

**MINUTES REGULAR SELECT BOARD MEETING  
6:00 P.M. THURSDAY, MAY 2, 2024  
MEMORIAL BUILDING  
20 CHURCH ST. 3RD FLOOR AND VIA ZOOM**

**Select Board**

Eric Remick, Chair  
Ceilidh Galloway-Kane, Vice Chair  
Shari Cornish  
Tim Ricciardello  
Danny Hale

**Others Present**

David Upson, Town Manager  
Casey Rowell, Business Manager  
Tom Fadden, Road Foreman  
Tonia Chase, Town Clerk/Treasurer  
Tracy Martin, Comm. Dev. Coordinator  
Mike Henry, Police Chief  
Daphne Kalmar

**Others Present**

Norma Wiesen  
Todd Lindenstruth  
Jeff Perry  
Renaud Demers  
Andrea Brightenbach  
John Laggis  
Dan Laggis

**Regular Meeting**

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

**6:01 P.M.** – Set/Adjust Agenda – Add an Item for the Select Board to consider two letters of support 1) Downtown Partnership for a tree grant and 2) NEKarts for cultural facilities grant for installation of the lift at the Town House Make this Item #4 and bump the others down by one.

*A motion was made by Ceilidh Galloway-Kane, and seconded by Shari Cornish, to adjust the agenda as stated. Motion passed unanimously.*

**6:02 P.M. – 6:34 P.M.** Communication from the audience –

Jeff Perry came to the meeting this evening because he is interested in purchasing the Town owned property located on Carey Rd. Eric asked about the existing structures and if he would demolish those and move the business there. He indicated yes. He came to let the Board know that he is interested in purchasing the property. No decision on this was made at this time.

John Laggis came to talk about the bridge on Hardwick Farms Rd. They temporarily fixed the bridge after the flood, and they were able to function their farm normally. When the temporary bridge went in, he indicated that it shut their operation down. Milk trucks, grain trucks, and manure trucks were not able to pass the narrower bridge. It is a 5-6 mile trip for the equipment and trucks to go around. He feels the Porter Brook Rd. and Montgomery Rd. are not safe for the trucks. This has been a major inconvenience for their farm. He is disappointed in the time that it has taken to resolve this. He wants to see us tear out the temporary bridge, close the road, and they will put the bridge in which they were using back. He does not see a quick resolution in the near future and his crop season is fast approaching.

David explained that the temporary repairs that were made would not be eligible for FEMA reimbursement if we pulled the bridge. David asked John about what other equipment would be needed to cross the bridge once the manure spreading season is done. John indicated that mowers, rakes, and choppers would need to pass over it.

There is essentially a cycle they go through multiple times a season with manure spreading, crop planting/regrowth, followed by harvesting. John indicated that they had put a fair amount of time and material into the bridge doing repairs of their own immediately following the flood.

John is willing to remove the bridge and put the old one back. Danny thinks we should take it out and let them do what they need to do. David wanted feedback from Tom. Tom indicated that if we close the bridge, we have to ensure that no one is using it because there are liability concerns if someone goes through the bridge. He indicated that they would only plow on one side of the bridge. Ceilidh asked if we could do some more research on the winter implications and vote at the next meeting about the best route to take.

We can put up a road closed sign. Tom's biggest concern is any potential liability for the Town. David said if we close the road, we can still give permission for people to use the bridge. We would also have them sign a waiver. We cannot put up any sort of "use at your own risk" signs. The road would just need to be closed.

David has not spoken with the two residents that live just on the other side of the bridge. He would like to communicate with them before proceeding.

*A motion was made by Tim Ricciardello, and seconded by Ceilidh Galloway-Kane, to remove the Hardwick Farms Rd. bridge. Motion passed unanimously.*

**6:34 P.M.** – Select Board to approve the minutes of the Regular Select Board meeting of April 18, 2024

*A motion was made by Ceilidh Galloway-Kane, and seconded by Tim Ricciardello, to approve the minutes of the Regular Select Board meeting of April 18, 2024, as written. Shari amended the motion to approve with a correction on Page 2 to change "painting sidewalks" to "painting crosswalks." Motion passed unanimously.*

**6:35 P.M. – 6:41 P.M.** Town Manager Report – Given by David Upson

David reported that the final draft of the Pedestrian bridge bid documents has been submitted to USDA. He expects that it will go out to bid next week.

David shared that he had an in person FEMA meeting today to discuss the fire station and the wastewater plant. There has been a lot of back and forth about differentiating between temporary and permanent work. After the meeting, he feels we have a clear path forward about that. We are going to wait for Aldrich & Elliott (engineer) to do the cost estimate for the wastewater plant. We also submitted a substantial damage determination for the fire station at 51% damaged and FEMA kicked it back saying they do not agree with it being substantially damaged.

David mentioned that we had two more projects obligated for about \$74,000. The retaining wall will be the first permanent work project, as it will be completed when the pedestrian bridge is. That work will be eligible for FEMA reimbursement.

David reminded everyone that Green Up Day is this Saturday, May 4. The state is asking participants who might

be doing clean up along riverbanks or the LVRT to catalog and photograph large piles of debris from the flood. VT Emergency Management is still trying to figure out how that are going to clean up all of that debris.

David reported that we received one RFP response for the Environmental Watershed Protection project. He indicated that this may not meet the NRCS requirements. More to come on that.

**6:41 P.M. – 6: 45 P.M.** Road Foreman Report – Given by Tom Fadden

Tom reported that they repaired two catch basins on N. Main St. in preparation for future paving. He indicated that most of the town roads have been graded with only a few left to complete. They have also been working on ditching Montgomery and Hardwick Farms Rd.

Tom shared that they have been doing repair work on Dump Truck 4. They also did the annual hydrant flushing. Tom met with a contractor about placing guard rails on Carey Rd. where there was a landslide.

He also mentioned that they are starting to move equipment to our town gravel pit in preparation for crushing. The crew recently attended MSHA training, which is required to be able to truck and operate in any gravel pit in the state.

Ceilidh mentioned the slide on the edge of School St. near Route 16 in East Hardwick continues to get worse. David commented that we are not in a position to do any repairs on that. If it gets a lot closer to the state highway, Vtrans might step in and do something about it.

**6:45 P.M. – 6:47 P.M.** Hardwick Police Department (HPD) Report – Given by Mike Henry

Mike reported that HPD recently completed sex offender registry checks, and everyone was complying. He also shared that the two radar guns that were ordered last month came in. These were funded with a State Highway Safety Office grant.

Mike mentioned that he has two people going to part time academy in June. He has been getting applicants recently but does not have positions for them.

Tom mentioned that they put the radar sign back up near Buffalo Mountain Market for the police department. We need sun for the solar panel to recharge so it works again!

**6:47 P.M. – 6:48 P.M.** Item #1 Select Board to consider approving various liquor/tobacco licenses – *Action needed*

*A motion was made by Ceilidh Galloway-Kane and seconded by Shari Cornish, to approve the second class liquor license for Buffalo Mountain Co-op, Inc. Motion passed unanimously.*

**6:48 P.M. – 6:53 P.M.** Item #2 Norma Wiesen with the Hardwick Conservation Commission (HCC) to present the Select Board with copies of the Natural Resource Inventory (NRI) report and speak briefly about it

Norma Wiesen with the HCC came to talk to the Select Board about the NRI that was recently completed. The HCC decided about 2 years ago that one should be done because it is information for planning purposes as the need arises to have new businesses, homes, or changes. The Town Plan suggested that one be completed as well. She explained that we need to know as much as we can about the natural resources we have in the Town. The idea is that the document is a tool to be used as the Town.

The HCC is grateful for the ARPA funds that were used to complete the project. They hired Matt Peters to do the report and they are pleased with the result. She handed out copies to the Select Board members and there is a digital version on the website.

**6:53 P.M. – 7:01 P.M.** Item #3 Jeudevine Library to update the Select Board on the library expansion project

Daphne Halmar, Chair, shared the progress of the building expansion project. It is coming along as the rough plumbing inside has started. They continue to wait to hear about the large grant from the VT Dept. of Libraries that will enable them to do the finish work. They should know by the end of May. Andrea Brightenbach suggested to the other Trustees recently that the library apply for another grant that would assist with rewiring the original part of the library.

Daphne has been talking with a potential private donation who may fund an outdoor patio and landscaping. David asked how working with the architect, contractor, and clerk of the works has been. Daphne said that Steve Pitkin has been extremely helpful. The relationship between these parties has been good. She said that Adam with ReArch has been great to work with as well.

**7:01 P.M. – 7:07 P.M.** Item #4 Select Board to consider two letters of support 1) Downtown Partnership for a tree grant and 2) NEKarts for cultural facilities grant for installation of the lift at the Town House

Community Development Coordinator, Tracy Martin went over two grant applications that she has been working on for town properties. One is for a Tree Grant that collaborators were encouraged to apply for by ANR when we didn't receive an award with a previous application. The grant will support a plan to invest approximately \$33,500 for 25 trees to be planted downtown. Collaborators are the Downtown Partnership and the Conservation Commission along with the Town Tree Warden. In addition to the 25 trees, the project will include soil testing, and some basic maintenance/education. No match is required.

The other grant application the requires Select Board support is a 50:50 grant from VT Arts Council - Cultural Facilities to support the ADA lift to the stage at the Town House. The total cost of the accessible lift equipment and installation is approximately \$30,000 the 50% match is coming from NEKarts funds.

*A motion was made by Tim Ricciardello and seconded by Shari Cornish, to provide a letter of support for the Downtown Partnership and authorize the Town Manager to sign on their behalf. Motion passed. Ceilidh abstained.*

*A motion was made by Ceilidh Galloway-Kane and seconded by Shari Cornish, to provide a letter of support for NEKarts and authorize the Town Manager to sign on their behalf.*

**7:07 P.M. – 7:08 P.M.** Item #5 Select Board to consider appointing Tyler Buswell to the Hardwick Conservation Commission for the remainder of a 2-year term expiring 6/30/25 and Lesa Cathcart to the remainder of a 4-year term expiring 6/30/27 - *Action needed*

*A motion was made by Ceilidh Galloway-Kane and seconded by Shari Cornish, to appoint Tyler Buswell to the Hardwick Conservation Commission for the remainder of a 2-year term expiring 6/30/25 and Lesa Cathcart to the remainder of a 4-year term expiring 6/30/27. Motion passed unanimously.*

**7:08 P.M. – 7:16 P.M.** Item #6 Select Board to consider accepting responsibility of the Fairview, Main Street & Maple Street Cemeteries as the associations have voted to dissolve and hand over to the Town – *Action needed*

The Town owns these cemeteries, but for many years, an association has managed them. According to members, we have been verbally informed that both associations voted at their recent annual meetings to hand them over to the Town. They dropped some documents and maps off to the Town Manager's office already. We do not have current financials and Eric said that we should definitely have current financials. David explained that it will streamline things if the Town is just managing all of them. We will need to update our cemetery policy to include these cemeteries. We have an experienced sexton who already takes care of Sanborn for the Town as well as the ones we are going to take over. He also mows these cemeteries already. Eric pointed out that we have the option to wait until the next town meeting to have voters decide if they want to appoint other members of the association. We need to see the minutes of their recent meeting to see how they worded the motion and if they plan to dissolve the association.

*A motion was made by Shari Cornish and seconded by Tim Ricciardello to accept the responsibility of Fairview, Main Street & Maple Street Cemeteries. Motion passed unanimously.*

**7:16 P.M. – 7:18 P.M.** Item #7 Select Board to consider accepting the bid from Kirkyard Services for cemetery mowing for the Town's 4 cemeteries, plus Fairview, Maple & Main Street cemeteries for a total of \$24,000 – *Action needed*

Eric asked about bidding process for the mowing. David explained that sexton services are specialized and hard to find. Kirkyard Services LLC has experience with managing cemeteries and is already mowing several of these cemeteries. It would be in the best interest of the Town to combine the services for high quality management of the cemeteries. David would like to see us negotiate a 3-year contract with Kirkyard to lock in our price for budgeting purposes. We would also have an annual sexton fee of about \$2,500 for the mapping and record upkeep. Kirkyard has been working diligently to update all of the records for the cemeteries they have been caring for.

Ceilidh asked about how this affects the budget. This year, we will be slightly over budget because mowing costs increased for the Fairview and Main Street cemeteries. For FY25, we expect to be about \$1,000 over on the maintenance expenses, excluding the sexton fee. We can use some of the plot sale money for maintenance, but a portion of it has to go to perpetual care. Kirkyard is also able to do stone straightening and repair. They are going to give us a list of what repairs such as those can be paid for with perpetual funds.

*A motion was made by Shari Cornish and seconded by Ceilidh Galloway-Kane, to accept the bid proposal from Kirkyard Services for cemetery mowing for the Town's four cemeteries, plus Fairview, Maple & Main Street cemeteries for a total of \$24,000.*

**Select Board Reports:** Shari shared that the Town House renovation project is going to be starting in the next week or so. They have their permits and contractor in place.

**New Business:** Business Manager, Casey Rowell, shared that we have now surpassed \$1M in flood expenses. We have been fortunate that we have been able to fund everything without borrowing money. However, we do not know when we are going to get reimbursement from FEMA. To date, we have received a \$13,000 payment and another \$73,000 has been obligated, but not received. We still have additional repairs to the plant totaling \$175,000. We have permanent repairs to make on the roads once we receive the hydrologic study back. *We are not in any sort of cash flow trouble at the moment.* However, we will be paying the school districts their tax portions at the end of the month, which will take away a lot of our current bank balance. Casey wants to get a non-revolving line of credit as a current expense note in place with our Bank in the event, we do need it 6-8 months from now. She presented two bid letters for two separate notes (one for the general expenses and one for the sewer expenses). We would have to pay interest at 5.89% on any amount we do borrow. Casey is fairly confident we will not need to use it, but with the uncertainty of FEMA reimbursements, she wants to put them in place, so we are not scrambling in the event cash gets tight later in the year. There is no cost to have these in place if we do not end up using them.

*Upon motion by Shari Cornish, seconded by Tim Ricciardello, the Select Board voted to approve opening two lines of credit (one for the general fund and one for the sewer fund) at Union Bank totaling \$1,025,000 for a term of 12 months.*

**Old Business:** Ceilidh said that we should talk about Carey Rd. but more specifically how the Board wants to manage these real estate transactions that have been brought up recently. VT Huts is interested in the lot next to the Clip Joint and then earlier in the meeting Jeff Perry stated he wants to purchase the Carey Rd. property. Ceilidh said that the Board needs to figure out the next steps and how they are going to put a value on those properties. Eric stated that the Board really has three options: 1) accept an offer from the interested parties 2) list with a realtor or 3) put a notice in the paper that we want to sell and are taking offers.

The Select Board discussed these options and what they want to do. Eric feels that we should have it advertised somewhere that we are looking at selling the properties. Shari commented that there are two vastly different plans for these two properties with Tim adding that it is not an apples to apples comparison.

Ceilidh is more concerned about being consistent and equitable for every property the Town might sell. Tim thinks it is more of a case by case basis. David said that VT Huts was asked for more information on parking, and they have not come back to us yet with that info. Therefore, the ball is really in their court right now. Tim said that we could make an announcement to let people know that the properties are available for sale. Tim asked how we develop consistency and transparency. Shari brought up that in the past we talked about having a task force to develop that concept, but it did not come to fruition.

Eric asked if the Board wanted to decide tonight. David was directed to discuss specific things with VT Huts, so it may be appropriate to further discussions with Jeff Perry. Tim said we could ask for a final and best offer from Jeff and then if we are not happy with that the alternative could be to go out to bid or counteroffer. Shari suggested an executive session at the next meeting to talk about the pricing or a counteroffer. They just got a market analysis from a realtor on the Carey Rd. property. At the next meeting, they agree to decide if they want to negotiate with the offer Jeff has given or list/post it.

**7:50 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