

Memorandum

To: Hardwick Select Board
From: Heather Carrington, CCDS
Date: October 20, 2022
Re: Hardwick Downtown Designation

Purpose

The purpose of this memo is to provide an overview of the tasks and timeline for completion of the Hardwick downtown designation application, and to present a series of documents for Select Board approval. The Consultant will attend the October 20th Select Board meeting to present the agenda items for approval.

Overview of Project Tasks and Timeline

Work on the required downtown designation application documents is well underway. The bylaws for the downtown organization have been drafted with input and feedback from the Downtown Commission and require approval by the Select Board. The proposed designation boundaries have been revised and will be finalized upon the Select Board vote to approve. The preliminary draft 5-year strategic plan for the downtown organization, the Hardwick Downtown Partnership, has been developed and reviewed with the Downtown Commission. The final draft will be presented to the Select Board at the November 17th meeting.

There are several documents that require Select Board approval at the October 20th meeting. The following documents were reviewed and approved by the Hardwick Downtown Commission at their October 10th meeting and are included in the Select Board packet for review and approval:

- Proposed downtown designation boundary map
- Hardwick Downtown Partnership organizational bylaws
- Municipal resolution to apply for downtown designation
- Community reinvestment agreement

The Consultant will also attend the November 17th Select Board meeting to present the following agenda items:

- Appointment of Select Board liaison and Town staff liaison to the Downtown Board of Directors
- Review and approval of Hardwick Downtown Partnership 5-year strategic plan for downtown designation application
- Review and approval of Hardwick Downtown Partnership budget component of application. (this document will ultimately need to be approved by the Hardwick Downtown Partnership Board, but requires Select Board approval for the purpose of the designation application)
- Review of draft Memorandum of Understanding between Town of Hardwick and Hardwick Downtown Partnership Board of Directors

October 20th Approval Items

1. *Revised Downtown Designation Boundaries Overview:*

At the meeting on August 4th, Select Board members reviewed the proposed downtown designation boundaries. The possibility of adding several parcels was discussed. These parcels included the Hazen Union High School, Northern Counties Dental Center, and Hardwick Area Health Center. The dental center has been added to the downtown designation, however, the high school property and the health center have been excluded. The Vermont Downtown Program Coordinator, Gary Holloway, discouraged the addition of Hazen Union High School. He expressed that the property could be eligible for Downtown Transportation Fund grants if used to connect to the Downtown Designation, so he saw no real benefit to attempting to include the parcel and believed that the Downtown Board would be resistant to including the property. In addition, the Hardwick Area Health Center parcel would require the expansion of the downtown designation to include an entire residential neighborhood with over 10 parcels which would likely encounter Downtown Board resistance. The Downtown Commission has approved the revised boundaries with the inclusion of the dental center but excluding the high school and health center parcels.

RECOMMENDED ACTION: Select Board approval of the proposed downtown designation application boundaries as delineated in Map 1, dated 10/10/22 and included in your packet.

2. *Downtown Organization Bylaws:*

The Downtown Commission has voted to approve the organization name “Hardwick Downtown Partnership” with the following mission:

Hardwick Downtown Partnership provides leadership to support the economic, social, recreational, and cultural vitality of downtown Hardwick.

Draft bylaws for the Hardwick Downtown Partnership have been approved by the Downtown Commission pending Town attorney review. Based on previously voiced concerns about overstretching volunteer commitments, the consultant has recommended that the Downtown Board composition should be relatively small and should commit to as few meetings as necessary with the option of meeting more only as needed. At present, the draft bylaws reflect the following:

- Board composed of no less than 5 members and up to 9 members.
- One Board seat to be held by an appointed representative of the Select Board.
- One Board seat to be held by an appointed representative of Town staff.
- The remaining Board of Directors would be elected on staggered terms at the annual meeting.
- Board will hold a minimum of 4 meetings per year, with the option of holding special meetings as needed.
- The bylaws do not specify any committees but contain a clause allowing for committees to be established and dissolved.

- The bylaws enable the Board of Directors to hire staff, but do not contain a requirement for staff or specifics about positions. This is intentional and allows the Town of Hardwick to maintain the downtown organization, which is required for downtown designation, even in the case that the organization should have no staff at any point in the future. The staffing specifics will be codified in the annual Memorandum of Understanding (MOU) between the Town of Hardwick and the Hardwick Downtown Partnership. This approach allows for flexibility and adjustments on an annual basis.
- Standard requirements for a quorum (simple majority)
- There is a clause for removing a Board member by majority vote of all members.

The Select Board approval is necessary strictly for the downtown designation application process, as the bylaws are a component piece of the Town's application. Once the Hardwick Downtown Partnership Board of Directors has been established, they will be the authorizing body for adopting the bylaws.

RECOMMENDED ACTION: Select Board approval of the Hardwick Downtown Partnership Bylaws.

3. Municipal Resolution to Apply for Downtown Designation:

The application for downtown designation requires the following authorization and notification components:

- Minutes, municipal resolution or signatures of the legislative body showing that the downtown designation application has been authorized by the municipality
- Letters notifying the regional planning commission and regional development corporation of the application
- Copy of a published notice to apply for designation in a local newspaper of general circulation within the municipality

A municipal resolution to apply for downtown designation has been included in the Select Board materials. The resolution includes authorization for the Town Manager to direct such actions as are necessary to apply, and includes:

- filing of formal applications
- publication of a public notice of intent to apply
- delivering notification of intent to apply to the Northeastern Vermont Development Association (NVDA) which serves as both the Regional Planning Commission and Regional Development Corporation for the Town of Hardwick

RECOMMENDED ACTION: Select Board approval of the Municipal Resolution to Apply for Downtown Designation.

4. Community Reinvestment Agreement:

The downtown designation application requires the municipality to enter into a Community Reinvestment Agreement. As described in the Vermont Downtown Program downtown designation application guidelines, the application requires the Town to:

Provide a community reinvestment agreement that has been signed by authorized representatives of municipal government, board members of the downtown organization, business and property owners within the district, community groups and residents demonstrating a commitment to the downtown revitalization efforts. The agreement must demonstrate that a broad range of downtown interests are committed and willing to participate in downtown revitalization efforts. The agreement should include and clearly describe the designated boundary, capital improvement plan, funding and resources, organizational structure and the strategic plan.

Upon Select Board approval of the resolution to apply and the draft Community Reinvestment Agreement, the consultant will contact appropriate key stakeholders to enter into the agreement. A stakeholder list has been drafted by the Downtown Commission.

RECOMMENDED ACTION: Select Board approval of Community Reinvestment Agreement.

Next Steps in Establishing Hardwick Downtown Partnership:

The process for establishing the downtown organization will work as follows:

1. Select Board approves resolution to apply October 20th
2. The resolution “authorizes the Town Manager to direct such actions as may be necessary to formally designate the Hardwick Downtown District as a Vermont Designated Downtown District. This includes filing of formal applications, publication of public notice, and notification of the Northeastern Vermont Development Association (NVDA) which serves as both the Regional Planning Commission and Regional Development Corporation for the Town of Hardwick.
3. Consultant prepares and sends the Town Manager a public notice of the Town of Hardwick intent to apply for downtown designation. This notice should then be published by the Town in “a local newspaper of general circulation within the municipality”. The notice will be provided to Town staff within a week of the Select Board approval to apply so it can be published late in October or the first week in November.
4. Consultant prepares letter informing Northeastern Vermont Development Association of intent to apply for downtown designation.
5. Town Manager can then authorize the consultant to file the Articles of Incorporation as the registered agent, pending Town Attorney review.
6. The Consultant files Articles of Incorporation then works with Downtown Commission and the Select Board (2 liaison seats) to establish the Board of Directors and transfers the authority for the organization to the Board.

MAP 1: Hardwick Downtown District – revised 10/10/22

