

**MINUTES REGULAR SELECT BOARD MEETING
6:00 P.M. THURSDAY, SEPTEMBER 5, 2024
HARDWICK 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
Mike Henry, Police Chief - *Zoom*
Daniel Baumann
Tracy Martin
Kristen Leahy, Zoning/Floodplain Administrator

Others Present

Mike Southworth
Mike Demers
Charlie Volk
Scott Beck
Dave Gross

Regular Meeting

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

6:00 P.M. – Set/Adjust Agenda – Amend Item #2 to also include a renewal consideration for The Clean Cannabis Company for an Indoor Cultivator Tier 3 cannabis license renewal

Danny requested to add an Executive session per 1 V.S.A. § 313 for personnel contract discussion to include the Town Manager.

Upon motion by Danny Hale, seconded by Ceilidh Galloway-Kane, the Select Board voted unanimously to approve the adjusted agenda as presented.

6:03 P.M. – Communication from the audience – Mike Demers came to talk to the Select Board about the road that goes to his sugarhouse which was damaged by the July 10, 2024, flood. He brought pictures with captions showing the damage. This is a Class 4 road. He needs to be able to get fuel trucks and trailers in there to his sugar house. He has flooded three times in the last 15 years and the first two times the Town helped to fix it. He is asking when this can be fixed. He wants the Town to collaborate with him on this. Danny asked why Mike thinks that the town should fix this since it is a class 4 road. Mike feels that it should be fixed because he has a home and business up there. He needs help with culverts and materials. He is willing to do as much as he can and is asking for some help from the Town.

Ceilidh would like us to put it as an agenda item for the next meeting so information can be gathered about the statutes concerning the Town's responsibility for Class 4 roads. She thinks it would also be good to have Tom here for input. She does not think we should make decisions without having all of the facts first. She would like Mike to come up with a specific request for the next meeting about materials, equipment, etc. (scope of work).

Charlie Volk wanted to clarify that the Town is responsible for the culverts (waterways). Danny said that erosion control is what the Town is responsible for. Danny further commented that the Town's responsibility is to the water, not making the road passable. The erosion that is caused by runoff is what the Town is responsible for.

The Town does not have to provide passable travel lanes. Towns have to manage environmental erosion to the road to ensure it will not wash down the river/brooks.

6:12 P.M. – Select Board to approve the minutes of the Regular Select Board meeting of August 15, 2024

Danny requested a change about the estimated costs of the gravel crushing. Casey will make this change and repost on the website.

Upon motion by Danny Hale, seconded by Tim Ricciardello, the Select Board voted to approve the minutes of the Regular Select Board meeting of August 15, 2024, as amended.

Ceilidh abstained.

6:15 P.M. – 6:29 P.M. Town Manager Report – Given by David Upson

David reported that he participated in interviews with four firms for the Municipal Technical Assistance Program (MTAP) grant, in partnership with NVDA, for the relocation of the fire department to Creamery Road area. This is a feasibility study and conceptual drawings for a complex that would house the Fire and Highway Department.

David shared that we have an executed contract with Mumley Engineering for the Hardwick Farms Rd. box culvert, and so that work is underway now.

David is also working on a contract with New England Consulting Engineers for Environmental Watershed Protection (EWP) project in East Hardwick.

David has the Town's lawyer drafting a quit claim deed for the Carey Rd. property sale. He also received an option letter from VT Huts for the Mill St. property. He sent to our attorney and has since sent back to VT Huts with proposed edits.

David reported that the 2023 flood projects are moving along in the FEMA grants portal. Most have been obligated. There are a few hiccups with the permanent work for the Carey Rd. box culvert and the Fisher Folly projects we are working through. We should have some road mitigation projects obligated soon for headers and wingwalls. With these projects, we can use materials from our pit and get reimbursed from FEMA for the use of those. Danny brought up the operation and expenses of the gravel pit and tracking these separately.

David talked about some drainage issues along the rail trail. There may need to be some work with the storm drains to prevent the water from going into our sewer system.

David mentioned that AWARE requested a spot in the peace park for a bench that is dedicated to Paulette Colburn Brochu. The Select Board generally agrees it is fine.

David shared that the Hardwick Neighbor-to-Nighbor group is having a panel discussion on flood response and recovery efforts. This is a community event on September 16 at Hazen Union High School from 6:00-7:30.

David shared the large recreation map that we had made from the VOREC grant. This will go into the kiosks along the rail trail and is currently in the case on Main St. near the Clip Joint.

6:30 P.M. – 6:32 P.M. Hardwick Police Department Report – Given by Mike Henry

Mike shared that the Level II officer who was still in training was not working out and it was decided to let him go. Officer Robin French is at the Academy to become a Level III officer and is doing great.

Joseph Donna is going to go to the part-time academy starting next week.

6:32 P.M. – 6:32 P.M. Item #1 – Select Board to accept the amendments to the Hardwick Unified Development Bylaws – *Action needed*

Upon motion by Ceilidh Galloway-Kane, seconded by Shari Cornish, the Select Board approved unanimously to accept the amendments to the Hardwick Unified Development Bylaws.

6:32 P.M. – 6:33 P.M. Item #2 – Select Board to consider approving a Cultivator Tier I Small Cultivator cannabis license renewal for DCB, LLC d/b/a High Altitude Cannabis and an Indoor Cultivator Tier 3 renewal for The Clean Cannabis Company – *Action needed*

Upon motion by Danny Hale, seconded by Tim Ricciardello, the Select Board voted unanimously to approve a Cultivator Tier I Small Cultivator cannabis license renewal for DCB, LLC d/b/a High Altitude Cannabis and an Indoor Cultivator Tier 3 cannabis license renewal for The Clean Cannabis Company.

6:33 P.M. – 6:35 P.M. Item #3 – Select Board to adopt the MP-1 for VCDP grant for the Heartbeat Lifesharing grant application – *Action needed*

The MP-1, Municipal Policies and Codes Form, is needed for Heartbeat's grant application. The Board has signed these in the past for other Vermont Community Development Program grants. It basically just says that we have certain policies in place at the Town level that comply with their requirements, and we do.

Upon motion by Danny Hale, seconded by Tim Ricciardello, the Select Board voted unanimously to adopt the MP-1 for VCDP grant for the Heartbeat Lifesharing grant application.

6:35 P.M. – 6:51 P.M. Item #4 – Select Board to discuss 41 Brush Street – *Possible Action needed*

The property at 41 Brush Street is in the process of a FEMA buyout but is still owned by the estate of the deceased resident. It is in danger of falling into the river. David has inquired about reimbursement with both FEMA and Vermont Emergency Management (VEM). If we tear it down before the closing, we will likely not be reimbursed. David has tried to push for an expedited process of the closing, but there is no guaranteed time frame. Danny asked if we could do the work ourselves and put a lien on it. The question arose where the liability is going to fall if it goes down the river. It would not fall to the Town because we do not own it. Shari suggested we look at our dangerous buildings ordinance. The window is closing to get it done this season since October 1 is the cutoff for water access. The contractor would need to be in the river to remove it properly.

The right thing to do would be to take it down, but the cost is \$55,000. Danny said he is not inclined to use taxpayer dollars to fund the demolition. David will check out the dangerous building ordinance. Tracy mentioned that if it goes in the river, it could potentially damage other infrastructure such as the Cottage St. bridge. The Board does not want to spend town dollars that are not likely to be reimbursed. Kristen wanted it on record if the house goes down the river, it will become caught by the Cottage Street bridge and will cause flooding in the Granite Street Historic District (that includes Cottage, Elm, Cherry, Granite, etc.).

Ceilidh asked if there is anything we can put up in the Town's right of way about keeping out of the building. She had heard that there might be minors entering the house. Since it is not Town owned, there really is not anything we can do. However, David will communicate with the executor of the estate about their risk of liability and suggest that they put up signs and maybe consult with an attorney about their risks of liability.

6:51 P.M. – 7:06 P.M. Item #5 Select Board to discuss establishing a walking lane along South Main Street and give guidelines to assist Zoning Admin./Fire Marshall in directing the problem parking in the area – *Action needed*

Shari brought up that at past meetings, the Select Board had discussed painting a walking lane on the shoulder of the southbound lane of S. Main St. Kids walking to school use that side of the street regularly. Danny thinks it is a complex issue with parking and curb cuts and it is not just a matter of painting walking lines.

Ceilidh suggested that we could do a prototype of lines, but it is rather late in the season. David brought up the maintenance of this in the winter and if we would have to plow and salt it. Plus, there would be snowbanks to deal with.

Eric said that designing and building a new sidewalk would be ideal, but funds are limited for these projects. We need to prioritize the sidewalks and chip away at them slowly.

David has consulted with the school about a crossing guard, but it has not come to fruition at this point.

Dave Gross brought up that kids trying to get to the school are facing hazardous conditions. The Planning Commission made suggestions about this in the past. He thinks that the paint would show a visual representation of the safer place to walk.

David was asked by the Board to find out the cost for a painted bike lane.

7:06 P.M. – 7:07 P.M. Item #6 Select Board to consider allowing both the Food Pantry and the Greensboro Nursing Home to do coin crops in October 2024 because the Town accidentally gave each of them the month inadvertently (with at least one week in between) – *Action needed*

Upon motion by Tim Ricciardello, seconded by Shari Cornish, the Select Board voted unanimously to allow the Food Pantry and the Greensboro Nursing Home to do coin crops in October 2024 because the Town accidentally gave each of them the month inadvertently (with at least one week in between).

7:07 P.M. – 7:16 P.M. Item #7 Select Board to authorize executing the LVRT Connector Loop recommendations to be completed – *Action needed*

Shari brought up that the Board has looked at these recommendations' multiple times and that no action has been taken to date. See "LVRT Loop Recommendations" in the attachments for details. Danny asked if David could contact a professional painting service for the painting needed for the recommendations. Items #2 & 5, 9 & 10 are the specific ones that the Board wants to look into.

7:16 P.M. – 7:37 P.M. Item #8 Select Board to discuss the creation of a building and grounds maintenance position and draft job description

Shari said that the Board has talked a few times about additional staff that could assist with building maintenance and other tasks to take some of the pressure off of current staff so they can focus on higher priority projects. She drafted up a position for a building and grounds maintenance person as a starting point. The consensus was that we need additional staff, but that other members of the board were not sure that this was the right one. Danny talked about his vision for a Public Works Director and someone who is under the Town Manager but can direct tasks to be done.

Ceilidh would like to hear what the Town Manager's office thinks the biggest need is and what would be helpful for them. Ceilidh talked about the capacity of our current staff. She does not want to keep kicking the can on doing something about hiring someone to help with the workload. We need to think about this in the upcoming budget season, what it is going to look like, and how we are going to fund the position.

David suggested that the Select Board look at other towns' positions, job descriptions, and salaries for insight.

Danny said that it ultimately comes down to money. We need to figure out how to work it into our next budget and what areas we might need to reduce to make that happen.

Casey said that she thinks the greatest need is for an experienced Project Manager who can create RFP's (request for proposals), put projects out to bid, and see them through to completion. The number of projects we have just continues to grow and the FEMA projects are going to take at least a couple of years to complete.

Ceilidh suggested that Select Board members and/or the Town Manager's office staff bring their ideas for a job description for a position to the next meeting.

Select Board Reports: Ceilidh shared that the Equity Committee/Town received a Vermont Community Foundation grant for \$10,000 for an equity and inclusion project to be completed over the next 18 months.

Shari reported that the Downtown Partnership and the Hardwick Conservation Commission are partnering on a tree planting grant. There are applications to "Adopt a Tree." Installation is free; however, there is a commitment to take care of it. They anticipate planting to be next Spring. Applicants must live in the designated downtown area.

New Business: Ceilidh shared a thank you note from some thankful residents who appreciated the paving on N. Main St.

Old Business: Ceilidh asked about the library building expansion. It would be great if someone could come to the next meeting to update the board on where their budget stands. Eric said that he would like to know how the Hardwick Electric Department (HED) General Manager search is going. Someone from HED is scheduled to come to the September 19 meeting.

7:42 P.M. *Upon motion by Tim Ricciardello, seconded by Shari Cornish, the Select Board voted to enter Executive session for a personnel contract to include the Town Manager.*

8:11 P.M. Exited Executive Session. *No action taken.*

8:12 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