lieu of taxes) arrangement. This can be corrected with the State without any penalty and the education portion will be rectified without cost to the Town.

However, because of this, the Grand list was falsely inflated by a couple million dollars; therefore, the tax rate set in July will result in the Town not receiving the anticipated amount of tax revenue. We will not be making a change to tax bills or the tax rates for residents. This will create a shortfall in tax revenue of \$31,855.

Matt also presented two error & omissions requests for the HED utility equipment. The was prompted by the State District Advisor notifying the Town that the equipment was being undervalued and told the Town what the new amounts needed to be.

Upon motion by Ceilidh Galloway Kane, seconded by Elizabeth Dow, the Select Board voted to accept the error & omissions request for Parcel #00000-00682 to make it a tax-exempt parcel with a value of \$4,318,600.

Upon motion by Ceilidh Galloway-Kane, seconded by Elizabeth Dow, the Select Board voted to accept the error & omissions request for Parcel # 00000-00531 to make it a tax-exempt parcel with a value of \$479,800.

It was noted that the Select Board should discuss the PILOT payment with HED at the special meeting on November 9. That meeting agenda has already been posted, so they can add that topic to the agenda at the beginning of the meeting.

7:09 P.M. – 7:56 P.M. Item #3 Business Manager to present Highway, Fire & Line Items, Capital Funds, and Office/Payroll DRAFT Budgets

The Business Manager presented DRAFTS of the listed budget areas. See attachments for the details.

It was noted that the auditors recommended that we remove "back road rebuild" from capital and put it in the regular Highway budget. We did this by adding \$30,000 to gravel in the regular highway budget and removing that expense from the capital roads plan.

One topic of discussion included the fact that the Town's gravel pit only has 2-3 years left of material in it. We currently crush gravel annually and haul it to Town garage. When the gravel is gone, we would have to start purchasing it from another gravel pit. That could cost upwards of \$90-\$100,000/year. We should start preparing for that transition now. By making our gravel budget \$65,000 for FY23, that does help us to start the increase over the next few years.

The Business Manager summarized the items that were increasing the most in the respective categories. Line items showed a 25% increase due to increased amounts being allocated to capital improvements and the increase in Assessor services.

7:56 P.M. – 8:10 P.M. Item #4 Select Board to discuss forming a Commission or Task Force for Act 164 relating to Retail Cannabis

David attended a webinar recently relating to Act 164 Retail Cannabis. Earlier in 2021, the Select Board discussed forming a task force to get more information on this before proceeding to put it out to the Town's voters. The vote at Town meeting would be for the Town to decide whether or not to opt in to allowing retail cannabis businesses into the Town.

David also mentioned that opting in will create changes in our Zoning bylaws and that takes time.

The Board does think that it would be helpful for a task force to provide education prior to Town meeting. It was suggested that the task force be composed of a variety of sectors/groups including someone from the schools, medical services, Northern Counties, the Police Department, and Kristen from Zoning. David has a contact at Healthy Lamoille Valley. Doug McClure mentioned that Healthy Lamoille Valley is anti-substance, so it would be good to include all views of the topic, and everyone agreed that it is important to see both viewpoints.

David brought up that there will be a sales tax and local option tax for the sale of cannabis. Towns can have a local option tax, but it must be across the board for all products, not just on the cannabis.

The Board agreed that a Task Force should be formed. Shari commented that the meetings should be open format so that the community can participate.

For the next meeting, a list of proposed sectors/groups that would be good representatives on the Task Force should be discussed.

Select Board Reports: Eric shared that he spoke to Ken Brown at VAST, and he stated that G.W. Tatro will work on the Hardwick/E. Hardwick section of the LVRT through the winter. The Yellow Barn should be going out to bid any day now. They are still waiting on EDA to approve the mortgage that was recorded.

Shari shared that CVSWMD completed a yearlong grant for technical assistance projects for recycling, food scrap management, and other waste management tools for landlords and tenants. This includes guidance on their website and handouts are available.

New Business: Shari mentioned that the Downtown Commission might want to apply for a \$4,000 grant for decorative lighting in the downtown. Shari is going to work on that. It is due on November 11. The Select Board agrees to move forward with this.

Eric brought up that when HED did the H-11 solar panel project, they granted a conservation easement of 11.4 acres to the people that own the solar project. The Commissioners and the Town should discuss those types of conveyances in the future. As a result, Trails cannot build any new trails due to the deer wintering that occurs there.

Old Business: Regarding the Montgomery parcel in E. Hardwick that was accepted as a donation to the Town a couple of months ago, the Business Manager wanted the Board to be aware that this is technically a land locked parcel. The only access is walking from the Rail trail. The Montgomery family wants a bench and a gazebo put there and for the Town to maintain it as part of the conveyance. It was proposed that it could be a rest stop for bikers and walkers along the Rail trail. Ceilidh brought up that there is already another rest stop in the planning stages very close to this parcel. That one will be maintained by the East Hardwick Neighborhood Organization and so it might not make sense to have two of them so close together. In addition, if a gazebo were put there, the Town could end up having to pay the State an annual lease fee. At this point, the Town attorney has the information about the parcel to prepare a deed, but the Board would like to hold off until they get more information about the other planned rest stop.

Upon motion by Elizabeth Dow, seconded by Shari Cornish, the Board voted unanimously to adjourn the meeting.

8:23 P.M. Eric Remick, Select Board Chair, adjourned the meeting.

Minutes taken by: _____
Casey Rowell, Business Manager

Minutes approved by: _____
Eric Remick, Select Board Chair