

MINUTES SELECT BOARD MEETING
6:00 P.M. Thursday, May 18, 2017
HARDWICK MEMORIAL BUILDING
3RD FLOOR MEETING ROOM

Select Board

Eric Remick, Chair
Danny Hale, Vice Chair
Kory Barclay-Absent
Shari Cornish
Elizabeth Dow

Others Present

Jon Jewett, Town Manager
Amanda Atwood, Payroll Administrator
Aaron Cochran, Police Chief
Tom Fadden, Road Foreman
Mike Sullivan-HED

Others Present

Robert Patten
Laurette Patten
Gary Bellavance
Merrill Chapin

6:01 P.M. – Eric Remick, Select Board Chair, called the regular Select Board meeting to order

6:01 P.M. – Select Board to approve minutes for its last regular meeting of May 4, 2017 and minutes of the special meeting of May 11, 2017

Upon motion by Elizabeth Dow, seconded by Danny Hale, the Select Board voted to approve the minutes of the regular Select Board meeting of May 4, 2017 as written, and to approve the minutes of the special Select Board meeting of May 11, 2017 as written.

6:03 P.M. – Set/Adjust Agenda- Jon reported that there would be an Item #7, Select Board to discuss concerns about encroachment on the right of way, moving the trail, and improper signage on the Trail by a property owner, located on Buffalo Mountain Trail.

Upon motion by Elizabeth Dow, seconded by Shari Cornish, the Select Board voted to adjust the agenda as stated.

6:04 P.M. – Communication from the Audience- None

6:04 P.M. – 6:18 P.M. Town Manager Report – Given by Jon Jewett

Jon reported on jobs that are posted, the South Main Street sidewalk project, the Church Street waterline project, various trash complaints, the dog issue, and moving a mobile home in East Hardwick that the Town bought at tax sale (see attached report for more details).

6:18 P.M. – 6:28 P.M. Road Foreman Report – Given by Tom Fadden

Tom reported on road work including painting and cleaning up around the village, wastewater system support, and water system work relating to reconnection of two services, (see attached report for more details).

6:28 P.M. – 6:36 P.M. Police Chief Report – Given by Aaron Cochran

Aaron reported on an embezzlement case at Dollar General, an abuse case on a vulnerable adult, and some property damage around the area. He reported that this week is Memorial Week for fallen officers. Vermont honored the fallen officers at the State House in which Aaron attended. Aaron stated that he wanted to remind everyone that Memorial weekend is next weekend. Aaron also reported that the Hardwick Police Department hired a new part-time officer, Corey Davis. Officer Davis is fully certified in law enforcement, he is a member of the Army National Guard, he has his associate's degree, and was previously employed at the Lamoille County Sheriff's Department.

Upon motion by Shari Cornish, seconded by Elizabeth Dow, the Select Board voted to approve the appointment of Corey Davis as the new Hardwick Part-Time Police Officer.

6:36 P.M. – 6:49 P.M. Hardwick Electric Report - Given by HED Commissioner, Mike Sullivan

Mike reported that two Hardwick Electric Commissioner terms will expire in June and will need to be re-appointed at a Select Board meeting next month. He stated that HED has been working on numerous efforts with renewable energy. Mike reported that one of the bucket trucks was damaged by fire when it was at a repair facility that burned down. They are working to get it repaired as soon as possible. Mike reported that HED will be setting new poles on South Main Street on starting on Monday May 22, 2017 in preparation for the sidewalk project. Mike said that HED has been working to improve its line reliability and is focusing on dangerous trees in or near the powerline right of ways in an effort to reduce the number and length of a power outages. Mike said that HED is finishing upgrades to service lines in Greensboro and will soon be moving to the Hardwick/Mackville area to upgrade old inefficient powerlines. Finally, Mike reported that HED is 5.4% over budget revenues and 7% under in operational expenses.

6:49 P.M. – 6:56 P.M. Item # 1, Select Board to discuss different options for disposal of tires dumped along Town roads.

Jon reported that people dumping tires in the community has been an ongoing issue for many years, and it's not just in the Hardwick area. Jon stated that people generally dropped tires off on Green-up Day and were taken to Gates Salvage for a low cost. Gates tire shredding machine was down this year so the Town couldn't accept tires. This problem has impacted a number of communities and has led to an increase in drive by tire dumping on Town roads. There has been a few requests by local residents to have the Town pick up tires and dispose of them. The problem with picking up tires is that there are a lot of them and they are now costly to dispose of. The Select Board generally agreed that the Town can't support cost of tire disposal from private property. It was suggested that the State should take some action on this. Shari Cornish offered to take the issue to the Solid Waste District meeting in July.

6:56 P.M. – 7:00 P.M Item #2, Select Board to review and discuss the bottle box, owned by Hardwick Area Community Coalition which is located at the Hardwick Fire Station.

Jon reported that there have been numerous complaints about the unsightliness of the bottle box that the Hardwick Area Community Coalition has located at the Hardwick Fire Station on Wolcott Street. (See attached picture for more details). The Select Board generally agreed that the Town Manager would write a letter to the person responsible for maintaining the box explaining the Board's concerns and inviting them to a Select Board meeting to tell the Board their overall plan for the box. It was stated that if the owner doesn't respond to the email, the Town will remove the box from its current location.

7:00 P.M. – 7:14 P.M Item #3, Select Board to discuss options for the new Town Garage, and take VLCT funding and build later or build cold storage now.

Danny stated that he feels that the Select Board should decide whether or not to rebuild the damaged building, build a new building with insurance money or take the insurance money and wait until there is a plan of action to replace the entire complex of garage buildings. Tom said that the existing building will come down eventually, due to the damage from the fire, since most of the damage occurred in the middle of the building. Tom also stated that the driveway next to that building is too narrow and removing the building would open up the area to the left. The Select Board generally agreed to look into planning for the construction of a new building, but that would be the beginning of a remake of the complex. (See attached report for more details). The Select Board has agreed to have Eric, Elizabeth, Danny, and Jon develop a plan during the summer and to make a decision in the fall before the insurance 180 day timeframe runs out.

7:14 P.M. – 7:15 P.M. Item # 4, Select Board to discuss and consider approving changes in the zoning fee schedule.

Amanda explained the fee changes recommended by Kristen Leahy, the Hardwick Zoning Administrator. (See the attached fee structure for noted changes).

Upon motion by Danny Hale, seconded by Shari Cornish, the Select Board voted to approve the changes in the Zoning fee schedule as recommended by the Zoning Administrator.

7:16 P.M. – 7:26 P.M. Item # 5, Select Board to discuss the potential of hiring a part-time maintenance mechanic for all Town owned buildings. The employee's hours would vary, and time would be allocated on a per building basis.

Shari brought up the need for a maintenance person to keep track of and make minor repairs on Town buildings. Shari explained that some winter freeze-ups, running out of heating oil, and other problems could likely have been avoided if the buildings were checked and inspected on a regular basis. Shari recommended that the Town hire someone for an average of about five hours a week to check all seven Town buildings. Danny wanted to know if this was a problem in every building or just the Town House. Shari said there was a need in both the Town House and the Depot and lesser needs in other Town buildings. Elizabeth Dow stated that a water pump issue if caught early could have avoided a worse problem. Eric asked Jon if there was someone currently on payroll that wouldn't mind having their hours increased by an hour or two to check on the Town House and the Depot. Jon stated that Mark Sassi has already volunteered to help out and is really good at making repairs. Additionally, using someone on payroll will help keep the cost down to the Town. The cost of this maintenance would generally have to come from either the buildings' operational capital budgets and should eventually be a line item. Jon would supervise the assignments that are needed.

The Select Board chose to table the final decision until the next Select Board meeting.

7:26 P.M. – 7:31 P.M. Item # 6, Select Board to discuss the possibility of initiating a change to the Town Charter, eliminating unused or outdated offices.

Jon has reached out to Garrett Baxter to see which officials are needed. The Select Board has generally agreed to review different options and to table the decision until a further date.

7:31 P.M. – 8:17 P.M. Item # 7, Select Board to discuss concerns about encroachment on the right of way, and improper signage on the Trail by a property owner, located on Buffalo Mountain Trail

Eric explained that Buffalo Mountain Trail, which is a public trail, became a trail back in 1956. When the change occurred, the Town did not throw-up the right of way, but changed the classification of the road to a legal trail, which requires no maintenance by the Town. For the past 15 years there have been various issues between a land owner, Robert Patten and trail users such as the Vermont ATV Sportsmen Association, the Vermont Association of Snow Travelers and the Town. There are issues with the trail being moved, with landowners blocking parts of the Trail or encroaching on the right of way and with harassment of users.

Gary Bellavance, a property owner near the trail, asked what the importance was of that trail being where it is. Eric stated that there have been issues as far as where the trail is due to the movement and changes that have been done to the trail over the last several years. Eric said that the trail needs to stay in one place so users can avoid having disputes with the landowner. Eric went on to say that the Town and the land owner – Robert Patten need to have an overall agreement. Gary stated that he has a survey showing where the trail is, but the survey isn't filed, nor will it be filed. It was noted that if a survey is not filed or performed by a certified surveyor it has no legal bearing. Gary also asked what if the property line is in the middle of the road. Jon replied that sometimes on any road or trail the property lines can end up being in the road. It all depends on how the road or trail was initially laid out. Jon noted that no matter where the property line is, the Town still, by statute, controls the right-of-way.

Jon explained that Buffalo Mountain Trail has a 49.5 foot right-of-way, but with only a ten foot travel portion. Due to the movement of the trail over the years, Jon agreed with Eric that the Town would like a general agreement as to where the trail is. Jon stated that there have been several complaints brought to his attention and back in January there was a Select Board meeting where a dozen people approached the Select Board with issues about this trail.

Robert Patten, a property owner on this trail, stated that all claims are false. He stated that he is fine with the trail being where it is, but due to ATV's and snowmobiles, it causes damage to the trail in which he has to spend his time and money fixing. He would like the clubs that want to use the trail or the Town to help him with maintenance of the portion of the trail leading to his property and he wants users to stop the damage being caused, or obstructing on to his property. He stated that donating material would be very helpful. Robert also stated that if the damage continues or there's an issue then he will address it with Jon or the Hardwick Police.

Eric stated that everyone should ask for permission to do maintenance to that trail. He said that some clubs have already approached the Select Board asking permission. Eric asked that Robert consider in the future, either coming to a Select Board meeting or writing an email stating his overall projects or ideas for the trail on an annual basis, so the Town could preapprove the work as required by statute. Eric also stated that there may be a way for the Town to contribute an annual donation for road maintenance but that is not to be decided until a general overall agreement is made between the Town and the property owner(s). He noted that it is important that the driven portion stays in one place and that there is a record as to where the right-of-way is and where the trail is. He stated that this issue should be addressed by someone other than the Town and the property owners. Shari asked who would write up the agreement. Jon replied that the Town Lawyer would be the one who would write up the agreement.

Merrill Chapin, property owner near that trail, expressed that the water bar he had installed to below Buffalo Mountain Power Sports is really helpful with preventing the water from coming on to his property and he is requesting that it stays there. He expressed his concerns that it might be removed.

Upon motion by Shari Cornish, seconded by Elizabeth Dow, the Select Board voted to approve that the Town Lawyer write an agreement that is reviewed and agreed upon by all parties. If no agreement is made, then it immediately goes to court.

Select Board Reports - Elizabeth Dow reported that on May 22nd at 7pm there will be an annual Hardwick Historical Society meeting. Following the meeting, there will be a public presentation where Dr. Jill Mudgett will be discussing how living among the hills and mountains of Vermont has shaped the way Vermonters think about themselves and their place in the world. The meeting will be free, open to the public, and handicapped accessible. Refreshments at the Depot after the program.

Eric reported that the drama club will be at the Town House performing *Little Women*, May 18th and May 19th starting at 7pm. He also reported the Spring Festival will be next weekend.

Danny reported that ATV trail work has been going well near the trail head of Wright Farm Road. He also reported that he would like to approach the owners of the Yellow Barn on Wolcott Street about using some of their property as a Town designated Trailhead.

Shari reported that First Friday planning is underway. The first- First Friday event will be held on June 2nd. If anyone would like to setup please contact the people at the Galaxy Bookstore. It cost \$15 per week or \$60 for the season.

New Business - Shari requested that the town order more signage for crosswalk and parking areas.

Eric asked if the property just past Marsh Road has a junk yard permit. Jon replied that they don't have a permit, but they're under act 250.

Old Business- Shari asked how the Flood Zone building was coming. Jon reported that he has talked with the inspector. This situation is coming along. Eric stated once the building is torn down the Select Board would know more about parking in that area.

8:30 P.M. - Eric Remick, Select Board Chair, adjourned the meeting.

Minutes approved by: _____
Eric Remick, Chair of the Select Board

Minutes taken by: _____
Amanda Atwood, Payroll Administrator