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2021-2022 HARDWICK TOWN BUDGET

Police Department

	<u>ACTUAL</u> <u>2019-2020</u>	<u>BUDGET</u> <u>2020-2021</u>	<u>PROPOSED</u> <u>2021-2022</u>	<u>\$</u> <u>DIFF</u>	<u>%</u> <u>DIFF</u>	<u>Proposed</u> <u>Adjusted</u>
Base Payroll	\$393,149	\$466,464	\$480,878	\$14,414	3.09%	\$ 380,000.00
Overtime	\$74,852	\$60,000	\$75,000	\$15,000	25.00%	\$ 55,000.00
Part-Time Officers	\$790	\$10,000	\$7,500	(\$2,500)	-25.00%	\$ 17,500.00
Social Security Expense	\$36,407	\$41,903	\$44,865	\$2,962	7.07%	\$ 40,000.00
Workers' Compensation	\$36,261	\$42,503	\$36,500	(\$6,003)	-14.12%	\$ 33,000.00
Unemployment Insurance	\$445	\$500	\$1,200	\$700	140.00%	\$ 1,200.00
VLCT/PACIF	\$18,832	\$21,460	\$19,693	(\$1,767)	-8.23%	\$ 19,693.00
Health Insurance	\$64,061	\$96,589	\$81,550	(\$15,039)	-15.57%	\$ 71,000.00
Dental/Vision/Life/Disability	\$5,525	\$8,350	\$5,189	(\$3,161)	-37.85%	\$ 5,189.00
Retirement Expense	\$44,681	\$53,994	\$58,923	\$4,929	9.13%	\$ 48,923.00
Supplies	\$7,774	\$7,000	\$7,000	\$0	0.00%	\$ 5,000.00
Training	\$1,384	\$5,000	\$5,000	\$0	0.00%	\$ 3,000.00
Memberships	\$292	\$400	\$400	\$0	0.00%	\$ 400.00
Recruitment Expense	\$1,525	\$0	\$0	\$0	0.00%	\$ -
Legal Expenses	\$0	\$1,000	\$1,000	\$0	0.00%	\$ 1,000.00
Internet Communications	\$4,530	\$5,000	\$5,000	\$0	0.00%	\$ 5,000.00
Dispatch Services	\$33,756	\$35,723	\$27,566	(\$8,157)	-22.83%	\$ 27,566.00
Telephone	\$4,110	\$5,000	\$4,500	(\$500)	-10.00%	\$ 4,000.00
Vehicle Maintenance	\$3,087	\$7,500	\$6,500	(\$1,000)	-13.33%	\$ 5,000.00
Advertising	\$449	\$200	\$300	\$100	50.00%	\$ 300.00
Radio Service	\$1,590	\$1,000	\$1,500	\$500	50.00%	\$ 1,500.00
Investigation Expense	\$2,312	\$1,500	\$2,000	\$500	33.33%	\$ 1,500.00
Uniforms (Cleaning)	\$769	\$1,600	\$1,000	(\$600)	-37.50%	\$ 1,000.00
Uniform Purchases	\$4,385	\$5,000	\$5,000	\$0	0.00%	\$ 3,000.00
Gasoline	\$9,178	\$15,000	\$11,000	(\$4,000)	-26.67%	\$ 11,000.00
Tires	\$1,788	\$3,000	\$2,500	(\$500)	-16.67%	\$ 2,500.00
Education	\$0	\$500	\$500	\$0	0.00%	\$ -
Equipment	\$6,187	\$7,500	\$7,500	\$0	0.00%	\$ 5,000.00
Total PD Operating Exp.	\$758,120	\$903,686	\$899,565	(\$4,121)	-0.46%	\$ 748,271.00 \$ (151,293.70)
SIU Grant Salary & Soc Sec.	\$0	\$0	\$0	\$0	0.00%	
SIU Expenses	\$280	\$0	\$0	\$0	0.00%	
COPS Grant Officer	\$72,721	\$77,537	\$80,638	\$3,101	4.00%	\$ 62,000.00 \$ (18,638.48)
Governor's HW Safety Grant	\$329	\$0	\$0	\$0	0.00%	
Governor's Equipment Grant	\$3,910	\$0	\$0	\$0	0.00%	
VLCT Grant	\$0	\$600	\$0	(\$600)	-100.00%	
Vest Grant	\$968	\$1,200	\$1,600	\$400	33.33%	
Total Special PD Expenses	\$78,209	\$79,337	\$82,238	\$2,901	3.66%	
Total PD Expenses	\$836,329	\$983,023	\$981,803	(\$1,220)	-0.12%	TOTAL: \$ (169,932.18)

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TOWN OF HARDWICK CIVIL ORDINANCE

REGULATION OF OPEN FIRES AND INCINERATION SOLID WASTE

WHEREAS, the Town of Hardwick has by virtue of 18 V.S.A. §613, 20 V.S.A. §2673, 24 V.S.A. §1971, 24 V.S.A. §2201, 24 V.S.A. §2202 (a), and 24 V.S.A. §2291(12) the power to amend, repeal, and enforce ordinances, assign power to manage and regulate health risks within its boundaries;

NOW, THEREFORE, to protect the public health and safety and to promote the responsible use of resources and protection of the environment, the Select board of the Town of Hardwick, hereby adopts this ordinance to regulate open burning and incineration in the Town of Hardwick, Vermont.

**ARTICLE 1
DEFINITIONS**

1. "Air Contaminants" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substances, or any combination thereof.
2. "Emission" means a release into the outdoor atmosphere of air contaminants.
3. "Incineration" means the burning of solid waste in an enclosed container, such as a furnace, stove, incinerator, steel drum, or similar device.
4. "Open burning" means burning of solid waste in the open where the products of combustion are emitted directly into the atmosphere without passing through a stack, chimney, or other enclosure. Open burning of trash using a "burn barrel", "home-made incinerator, or simply in a pile on the ground, is prohibited in the State of Vermont.
5. "Person" means any individual, partnership, company, corporation, association, unincorporated association, joint venture, trust, municipality, the State of Vermont or any agency, department or subdivision of the state, federal agency, or any other legal or commercial entity.
6. "Solid waste" means any discarded garbage, refuse, seepage, sludge from a waste water treatment plant, water supply plant, or pollution control facility and other discarded material including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, commercial, mining or agricultural operations and from community activities. For the purposes of this ordinance, solid waste shall also include any compostable or marketable recyclable materials; whether materials are recyclable at transfer stations, ARCC (additional recyclables collection center) or household hazardous waste facilities.
7. "Natural wood" means any of the following, provided such material has not been chemically treated with preservatives, paint or oil: trees, including logs, boles, trunks, branches, limbs and stumps, lumber, including timber logs, or slabs, dressed for use and pallets or skids. This definition **does not** include processed wood products such as particleboard, fiberboard and pressboard.

ARTICLE II

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OPEN FIRES AND INCINERATION

8. Except as provided by this article, the burning of solid waste either by open fire or in a furnace, stove or other device is prohibited in the Town of Hardwick unless the practice has been approved by the Vermont Department of Environmental Conservation and the Town of Hardwick Fire Warden.
9. To the extent allowed by Vermont Air Pollution Control Regulations, a specific permit may be granted by the Town of Hardwick Fire Warden for some materials if approved by the Air Quality & Climate Division.
10. Under the Vermont State Air Pollution Control regulations, the open burning of natural wood from property maintenance, cleaning up of property, and so forth is allowed with a permit issued by the Town of Hardwick Fire Warden. The Town of Hardwick Fire Warden operates under Forest and Parks Rules to prevent wildfires and must be contacted before lighting any regulated fire.
11. As long as no public or private nuisance is created some open burning is permitted: wood fires for holiday and festive celebrations, campfires, outdoor grills, and fireplaces.
12. The Town of Hardwick Fire Warden shall not issue a permit unless satisfied that no hazardous conditions will be created by such burning and air contaminants will not create a danger to the health and property of the citizens of the Town of Hardwick. Permits, which are issued under the provisions of this ordinance, shall be for a specified date, time and location, and only for specified materials.

**ARTICLE III
PENALTIES AND CIVIL ENFORCEMENT**

This ordinance is a civil ordinance and enforcement shall follow the procedures described in 24 V.S.A. SS 1974 (a) including but not limited to:

13. A civil penalty of not more than \$500.00 may be imposed for a single violation of this ordinance. Each day the violation continues shall constitute an additional and separate violation of \$100.00 per consecutive day of violation.

**ARTICLE IV
DESIGNATION OF AUTHORITY OF ENFORCEMENT PERSONNEL**

For the purposes of this ordinance, the Select board designates the Hardwick Police Department as primary enforcement authority. Hardwick Police Department Officers are authorized and required to investigate complaints, seek correction of violations and to otherwise enforce this ordinance with any advisory assistance requested from the Forest Fire Warden. The Hardwick Police Officers and the Hardwick Town Forest Fire Warden are authorized to enter onto private property if necessary to complete their investigation. They will make a reasonable attempt to contact the owner or occupant of property before entrance.

ARTICLE V

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REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**ARTICLE VI
SEVERABILITY**

This ordinance and its various parts, sentences, sections and clauses are hereby declared to be severable. If any part, sentence, section, or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected hereby.

**ARTICLE VII
EFFECTIVE DATE**

This ordinance shall become effective upon adoption by the Hardwick Select Board.

Adopted, this _____ day of _____, 2021.

Eric Remick, Chair.

Ceildh Galloway-Kane, Vice Chair

Shari Cornish

Michael Deering

Elizabeth Dow

Town of Hardwick Conflict of Interest Policy

Article 1. Authority. Under the authority granted in 24 V.S.A. § 2291(20), and in accordance with 2 C.F.R. § 200.18(c)(1), the Town maintains the following standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.

Article 2. Purpose. The purpose of this policy is to ensure that the business of this municipality will be conducted in such a way that no public officer of the municipality will gain a financial or other interest in/or a tangible personal benefit from a firm considered for a contract or from his or her work for the municipality and so that the public trust in municipal officials will be preserved. It is also the intent of this policy to ensure that all decisions made by municipal officials are based on the best interest of the community at large. In the event of a Federal award, the Town of Hardwick shall disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

Article 3. Application. This policy applies to all public officers as that term is defined below.

Article 4. Definitions. For the purposes of this policy, the following definitions shall apply:

A. **Conflict of interest** means any of the following:

1. A direct or indirect personal or financial interest of a public officer, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother- or sister in-law, business associate, or employer or employee in the outcome of a cause, proceeding, application, or any other matter pending before the officer or before the public body in which he or she holds office or is employed.
2. A situation where a public officer has publicly displayed a prejudgment of the merits of a particular quasi-judicial proceeding. This shall not apply to a member's particular political views or general opinion on a given issue.
3. A situation where a public officer has not disclosed ex parte communications with a party in a quasi-judicial proceeding. A "conflict of interest" does not arise in the case of votes or decisions on matters in which the public official has a personal or financial interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision.

B. **Emergency** means an imminent threat or peril to the public health, safety, or welfare.

C. **Ex Parte Communication** means direct or indirect communication between a member of a public body and any party, party's representative, party's counsel or any person interested in the outcome of a quasi-judicial proceeding, that occurs outside the proceeding and concerns the substance or merits of the proceeding.

D. **Official act or action** means any legislative, administrative, or quasi-judicial act performed by any public officer while acting on behalf of the municipality.

E. **Public body** means any board, council, commission, or committee of the municipality.

F. **Public interest** means an interest of the community as a whole, conferred generally upon all residents of the municipality.

G. **Public officer** means a person elected or statutorily appointed to perform executive, administrative, legislative, or quasi-judicial functions for the municipality. This term does not include any municipal employee.

H. **Quasi-judicial proceeding** means a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunities to present evidence and to cross-examine witnesses presented by other parties, and which results in a written decision, the result of which is appealable by a party to a higher authority.

I. **Immediate family** means a person's spouse, civil partner, sister, brother, mother, father, or child.

Article 5. Prohibited Conduct.

A. A public officer shall not participate in any official action if he or she has a conflict of interest in the matter under consideration. Furthermore, they may not participate in the selection, award, or administration of a contract supported by a federal award if she or he has a real or apparent conflict of interest.

B. A public officer shall not personally – or through any member of his or her household, business associate, employer or employee – represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application, or other matter pending before the public body in which the public officer holds office.

C. A public officer shall not accept gifts or other offerings for personal gain by virtue of his or her public office that are not available to the public in general.

D. A public officer shall not use resources unavailable to the general public – including but not limited to municipal staff time, equipment, supplies, or facilities – for private gain or personal purposes.

Article 6. Disclosure. A public officer who has reason to believe that he or she has or may have a conflict of interest in a particular matter shall, prior to participating in any official action on the matter, publicly disclose at a public meeting or public hearing that he or she has an actual or perceived conflict of interest in the matter under consideration and disclose the nature of the actual or perceived conflict of interest. Alternatively, a public officer may request that another public officer recuse him or herself from a matter due to a conflict of interest.¹

Article 7. Consideration of Recusal. Once there has been a disclosure of an actual or perceived conflict of interest, other public officers shall be afforded an opportunity to ask questions or make comments about the situation. If a previously unknown conflict is discovered during a meeting or hearing conducted by a public body of the municipality, the public body shall take evidence pertaining to the conflict and, if

¹ Such request shall not be considered an order for the officer to recuse him or herself.

appropriate, adjourn to an executive session to address the conflict. Such request shall not be considered an order for the officer to recuse him or herself.

Article 8. Recusal.

A. Recusal of Appointed and Elected Officers. After taking the actions listed in Articles 6 and 7, a public officer, whether appointed or elected, shall declare whether he or she will recuse him or herself and explain the basis for that decision. If the public officer has an actual or perceived conflict of interest but believes that he or she is able to act fairly, objectively, and in the public interest, in spite of the conflict, he or she shall state why he or she believes that he or she is able to act in the matter fairly, objectively, and in the public interest.² Otherwise, the public officer shall recuse him or herself from the matter under consideration. A public officer that recuses him or herself may, but not must, explain the basis for that decision.

B. Recusal of Appointed Officers. The failure of an appointed public officer to recuse himself or herself despite a conflict of interest may be grounds for discipline or removal from office.³

Article 9. Recording. The minutes of the meeting or the written decision from the hearing shall document the actions taken in Articles 6 through 8.

Article 10. Post-Recusal Procedure.

A. A public officer who has recused himself or herself from serving on a public body in a particular proceeding shall not sit with the public body, deliberate with the public body, or participate in that proceeding as a member of the public body in any capacity, though such member may still participate as a member of the public.

B. The public body may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to act through the concurrence of a majority of the total membership of the public body. The public body may then resume the proceeding with sufficient members present.

Article 11. Enforcement.

A. Enforcement Against Elected Officers; Progressive Consequences for Failure to Follow the Conflict-of-Interest Procedures. In cases where an elected public officer has engaged in any of the prohibited conduct listed in Article 5, or has not followed the conflict-of-interest procedures in Articles 6 through 9, the Town of Hardwick may take progressive action to discipline such elected officer as follows:

² Each member of an elected public body is independently elected and answers only to the voters, Therefore, unless there is a local ordinance or charter provision that states otherwise, the remaining members of the body may not force recusal. They may only express their opinion about the subject and/or privately or publicly admonish a fellow member who fails to handle conflicts appropriately.

³ Certain appointed officials such as a Zoning Administrator and a Town Manager may only be removed for cause and after being afforded with procedural due process protections including notice and a reasonable opportunity to be heard.

1. The chair of the Town of Hardwick may meet informally with the public officer to discuss the possible conflict of interest violation. This shall not take place in situations where the chair and the public officer together constitute a quorum of a public body.
2. The Town of Hardwick may meet to discuss the conduct of the public officer. Executive session may be used for such discussion in accordance with 1 V.S.A. § 313(a)(4). The public officer may request that this meeting occur in public. If appropriate, the Town of Hardwick may admonish the offending public officer in private.
3. If the Town of Hardwick decides that further action is warranted, the Town may admonish the offending public officer at an open meeting and reflect this action in the minutes of the meeting. The public officer shall be given the opportunity to respond to the admonishment.
4. Upon majority vote in an open meeting, the Town of Hardwick may request (but not order) that the offending public officer resign from his or her office.

B. Enforcement Against Appointed Officers. The Town of Hardwick may choose to follow any of the steps articulated in Article 10A. In addition to or in lieu of any of those steps, the Town of Hardwick may choose to remove an appointed officer from office, subject to state law.

Article 12. Exception. The recusal provisions of Article 8 shall not apply if the Town of Hardwick determines that an emergency exists and that actions of the public body otherwise could not take place. In such a case, a public officer who has reason to believe he or she has a conflict of interest shall disclose such conflict as provided in Article 6.

Article 13. Effective Date. This policy shall become effective immediately upon its adoption by the Town of Hardwick and replace any previous versions of the policy.

Town of Hardwick Select Board:

Eric Remick, Chair

Ceilidh Galloway-Kane, Vice Chair

Shari Cornish

Elizabeth Dow

Michael Deering

Date: _____

Revised: May 20, 2021

Town of Hardwick
Relocation Costs of Employees Policy

As a municipal employer with operations conducted in one location, it is not expected that there would be instances where relocation costs of employees would be a pertinent benefit. If these costs are necessary, the following outlines how the costs will be handled.

For details on this subject reference Code of Federal Register 2 CFR section 200.1 C.F.R. § 200.464.

(a) Relocation costs are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period of not less than 12 months of an existing employee or upon recruitment of a new employee. Relocation costs are allowable, subject to the limitations described in paragraphs (b), (c), and (d) of this section, provided that:

- (1) The move is for the benefit of the employer.
- (2) Reimbursement to the employee is in accordance with an established written policy consistently followed by the employer.
- (3) The reimbursement does not exceed the employee's actual (or reasonably estimated) expenses.

(b) Allowable relocation costs for current employees are limited to the following:

- (1) The costs of transportation of the employee, members of his or her immediate family and his household, and personal effects to the new location.
- (2) The costs of finding a new home, such as advance trips by employees and spouses to locate living quarters and temporary lodging during the transition period, up to maximum period of 30 calendar days.
- (3) Closing costs, such as brokerage, legal, and appraisal fees, incident to the disposition of the employee's former home. These costs, together with those described in (4), are limited to 8 percent of the sales price of the employee's former home.
- (4) The continuing costs of ownership (for up to six months) of the vacant former home after the settlement or lease date of the employee's new permanent home, such as maintenance of buildings and grounds (exclusive of fixing-up expenses), utilities, taxes, and property insurance.
- (5) Other necessary and reasonable expenses normally incident to relocation, such as the costs of canceling an unexpired lease, transportation of personal property, and purchasing insurance against loss of or damages to personal property. The cost of canceling an unexpired lease is limited to three times the monthly rental.

(c) Allowable relocation costs for new employees are limited to those described in paragraphs (b)(1) and (2) of this section. When relocation costs incurred incident to the recruitment of new employees have been charged to a Federal award and the employee resigns for reasons within

the employee's control within 12 months after hire, the Town must refund or credit the Federal Government for its share of the cost.

(d) The following costs related to relocation are unallowable:

- (1) Fees and other costs associated with acquiring a new home.
- (2) A loss on the sale of a former home.
- (3) Continuing mortgage principal and interest payments on a home being sold.
- (4) Income taxes paid by an employee related to reimbursed relocation costs.

The foregoing Policy is hereby adopted by the Select Board of the Town of Hardwick, Vermont, this 20th day of May 2021 and is effective as of this date until amended or repealed.

Eric Remick, Chair

Ceilidh Galloway-Kane, Vice Chair

Shari Cornish

Elizabeth Dow

Michael Deering