

A regular meeting of the Hardwick Select Board was held on Thursday, April 22, 2004 at 6:00 P.M. in the 3rd floor meeting room of the Hardwick Memorial Building.

Members Present:

Todd Deuso
M. Tod Delaricheliere
Patricia Coultas
Kristina Michelson
Charles Volk

Others Present:

Daniel Hill, Lynda Brochu,
Roger LeCours, Nathan Meunier
Mary Hill, Lanny Hill, David Hale,
Robin Yerly, Janet Murnane,
Bert Smith, Kathryn Smith,
Darlene Bressett, Kelly Kindersen

6:00 P.M. Meeting called to order.

6:01 P.M. M. Tod Delaricheliere moved to approve the minutes of the April 8, 2004 regular Select Board meeting.

Patricia Coultas seconded
Todd Deuso - Abstained
Patricia - Yes
M. Tod - Yes
Kristina Michelsen - Yes
Charles Volk - Yes

Communications From Audience: None

Manager's Report

Board of Health Hearing

Dan told the Board that they had received information regarding a health issue in East Hardwick in their Board packets. Robin Yerly has property in East Hardwick which borders property owned by Mary and Lanny Hill. Her sewer system appears to be inadequate for the number of people living in the Yerly residence. Dan told the Board that he had cancelled this hearing because he thought the septic had been fixed the previous weekend. Mary Hill spoke about her concerns that the fix on the septic done last weekend, were not done correctly. Mary said that gray water was still bubbling out of the ground that day. The Board questioned Robin about who completed the excavation work. Robin explained that because the earth had been moved that weekend and hadn't had time to compact yet, the water would continue to come out until the dirt had time to settle, but that the water was clear not gray. She told the Board that her tank was 1500 gallons and that it had been pumped a week ago. Dan said that he would go back to the Yerly property tomorrow and would continue to monitor this situation until it was fixed. Dan told the Board that he would like them to adopt the health order. Kristina asked Dan what would happen if Ms. Yerly followed the health order and it still didn't fix the problem. Dan answered that this issue would then come before the Board again.

6:16 P.M. M. Tod moved to adopt the health order in the matter of a failed septic system at the residence of Robin Yerly in East Hardwick, Vermont.

Patricia seconded

Charles asked Robin if she could have her septic system pumped at a moments notice. Robin answered if she had to, yes. The Board discussed her soil and tank.

Motion passed unanimously

Purchase of a Truck

Dan told the Board that the town is scheduled to buy a new dump truck in FY '05. We are planning on purchasing a ten wheeler. Typically the town would go to open bid for the cab and chassis and then to a separate bid for the body and plow frame. Clark's Truck Center, where the town has purchased most of our cabs and chassis' in the past, has received the State of Vermont contract to provide trucks to them. The State contacted the various municipalities offering their bid price to them. Hardwick has \$115,000 allocated to purchase the new truck. The price we received from Clark's to get the cab and chassis we want is \$78,000. The estimated price for the body and plow frame is \$41,000 and Clark's would give us a trade-in for our old truck of \$9,000. So our net cost would be \$110,000. Dan asked the Board if it was acceptable to them to forgo the bid process and purchase from Clark's as it would be in the best interest of the town to do so.

6:24 P.M. M. Tod moved to buy a cab and chassis from Clark's Truck Center through the state purchase program.

Patricia seconded

The Board discussed the truck.

Motion passed unanimously

Change in Collection Procedure For Water and Sewer delinquencies

Dan told the Board that he has spoken with Alberta Miller our Town Clerk and that they would like to change our collection process for pursuing delinquent water and sewer bills. When quarterly delinquent notices are mailed out the town spends approximately \$150 to \$175 a quarter mailing out certified letters. According to State statute 24 V.S.A. section 5151 we can pass on our costs of collection to the customer. Kristina was concerned that the water and sewer customers receive proper notification prior to assessing any collection charges to their bills. Dan told the Board that a notice would go in our yearly July mailing giving every water and sewer user the cost of the collection charges.

6:26 P.M. M. Tod moved to add the cost of the collection cost to the delinquent water and

sewer payments.

Patricia seconded
Motion passed unanimously

Bert Smith spoke up recommending that the Select Board look as establishing a school zone on North Main Street in front of Hazen Union. The Board asked Dan to look into the issues regarding establishing a school zone.

6:31 P.M. M. Tod moved to recess the Select Board meeting in order to open a public hearing.

Kristina seconded
Motion passed unanimously

6:31 P.M. Public Hearing open to discuss a zoning bylaw amendment.

Dan reminded the Board that when the new zoning bylaws were finalized there was an error in placing the Daniels building in the right district. This public hearing is to take any testimony concerning this change. The amendment reads as follows: The Town of Hardwick is considering making the following interim zoning bylaw amendment: Extend the boundary of the Central Business District so that this district includes the Daniels Block parcel (identified as parcel 28.2 on Map 23 of the May 2003 Hardwick Tax Map) bounded on the north and west by residential properties and on the south and east by the Lamoille River and amend the Town of Hardwick Zoning Map to reflect this change. Bert spoke up favoring this change.

6:35 P.M. M. Tod moved to close the public hearing.

Patricia seconded
Motion passed unanimously

Select Board meeting resumed.

6:35 P.M. M. Tod moved to adopt the interim bylaw amendment as recommended by the zoning board of adjustment chair Paul Cillo.

Kristina seconded
Motion passed unanimously

Request for Police Dispatch

The Town of Woodbury approached Chief Dziobek and Dan Hill to request to use our police dispatch services during normal business hours. Their constables would use Hardwick dispatch to check licenses, etc. Hardwick would not provide any policing

services to them, just dispatch, which would be very limited. Chief Dziobek feels Hardwick dispatch could absorb this extra dispatching without any difficulty. If the Board approved, Dan would check with the State Police to make sure it was acceptable to them as well. Dan and Chief Dziobek propose charging Woodbury \$100 per month for this service. The Board discussed this issue.

6:40 P.M. M. Tod moved to take on dispatch duties for the Town of Woodbury, subject to acceptance by State Police.

Patricia seconded
Motion passed unanimously

Schedule of Summer Work

Dan told the Board that they had received a summary of proposed road crew work for the summer. The Board briefly discussed the list of water, sewer, road and other miscellaneous projects. Dan reminded the Board that if a third of these projects get completed, he would be happy.

Water Leak on park Street

Dan told the Board that there had been a water leak on Park Street, causing the road crew to tear up a lengthy section of the street to make repairs.

Town Clerk Improvements

Dan told the Board that the Town Clerk's office is now open until 7:00 P.M. every other Tuesday to better serve residents. They are now reregistering vehicles as well.

VCDP Grant Award

Dan said that he, Reverend Susan Tobias, Mae Chapin and M. Tod Delaricheliere attended a ceremony at the State House last week, accepting a grant award of \$73,680.00 toward building a new Hardwick area food shelf.

Liquor License Renewals

Dan told the Board he had two liquor licenses up for renewal.

6:45 P.M. M. Tod moved to approve a first class liquor license for Benny's Singles Club.

Patricia seconded
Motion passed unanimously

6:46 P.M. M. Tod moved to approve a second class liquor license for Quick Mart.

Patricia seconded
Motion passed unanimously

Dan told the Board that we own a 1989 Chevy pickup that Alan May used to drive as a town vehicle. The engine, transmission and body of the truck are all shot. He asked the Board for approval to put this vehicle out to bid for parts.

6:47 P.M. M. Tod moved to put the 1989 Chevy pickup out to bid for sale.

Patricia seconded
Motion passed unanimously

Dan told the Board that Ken Atkins has donated the original cornerstone of the Memorial Building to the Town. Dan was unsure why this stone was not set in the building when it was built or how it ended up in Ken Atkins possession. The Board was pleased.

Dan told the Board that his office had received semifinal plans for bridge #67. The final cost has been increased from \$680,000 to \$1,000,000.

Dan's office has also received draft plans for the Wolcott Street sewer problem. This cost is estimated to be \$71,000.

Dan told the Board that the State of Vermont employees, geologist and emergency management people met that day to discuss the Glenside land slide. The Board discussed what the town's role was in this problem. Dan answered that this was private property bordering a state highway and our role was very limited. The Town certainly sympathizes with the residents and has made every effort to connect them with people who may be able to help them.

Dan and the Board discussed that Central Vermont Solid Waste District has opened their "Fast Trash" recycling facility.

Old Business: None

New Business: None

Select Board Reports: None

6:59 P.M. M. Tod moved to go into Executive Session to discuss litigation to include Dan Hill, Kelly Kindersen, Darlene Bressett and Janet Murnane.

Charles seconded
Motion passed unanimously

Open Session 8:27 P.M.

8:28 P.M. Patricia moved to authorize settlement of claims by Anthony Barreto-Neto as outlined by counsel and authorized chair to execute settlement form with the Attorney General's office.

Motion passed unanimously

8:32 P.M. M. Tod moved to go into Executive Session to discuss the revolving loan fund.

Patricia seconded
Motion passed unanimously

Open Session 8:45 P.M. No action taken.

8:46 P.M. Patti moved to adjourn.

M. Tod seconded
Motion passed unanimously

Minutes approved by:

Todd Deuso, Chair

Minutes taken by: Lynda N. Brochu