

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, JANUARY 20, 2014

Present:

Selectboard Members: Kathy Black, Nat Kinney, Doug Molde, Eric Osgood, Howard Romero
Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Smith, Lois Frey, Bob Selby, Lea Kilvadyova, JoAnn Benford, Bob Schultz

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 7:01.

2. Review and Approve Minutes of Meetings Past

Howard moved to approve the minutes of December 16 with the edits suggested by Duncan, Nat seconded, and the motion was passed. (*Kathy arrived at 7:02.*)

3. Treasurer's Report and Review and Approve Bills and Warrants

Rosemary said we are at 63% of budget spent and 91% of budgeted income. She still needs to add the articles approved by voters last year to the budget. We have received the third installment of state aid for highways.

Duncan and Eric asked Steve about gravel for 2014-15. So far this year \$13K worth of stone over run has come in. Steve thinks we will have the same material next year.

Final letters about delinquent taxes have been sent out. In about a month anything still unpaid will be sent to Sharon Green to start the tax sale process. Current taxes are at 57.72% paid to date. That's a little less than prior years. We have received January's rent from both apartments at 188 Lower Main East. Rosemary is working on the town report and would like all reports to be included in it by this Friday as the printers would like to get it by January 30. (*Lois Frey arrived at 7:09.*)

Rosemary showed the board a draft warning for town meeting. Thursday is the final day for petitions. She hasn't received any yet. She asked if the board would like to go first or second at town meeting. The selectboard went second last year, but before that they went first several years in a row. Some board members said it is fair to alternate who goes first each year. Doug said he thinks it is better for the selectboard to go second. Once people know what the school budget is, there is less apprehension.

Howard moved to schedule the selectboard to go second on town meeting day, after the school board, Doug seconded, and the motion was passed 3:2.

Duncan suggested adding a reference to statute in one place on the warning. There is an article for the Masonic Temple tax exemption, which has to be renewed every 5 years. Rosemary said the school district will be asking voter to approve a \$1,115,000 bond for improvements to the school.

Rosemary asked if the board wants to go out to bid for the audit or stay with the current firm. Kathy said the board had previously decided we should go out to bid because we have stayed with the same auditor so long. The board agreed to go out to bid.

4. Road Commissioner Report/Road Foreman Report

Steve said since the last meeting there were 20 inches of snow. His crew plowed 3 times and sanded 45 times. They have used about 2000 yards of sand so far. They put out about 4000 yards last year. We have plenty on hand. Salt usage is average. Due to lack of snow the crew has dealt with about half a dozen frozen culverts. They have used about half their allotted overtime. On December 22-23 there was an ice storm that resulted in numerous downed trees. Two employees spent 13 hours straight cutting trees. There is a lot of brush that will have to be cleaned up at some point. Eric said the selectboard and village trustees will provide a lunch for the highway crew and the village water and light employees to show appreciation for all they did during the ice storm. He told Steve to be sure to invite his part-time employees. (*Bob Selby arrived at 7:18.*) Duncan complimented Steve and his crew for the work they have done this winter, especially during the ice storm.

5. Planning Commission Report

Bob said at the last Planning Commission meeting there was discussion about the line item that will appear in the town budget to pay for the consultant to help explore form-based zoning. Everyone feels it is important to help voters understand why we are doing this. There was discussion about how best to do this. The Planning Commission decided that it should suffice to have a clear explanation in their annual report and make sure someone is there at town meeting to answer any questions from the floor.

The Planning Commission also talked about how to go about combining the town and village plans. The town plan is due to be revised in 2016 and the village plan has just been done. If the Planning Commission is going to do the town plan as it has been done in the past, that would require about a year's work. If they are going to do a combined plan, they probably would want to be careful and do more thinking. The feeling of the commission is that combining the plans would pay some dividends. It would allow a holistic look at Johnson.

Eric said at the recent joint trustee-selectboard meeting, the trustees were receptive to the idea of a joint plan. He pointed out that it is not a given that the \$15K will be added to the town budget, because a budget hasn't yet been approved. There are going to be some challenges in the budget and he is not sure if the board will include the \$15K in the budget or make it a stand-alone article.

Bob said he can't be at town meeting, but the point he would make to voters is that this is not a Planning Commission initiative. The Planning Commission is responding to what they have heard at public meetings and from other sources. Much input came from the Maplefields controversy, but there is interest beyond that. They have heard from enough people that there is enough interest to make it worthwhile exploring form-based zoning. But it is by no means a fait accompli. All on the Planning Commission understand it will go to the voters for a vote. The reason for the consultant is to help us organize the kind of community meetings Newport held to involve the community at every step of the process.

Duncan said at the joint trustee-selectboard meeting one question raised was who votes on a joint town/village plan. He has done some research to find the answer. What he found out is that statute doesn't refer to a joint plan. It refers to joint planning commissions. The recommendation from VLCT is that if both boards want to be able to vote, we should not call the plan a joint plan. The town and village can have identical plans. It can be called the Johnson Municipal Planning Document and both boards can vote on it. If we refer to it as a joint plan, statute is pretty clear that the trustees are delegating authority to the selectboard and only the selectboard votes. Bob said that question also arose at the Planning Commission meeting and they decide to research it.

Doug asked, if village voters vote down zoning and town voters are in favor of it and it is approved by the selectboard, would we then have zoning in the village based on the town plan if the plans are parallel? Duncan said he thinks in the absence of zoning regulations in the village the town can have zoning regulations that cover the village. But if the village subsequently adopts zoning then the town zoning relative to the village is superseded.

Bob asked, aren't the village trustees concerned that the cost of a development review board or regulator would be difficult for them to bear? That would be a reason for them to think in terms of town-level zoning. Doug said he is also thinking about coordination in terms of the planning document.

Nat asked if there has been any more dialog with Maplefields. Bob said no. They didn't respond to the last communication from the Planning Commission. He thinks what happened in Newport played a role in that.

Nat said it is interesting that Newport established form-based zoning and then they decided not to apply it based on a threatened lawsuit. That would be one concern he would have about form-based zoning. If there is no legal precedent we would have to bear any cost ourselves. Bob said that is one reason to look for a very competent consultant. Duncan asked if Nat has any knowledge of why Newport backtracked. Was it uncertainty over form-based zoning or just not wanting to go through the legal process? Nat said he is not sure. He recalls hearing that Newport didn't want to test it. Duncan said it would be interesting to find out what really happened. He feels having a qualified development review board is probably more important than having zoning. He has seen development review boards approve or reject projects completely in opposition to what zoning calls for and he thinks it is because they are untrained. It is incredibly important to hire people to come and conduct workshops to train the people who will make the decisions if you are going to have zoning.

6. *Recreation Committee Report*

Nat said Heather, the chair of the recreation committee, will probably not be able to continue spending the same amount of time on the committee that she has spent the past few years so the committee is facing the question of how to go forward without her as chair. She has been spending 10-16 hours per week during the school year and not much time in the summer. No one else on the committee has that much time to devote. If the work is divided up, he thinks the quality of the program will see ups and downs depending on the quality of the volunteers that step forward. In previous years, the town had a recreation employee. He is not sure how much of an option that is, given budget constraints and the realities of managing another

person. Eric had also mentioned to him that there might be capacity among existing office staff.

Eric said if we are going to be looking for a paid position, that decision needs to be made right away because it will have to go into the budget that is being developed now. Nat said he thinks the decision to hire someone would open up a lot of questions about what the duties and pay should be and that would be a lot to answer in the next few days. Howard said the previous employee didn't have his duties adequately described. The board agreed the position would need to be well defined.

Duncan said he had talked to Rosemary about whether there is any capacity for existing staff to take on any of what Heather has been doing. Rosemary said there is certainly not capacity to take on 16 hours a week. She thinks we might have some capacity. It would be good to meet with Heather and find out more about the work.

Duncan said another interim step might be for the town to make a financial contribution to the rec chair for coordinating programs. We do have a precedent of paying the rec chair. Eric said there should probably be a placeholder put in the budget for either a stipend or a coordinator salary. Kathy said if there is clerical work that takes up Heather's time, perhaps the rec budget could assign money for a hired note taker or the secretary could be tasked with some of the scheduling Heather does.

Duncan said there is a state program called Reach Up that helps people get workplace skills. Getting workers through that program is free to us. The Department of Labor pays their cost. We might be able to get someone through Reach Up. Kathy said jobs for Reach Up workers need to be clearly defined jobs that someone can supervise.

Howard asked, if we were to add money to the budget for this, where would it go? Eric said it could be added to the rec budget. Doug said money collection could be shifted to this office, lifting at least that burden.

Nat said otherwise things are great with the rec committee. There will be a basketball tournament this month.

7. *Manager's Report*

Howard moved to authorize Eric to sign the fire service contract on behalf of the town, Nat seconded, and the motion was passed.

The Historical Society Building Committee has met 3 times now. Work is ongoing to develop a joint use agreement identifying who is responsible for what and setting forth Historical Society rights to use of the building. The committee has discussed preparing a lease for the existing tenants and possibly increasing the rental amounts. Duncan's research indicates that the large apartment especially is currently a pretty good deal. The committee has discussed next steps for the construction projects. The consensus is that the smaller construction projects related to improving the Historical Society space can be done without a bid or RFP process, but that larger projects such as the roof, new entryway, and renovations to the apartment should be put out either for bid or for RFP. (*Lea arrived at 7:54.*) It was also

agreed that hiring a person to assist with preparation of bids and specifications is needed. The Historical Society was very pleased with Doug Williams' work and would like to hire him for this purpose. Eric recommended combining the roof bid for the Historical Society building with the roof bid for the Municipal Building. Doug Williams can write a detailed bid spec for both roofs. He wrote the bid spec for the roof on the town highway garage. Eric suggested getting trustee approval on hiring Doug Williams to prepare the roof bid spec.

Doug moved not to require bids or RFP's for smaller construction projects in the Historical Society building that are related to improving the Historical Society space but to put larger projects such as the roof, new entryway and apartment renovations out for bid or RFP and to hire Doug Williams to prepare bid specifications, Nat seconded, and the motion was passed.

8. *TNL Bandstand*

Lea said she had been asked to look into applying for a grant from the Vermont Council on the Arts for the bandstand. She has done some research on that source and has looked into figures for the cost of completing the bandstand. The Vermont Council on the Arts grant application is not due until May. Before that, she would like to apply for a grant of a little over \$3K from the Vermont Community Foundation. That grant would provide a match for the larger Vermont Council on the Arts grant. There is \$4K available for the bandstand from previous fundraising efforts. There will also be donations of labor and about \$500 of Lea's time from the town. She would like formal approval to apply for the Vermont Community Foundation grant in approximately the amount shown on the handout she distributed, with flexibility to adjust the amount slightly.

Howard moved to authorize Lea to apply for a Vermont Community Foundation grant for approximately the amount presented, Nat seconded, and the motion was passed.

9. *Journey's End Trail Grant*

A possible source of funding for building a trail from the Journey's End parking lot is the Recreational Trails Grants program. We currently have two open grants with that program, for the trailhead building and the Old Mill park path, so Lea is not sure they would be ready to give us another grant. The town or the Youth Conservation Corps could be the applicant, or potentially the River Conservancy could be. Applications are due at the end of February. The Youth Conservation Corps would be the driving force behind trail construction. The grant would require a 20% match. The YCC could potentially match with some of their time and we could show our support by providing some volunteer labor. She would like to explore whether it would be possible for us to get a third Recreational Trails Grant without having to contribute cash. The board agreed Lea should go ahead with exploring the possibility.

Doug said he would like to include Lea in discussions with the Conservation Commission, Recreation Committee, etc. on coordination regarding trails and other recreation resources. (Lea left at 8:08. JoAnn Benford and Bob Schultz arrived at 8:09.)

10. *Manager's Report (continued)*

Kathy moved to accept Mary Sargent's resignation as auditor and to appoint Louise Cross to replace her, Howard seconded, and the motion was passed.

Duncan said the board chair needs to sign a license agreement to use the state CAMA software. There is a cost of \$238.81. **Kathy moved to authorize Eric to sign the Letter of Agreement for Computer Assisted Mass Appraisal Cost Table services, Nat seconded, and the motion was passed.**

The Certificate of Highway Mileage needs board signatures. There were no changes to the mileage this year. **Kathy moved to sign the Certificate of Highway Mileage, Nat seconded, and the motion was passed.**

Duncan has received right of way documents related to the bridge replacement near West Settlement Rd. They refer to a maintenance agreement that was not included. He doesn't recommend signing them without seeing the maintenance agreement. By signing the documents the board will be granting temporary and permanent rights of way for construction. The state has done an appraisal and the value of the easements is something like \$250. The state can send a check for that amount, or we can agree to donate the easements to the state. Kathy asked what Duncan recommends. Duncan said it shows good will to donate the easements.

11. Library Budget Draft

Eric said the board understood that the library budget included a \$1000 increase to do inside renovations. The board felt that before starting piecemeal work the library trustees should have a big picture of where they are going and what they want. One reason the board has this concern is that a few years ago an issue was raised about a major parking shortage. The library trustees had lots of concerns and thought the library would have to move to another site, but after adding 3 parking spots the parking issue seems to have gone away. Now the selectboard is hearing that the building will suffice to meet the library's needs with just minor expansion. The selectboard doesn't want the library to do anything that would later have to be undone.

Bob said the minor renovations the selectboard had heard about are not included in the budget. They would cost about \$10K. One thing that has been proposed is moving the stairwell to the basement. This has not come up before because the basement hasn't been used much in the past, but this past spring, mainly through the efforts of Jeanne and Sarah, the area has been cleaned up and better lighting has been put in, at minimal cost. Getting to the stairwell requires going through the bathroom and the staircase is narrow and very steep. The basement room is now mainly being used by children. Bob distributed a sketch showing how the stairwell could be moved to what he believes was its original location. After the selectboard brought up the concern about looking at longer term plans first, the library trustees withdrew the money for moving the staircase from the budget. It is now basically back to level funding. Bob said he doesn't think anything the library would do in the future would be affected by moving the stairwell. Duncan asked if we would gain floor space by eliminating the current stairwell. Bob said no, because we would lose some storage space when we put in the new stairwell and would have to move that storage to the area where the stairwell is now.

Doug asked how big the basement room is. Bob guessed about 15x25 ft. There may be potential to expand more there, but flooding is a potential problem. Duncan said a relatively

simple fix for the flooding problem would be installation of flood gates or flood doors on the door. Board members agreed installation of a flood gate would be a good idea. Duncan asked if flood water has ever gotten to the bottom of the windows. Bob and JoAnn said yes, in 1995. Duncan said they could also fit the lowest window with a flood gate.

Howard asked if the pitch of the proposed new staircase would be even close to code. Bob said there will be no trouble getting a reasonable pitch. Duncan said anything that gets installed has to meet code, and as the library is a public building it is subject to all ADA requirements.

Howard said he thinks the trustees will probably be looking at the future of libraries. Will they serve less as repositories of books? That will impact the future of this library. JoAnn said the trustees have thought about it. They don't see much need to expand the adult collection. They are told the trend is more toward libraries as meeting spaces, community spaces, spaces for technology, and meeting the needs of kids. They are in needs assessment mode now.

Bob distributed a sketch of another idea. The library needs space. There are possibilities for that site. An addition off the back could be as big as 1500 square feet – the size of the current library. But he doesn't think it would have to be that big. He thinks the library trustees need an architect. The question is how to pay for one. Eric asked if they have given any thought to a capital fund raising campaign. Bob said no. He said he thinks of the library as being similar to the elementary school. When the school expanded they didn't do fund raising. Eric said a library is different. The library used to be self sufficient. He remembers when it first came to the town for money. Now the town is contributing \$80K. A lot of people in the community may be willing to contribute money for a general endowment or for a specific purpose. Duncan said it is very common throughout the state for libraries to have endowments in addition to taxpayer support. He would think a campaign to solicit endowments would make more sense than a capital building campaign. For adding on to the building we would probably have to go to bond.

JoAnn said the library might want to seek a design grant. She hasn't had time to find out about availability. Duncan said he thinks it is tough for a library to find funding. There are community projects grants through USDA Rural Development. You generally have to be denied a loan from commercial lenders to qualify but he is told there are ways around that. JoAnn said she is thinking along the lines of the Vermont Community Foundation. The library has gotten a small grant from them before. That would be enough for help with a design.

Doug said he has thought for a long time that the selectboard is remiss in not having a long range financial plan to prioritize spending for the Historical Society, library, etc. He thinks there is some merit in the idea of the town looking for some way to help the library but he has been discouraged that it didn't seem like there were good proposals coming through on how to move the library ahead.

JoAnne said it took them a while to figure out they would like to stay in the same location. That hinged a lot on the parking situation, which got resolved.

Doug said he thinks if they get a consultant and do price comparisons it might cause them to think about alternatives. Kathy thinks they need to articulate a plan, which will help them write a grant application that will allow them to do further planning. It is difficult to ask for money if you can't articulate convincingly what you need. JoAnn said right now they are in the process of deciding what they need. They are talking to the librarians.

Duncan asked if there are any resources available through the Department of Libraries – any databases on consultants or firms other libraries have used? Bob said he thinks that is the easy part. The Morrisville library recently did some rebuilding. The trustees could contact their architects. Board members mentioned that Hyde Park also had a recent building project.

Duncan said he has no idea what the cost would be for the first phase of architect service. JoAnn said Cushman Design came in at one point and said architectural plans would cost \$20-25K. As far as the Department of Libraries, they offer no resources that she knows of.

Eric asked if the Department of Libraries would have someone who could work with the library trustees on what their needs are. Bob said he thinks the librarians are best at determining their needs. JoAnn said maybe a committee could be formed with community members, trustee board members, and staff.

JoAnn said the library trustees will be happy to keep the board apprised. Eric said the board would like that. JoAnn said they are aware they need clarity. *(JoAnn and Bob left at 8:49.)*

12. Manager's Report (continued)

Duncan handed out copies of the latest budget draft. The expense side is up 5% and the amount to be raised by taxes is up 10%.

Eric said there isn't a lot of flexibility. The budget is pretty tight on the revenue side. The increase comes out to almost 6.5 cents on the Grand List. About 2.5 cents of that is the cost of the Historical Society building. Another penny is for public safety – mostly the Sheriff's Department. Almost a penny goes to pay for the consultant to the Planning Commission. Duncan said salary adjustments and reallocation of hours for joint town/village employees contributes between $\frac{3}{4}$ and one cent. Eric said that is washed by the decrease in health care costs (about a penny.) Duncan said close to a penny of the increase is due to increases in the highway budget. There are increases for paving, sand, and roadside mowing. Kathy asked why we are adding more sand. Duncan said we are buying more from Nadeau.

Kathy asked what last year's increase was. Duncan said around 3% for the total budget. Part of the reason the increase in the amount to be raised by taxes is more than the budget increase is that principal for the Historical Society loan is not included because in accounting principal is not considered an expense but interest is. Eric said he is a little concerned because the governor told taxpayers to scrutinize their school budgets, the education tax is going up, and now the school is asking voters to approve a bond for a million plus. Kathy

asked how this increase will affect the average tax bill in town. Duncan reviewed figures for houses of different values.

Eric suggested the board give some thought to the dedication in the town report. There was discussion about including thanks to Mike Comeau, Pomerleau, and others involved in bringing the grocery store to town. Eric thought he would thank those people in his letter. He suggested the town report could be dedicated to the Historical Society.

Kathy said she feels we need to be able to defend every penny in this budget. Eric said we need to think about the \$15K for the consultant – whether to put that in the budget or have it as a standalone article. He might support having it as an article because we will get discussion then. If the vote is against it, then the \$15K would be wasted anyway. Putting it as an article gives an opportunity for voters to talk about it and ask questions. Nat said he thinks having the discussion now at town meeting is premature. Duncan said he thinks it is worth having the conversation between those who think zoning is not worth exploring and those who think it is worthwhile.

13. Adjourn

The meeting was adjourned at 9:20.

Minutes submitted by Donna Griffiths