

A regular meeting of the Hardwick Select Board was held on Thursday, October 21, 2004 at 6:00 P.M. in the 3rd floor meeting room of the Hardwick Memorial Building.

Members Present:

Todd Deuso
Charles Volk
M. Tod Delaricheliere
Kristina Michelsen

Others Present:

Daniel Hill, Lynda Brochu
Roger LeCours, Nathan Meunier,
James Dziobek, Julie Gravel,
Michael Gravel, Pete Brochu,
Toni May, Karen Shaw, Sandra Buck,
Alberta Miller, Bert Smith, David Hale,
Darlene LaCasse, Gary Bellavance,
Michael Haverson

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

6:01 P.M. M. Tod Delaricheliere moved to approve the regular Select Board minutes of September 23, 2004.

Kristina Michelsen - seconded
Motion passed unanimously

COMMUNICATIONS FROM AUDIENCE: Bert Smith reminded the Board that the highway plowing ordinance had been changed the previous spring and asked if notice would be given to the Town residents reminding them of this change. Dan said he would be writing a letter to the editor reminding people of this change.

MANAGERS REPORT

Citizen Complaint

Julie Gravel came before the Board to read a complaint about the way the Wolcott Street project was handled and her treatment when she visited the Town Manager's office on September 29th. She described a chain of events concerning the easements needed for the project. She described that she was abused when she came into the Town Manager's office on September 29th. She asked the Board to dismiss Lynda Brochu the Administrative Assistant. Once Mrs. Gravel had completed her statement Lynda asked for a chance to speak.

6:26 P.M. M. Tod moved to go into Executive Session to discuss personnel, to include the Select Board.

Kristina seconded
Motion passed unanimously

6:42 P.M. Open Session

The Board told the people in the room that they decided to investigate this complaint by forming a sub committee, with help from an independent attorney.

6:45 P.M. M. Tod moved to appoint Charles Volk and Kristina Michelsen to a sub committee to investigate Mrs. Gravel's complaint.

Kristina seconded
Motion passed unanimously

6:46 P.M. M. Tod moved to hire an attorney as needed to be chosen by the sub committee in order to help them investigate this complaint.

Kristina seconded
Motion passed unanimously

Grand List Changes

Town Clerk, Alberta Miller, was present to request permission to change the Grand List. There were nine tax payers who either filed their HC-131 late or changed their non residents status to residents. Clifford Jackman appealed the Lister's assigned value for two properties he owns in Hardwick. After a hearing, the State determined that the Grand List amount should be lowered on the so called Hill Block on Main St. His appraised amount on his building next to the American Legion was refused by the State. Carol Hall of East Hardwick had a survey which had been overlooked and his assessed value was also reduced. Robert Patten moved more land into current use so his assessed value also went down.

7:01 P.M. M. Tod moved to amend the 2004-2005 grand list to the accept changes as recommended by the listers.

Kristina seconded
Motion passed unanimously

The Board discussed the grand list changes.

The Board recessed for a few minutes

7:07 P.M. Meeting resumed.

Amendments to the Sewer Ordinance

Dan reminded the Board that they had a copies of our sewer ordinance with proposed changes in their packets. Most of the changes are merely making the ordinance gender neutral but Dan added a new article V to deal with allocations. Currently, when

there is a new project, the property owner requests an allocation of the Town's sewer resources to handle the increased flow from the new development. The town does not have a mechanism to take that allocation back at present so it stays on the books with the State until the project is actually created or we specifically request the property owner to return the allocation to us.

With the town's current sewer flows well below the designed capacity of the plant, holding allocations indefinitely has not been an issue but this seems like a good time to get a handle on it before we have a crisis.

7:10 P.M. Kristina moved to warn a Public Hearing to formally adopt the changes to the sewer ordinance.

M. Tod seconded
Motion passed unanimously

Changes to Traffic Ordinance

Dan told the Board that they had received in their board packets a copy of the proposed changes to our traffic ordinance to deal with the parking issue on South Main St. Kristina, Chief Dziobek and Dan worked on this and feel it reflects what was decided at our last meeting.

7:15 P.M. M. Tod moved to accept the traffic ordinance changes as described by Dan Hill and warn a Public Hearing to take testimony.

Kristina seconded
Motion passed unanimously

Rural Development Grant Request for Town House

Dan told the Board that when Addy obtained various funding sources for the handicapped bathrooms at the Town House, she ended up short by \$11,250.00. Addy then approached Rural Development who has agreed to grant that amount of money to the project. Rural Development has to grant the money to the Town who can then allocate the funds to the Town House.

7:17 P.M. M. Tod moved to apply for a Rural Development grant in the amount of \$11,250.00 and authorize the Town Manager to sign the appropriate forms.

Kristina seconded
Motion passed unanimously

Community Development Grant Received

Dan told the Board that the Town has received a \$30,000.00 planning grant from VT. Community Development to do a feasibility study on the proposed soy plant in the industrial park. This grant was actually written by Annalei Babson of NVDA on our behalf. Dan, Lynda, Todd and Kristina went to the award ceremony in Montpelier.

Health Officer Report and Zoning Administrator's Report

Dan told the Board that they had received in their packets Dan's monthly Health Officer report to the State and Nancy Kish's monthly report.

Removal of Greensboro Bend Underpass

Dan told the Board that the Vermont Department of Transportation removed the overhead portion of the underpass in Greensboro Bend last week. This means there is no longer any height restriction on the road which leads to Stannard. We have been pursuing this for about 3 years but it took an accident there to have it removed. The Town will now work on getting the State to remove the abutment for that structure as well so we can widen the road

Loss of Use of Atkins Field on Granite Street

Dan advised the Board that after many years of allowing the Town to use Atkins Field on Granite Street for our skating rink, the Atkins family has decided to post their property and not allow any public usage of it. The Recreation Committee is looking into alternatives for this winter. Dan told the Board that he spoke with Mr. Atkins and the decision to post his property was not because of anything the Town did.

Review of Equipment Fee Structure

Dan told the Board that in their packets, they had received a copy of the Town's equipment rental fee structure policy. We have not updated this in a while and the Town has changed some of it's equipment. Dan also proposed to update the fees. While the Town does not rent out it's equipment, we do have to have this policy to justify what we charge thru any grant work that we do.

7:20 P.M. M. Tod moved to adopt the new equipment rate schedule as recommended by Dan Hill.

Kristina seconded
Motion passed unanimously

Retirement Benefit Request

Dan told the Board that the State of Vermont is now offering a 457 deferred

compensation plan for our employees. If the Town of Hardwick participates, the employee can have money deducted from their paycheck each week on a pre-tax basis. This money is then invested in one of several options offered by the plan. It can be used as additional retirement income for our people. There is no cost to the Town except for the additional small amount of time it will take Joyce to set it up in payroll. Dan recommend offering this new product.

7:22 P.M. M. Tod moved to offer the 457 Deferred Compensation Plan to the Town of Hardwick employees.

The Board discussed the plan.

Kristina seconded

Motion passed unanimously

FEMA Reimbursement for Flood Related Damage/Informational

Dan told the Board that Lynda and Tom Fadden met with the Federal Emergency Management people to discuss the effects of the heavy rains at the end of August. The end result is that we are going to get a reimbursement check from them for \$6,828.44 for repairs the Town had to make. We are also getting an additional \$7,997.65 to do additional mitigation work - stone lining some of the ditches on Bridgman Hill, Town Farm and Cobb School to prevent any future damage. The road crew will do the mitigation work next spring and summer. The reimbursement will really help what is already a very tight budget due to weather and a very active summer of work by the road crew.

Hardwick Electric Report

Dan reminded the Board that enclosed in their packets was the latest report from Eric Werner to the electric commission. Todd asked Dan to find out what impact the increase in energy costs will have on the electric rates, if any.

Conflict of Interest Complaint

Dan told the Board that enclosed in their packets is a letter received from Sandy Howard expressing concern over a conflict of interest in the cell tower zoning issue. Also enclosed is a copy of the letter from our attorney, Paul Giuliani, and our letter to Ms. Howard. Ms. Howard has since sent a letter, which Dan handed to the Board, accepting their response.

Dan told the Board that he will be bringing a list of delinquent tax properties that will be going to tax sale to the next Select Board meeting. The Select Board has to approve which properties it wishes to bid on at this sale.

Dan had a Special Police Officer appointment, which needed to be approved by the

Select Board.

7:33 P.M. M. Tod moved to appoint Ashley Barnes to the position of Special Police Officer.

Kristina seconded
Motion passed unanimously

Dan advised the Board that the new 10 wheel dump truck with a 13 foot body, should be delivered shortly, in time for the winter season.

The Wolcott Street project is almost complete. The final paving is expected to be done by next Tuesday. The Board commented that this project seemed to go very well. Dan discussed the Village Restaurant parking lot. There is a sink hole that needs to be fixed.

Dan handed the Board three months worth of police reports. He also told them that his office is starting the budget process and to expect to see the drafts of this budget in November and December.

The Board discussed their November and December meeting schedules and the road side brush cutting.

Old Business: None

New Business: None

Select Board Reports: The Board discussed their yearly stipend and composting.

7:45 P.M. M. Tod moved to go into Executive Session to discuss Union Negotiations.

Todd seconded
Motion passed unanimously

8:17 P.M. Out of Executive Session

8:18 P.M. M. Tod moved to authorize Dan to sign the police contract for Fiscal Year 2005.

Kristina seconded
Motion passed unanimously

8:19 P.M. Kristina moved to hire a negotiator to work with the Town in negotiating the next police contract.

Charles seconded

Motion passed unanimously

8:19 P.M. Todd moved to appoint M. Tod to be the Board negotiator for police negotiations.

Charles seconded
Motion passed unanimously

8:20 P.M. M. Tod moved to adjourn the meeting.

Charles seconded
Motion passed unanimously

Minutes approved by:

Todd Deuso, Chair

Minutes taken by: Lynda N. Brochu