

A regular meeting of the Hardwick Select Board was held on Thursday, September 23, 2004 at 6:00 P.M. in the 3rd floor meeting room of the Hardwick Memorial Building.

Members Present:

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

Others Present:

Daniel Hill, Lynda Brochu
Roger LeCours, Nathan Meunier,
Bob Bellavance, Jim Worcester,
Ken Atkins, Roger Howard,
Sandra Howard, Dave Mitchell,
Kathy Mitchell, Laurette Bellavance,
Lynette Fontaine, Ivan Menard,
Brenda Menard, Kathy Shaw,
Lori Ferland, Ken Williams, Dave Upson
Patricia Williams, Toni May,
Alberta Miller, Bert Smith, Travis Hill,
Kathryn Smith, Judy Waible,
Roger Waible, Dan Flood, David Hale,
Robert Houriet, Bert Bellavance,
Carl Rinker, Robert Houriet,
Helen Billings, Lewis Billings,
Ken LaCasse, Darlene LaCasse,
Gary Bellavance, Laurent Bellavance,
Ralph Ainsworth, Beverly Shepard,
Wendell Shepard, Joe McCarthy,
Scott Merrill, David Merrill, David
Shepard, Averill Brown, Edie Menard,
Vanessa Fournier, Billy Richardson,
Greg Parkhurst, Joanne McCarthy
Lucien Avery, Jack Corley

6:03 P.M. Todd Deuso called the meeting to order on South Main Street by the Village Restaurant. The Board met with Lucien Avery and Jack Corley to discuss the potential design of a new railing along the river. Both gentlemen will get back to the board in the future with potential designs and cost estimates.

6:15 P.M. Meeting recessed to return to the Memorial Building.

6:21 P.M. Meeting reconvened at the Memorial Building.

6:21 P.M. M. Tod Delaricheliere moved to approve the regular Select Board minutes of September 9, 2004.

Patricia Coultas - seconded
Patricia - Yes
Todd - Yes

M. Tod - Yes
Charles Volk - Abstained
Kristina Michelsen - Yes

COMMUNICATIONS FROM AUDIENCE: Bert Smith commended Kristina Michelsen. He feels that the concept of regional policing should go to the voters as an Australian ballot article.

Todd Deuso welcomed Ivan Menard. Ivan was given a round of applause.

MANAGERS REPORT

Appointment to Advisory Committee

Dan reminded the Board that at the last Select Board meeting, the Board heard a presentation about methadone treatment and they were asked to appoint someone to the regional advisory board planning this program.

6:25 P.M. Kristina moved to appointment M. Tod to the regional advisory board.

Charles seconded
Motion passed unanimously

Signing of Traffic Ordinance

Dan told the Board that when we adopted the changes to the traffic ordinance in regard to the Daniels Building, his office forgot to have the Board sign off on the actual ordinance. The Board signed the updated traffic ordinance.

Library Financials

Dan told the Board that they had received a copy of the latest financial information about the Jeudevine Library in their board packets.

Insurance Comparison Results

Dan told the Board that occasionally, we have insurance companies other than the Vermont League of Cities and Towns review our insurance coverage to make sure Hardwick is getting the best deal available. In the last month, an agent from Danville has done a review and concluded that Hardwick is in good shape and that their company could not begin to compete with our coverage's and premiums.

Letter From Joe McCarthy

Dan told the Board that in their packets they received a letter from Joe McCarthy

concerning cell towers and communications in general. He is offering a place for the Town to put a communication device on his property.

Smith Farm Update

Dan updated the Board. The new box culvert is now in place at Smith Farm Road. Bellavances are finishing up the project and it should be completed within a week.

Wolcott St. Sewer Project

Dan told the Board the project to repair the sewer line on Wolcott Street has begun. The entire process should not take more than three weeks at most. Test holes were dug this week. The repairs should begin late next week or the week of October 4th. The biggest challenge here continues to be traffic. The engineer, contractor, Chief Dziobek and Dan met to discuss how Hardwick residents could best cope. It was decided that truck traffic has to continue moving thru the work area. It was decided to use a detour route during working hours for cars and small trucks on those days when Wolcott Street cannot be kept open. Vehicles will be sent up Elm Street and Spring Street to keep them out of the work area. Todd asked Dan to check the height of the phone and electrical wires on Elm and Spring street for truck traffic.

Brush Cutting

Road side brush trimming has been completed for Center Road, Hardwick Street and Carey Road.

Dan told the Board that Addy Smith's next step for her to continue with her handicapped accessible bathrooms for the Town House was the Board agreeing to accept the terms of the grant agreement and authorizing Dan to sign any documentation pertaining to the grant.

6:31 P.M. M. Tod moved to accept and agree to the terms of the grant agreement for ADA bathrooms at the Town House and authorize Dan Hill, Town Manager, to sign for the Town of Hardwick.

Kristina seconded

The Board and Dan discussed grant monies, which have come into Hardwick over the last year.

Motion passed unanimously

Dan handed the Board an invitation to a health care forum. Dan advised the Board that Mackville Beach is once again open. Dan invited the Board to the Hardwick

Fire Station next Tuesday, September 28th to see a fire truck the fire department is considering buying. The truck will be there from 5:30 P.M. to 6:30 P.M. Dan told the Board that this year's paving should be complete by tomorrow. He also advised the Board that his office is in the early stages of the budget process and there may not be a need for an October 7th Board meeting.

Old Business: Patti asked Dan to invite the Library Trustees to a future Board meeting to discuss their financials. Todd informed the Board that Central Vermont Solid Waste received a two year extension on their zoning permit to stay in the Hardwick Industrial Park, while they continue to search for a permanent location for the trash and recycling center.

Traffic Ordinance Complaint

Roger Waible came to the Select Board meeting to discuss changing the traffic ordinance on South Main Street, near the United Church. Currently, the ordinance states that it is illegal to park on either side of South Main Street anywhere south of Upper and Lower Cherry Streets, unless you are parked there for church related business. Mr. Waible was issued a parking ticket. He started by thanking the Select Board, Dan and Chief Dziobek for their time in discussing this issue with him. He said he wants to solve a critical parking problem on this street. He suggested changing the times when people could legally park on South Main Street as well as only allowing parking on one side of the street. Kristina said she was concerned with the language in the ordinance allowing for church functions only. She stated she could see a potential problem for the Town, favoring one group of people over another. Alberta Miller spoke up as a resident of South Main Street, asking the Board if changes are needed please be more restrictive rather than less. She said that when there is a church function, it is extremely difficult to maneuver around vehicles if you are a pedestrian. Kristina said she would like to make the ordinance religiously neutral. Both Dave Shepard and Judy Waible spoke. The Board discussed this issue. It was decided to have Kristina discuss this issue with the Chief of Police and the Town Manager and then come back to the Board with suggestions.

Funding for Cell Tower Study

Todd Deuso told the people in the room that everyone would get a chance to speak. He asked that all comments be directed at the Board and asked the people to not make this issue personal. Todd explained why he broached the subject, at the last meeting, of having the Town pay for a consultant to research where the ideal tower site would be in Hardwick. He stated that he was specifically interested in the Town owned land on Buffalo Mountain. He asked the Board for their comments, before turning the discuss over to others.

M. Tod began the discussion. He had a number of reasons for not wanting to hire a consultant, at this time, to perform a review of potential cell tower sites. He said that the Select Board appoints the Zoning Board and if the Zoning Board needs questions answered, they should bring them to the Select Board. He continued by saying that this study was not within our boundaries and that the Select Board was opening a "Pandora's Box." He wanted to know what would stop the Select Board from ordering other studies, depending on what was before the Zoning Board. He expressed his concerns of being in a tight budget crunch. He said that if a study was done, he would prefer the Board focus on the economical benefits - not where a tower should be located. He once again reiterated that this was the Zoning Board's job. He ended by saying the Zoning Board can come before the Select Board if they need money to perform a study, because the Select Board does control the "purse strings."

Patti spoke next. She wanted to clarify an incorrect story she had heard. She was on the Zoning Board when Bell Atlantic was given their permit to place a tower on Buffalo Mountain. Bell Atlantic then chose not to go through the Act 250 process. She described the situation at the time of Bell Atlantic's application. Patti stated that she wants to know where the best place for a cell tower is in Hardwick. Patti acknowledged the need for a cell tower and said she knows it's late in the permitting process for the current applicant. But, she feels that a study would help.

Kristina said the more information the better. She stated that a cell tower decision is not a simple decision to make. She feels that as a town we need to be informed.

Charles agreed that this is an important step and agreed with Patti and Kristina.

The people in the room were then given a chance to express their opinions. One person said that there will always be a few people upset no matter where the tower is located. Another stated that regardless of the Bridgman Hill location, there may need to be more towers. Another person said the Zoning Board should judge the current application before making this decision about a study. Another felt that the current applicant is a business who wants to put up a tower tax free. One gentleman fully supported the Board's proposal and wants to see a municipally owned tower. One person challenged the \$2,500 amount given to this study. They felt that an in depth, accurate study would take months and cost a lot more. Another person asked the Board to look at the "option on the table" not all the possible sites in the world. One person asked about the person who would be completing the study. One person questioned why the Select Board had not been attending the zoning meetings and stated only one zoning board member, besides Kristina who sits on both boards, was in attendance at tonight's meeting. One person accused the board of purposely derailing the current cell tower application. One person spoke to thank the board for intervening. Another stated that she felt there was a conflict of interest on the Zoning Board. She

stated that there was no cost to construct a tower on Bridgman versus paying \$2,500 to find another site. She said that Buffalo Mountain wasn't favored in the past and wouldn't be in the future. One man asked what happens if this current application falls through. Without this study, where will we be then? Another person also spoke up in favor of the study, but asked the Board to take a look at all technology changes, not just cell towers. Mr. Shepard, the land owner of the proposed tower site, expressed his concern with people always parking on Bridgman Hill to use their cell phones. He said he stepped forward as a public service and this site would cost the public nothing. He feels his good intentions backfired, but feels the Zoning Board should make a decision before the Select Board performs a study. One gentleman said that the Zoning Board needs to make a decision and "go with it." Patti spoke up to say that it was never the Board's wish to derail the current application.

The Board discussed the cell tower study and decided not to take any action at this point. The will revisit this issue after the Zoning Board has made their decision concerning the current application with Rinker's Communications.

8:05 P.M. M. Tod moved to adjourn the meeting.

Kristina seconded
Motion passed unanimously

Minutes approved by:

Todd Deuso, Chair

Minutes taken by: Lynda N. Brochu