

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, FEBRUARY 15, 2016

Present:

Selectboard Members: Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood

Others: Duncan Hastings (Administrator), Rosemary Audibert (Clerk), Brian Krause, David Butler, Lea Kilvadyova, Rob Rodriguez

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 7:00.

2. Review of Agenda and Any Adjustments, Changes and Additions

Duncan said Doug had asked to add an item about JES performance as it relates to economic development. Duncan would also like to add discussion of town email accounts and mill house painting.

3. Review and Approve Minutes of Meetings Past

Nat moved to approve the minutes of the joint selectboard/trustee meeting on January 6, 2016, the work session meeting on January 11, 2016, the regular meeting on January 18, 2016, and the emergency meeting on January 25, 2016, Doug seconded, and the motion was passed.

4. Treasurer's Report / Review and Approve Bills, Warrants, Licenses / Any Action Items

Rosemary said to date we are 64.44% spent, which includes all the College Hill project except for change orders. We received the 3rd installment of highway state aid money. Duncan asked, anticipated revenues are 89%? Rosemary said yes. She said she hasn't yet put in reimbursement for the College Hill project.

A tax sale is scheduled for April 6 at 1:00. There are currently about 25 parcels on the list that could be sold.

The 3rd installment of taxes was due last week. There is \$112,000 left to be paid. Eric noted that we are a little behind previous years, about a percent. Rosemary said we are a little behind just for this installment, but overall for the year we are a little ahead. (*David Butler arrived at 7:06.*)

Rosemary said she would like to purchase a new computer server for about \$5K. There is enough in the current year budget for office equipment to purchase it. The cost would be shared 50-50 with the village. The board agreed to the purchase.

Rosemary said the town reports have been mailed out ahead of schedule.

5. Road Commissioner/ Road Foreman Report and Action Items

Brian has completed employee evaluations. He has been working with Duncan and the MSDS book on safety compliance. He would like to talk to the board about his post probationary period. He would like to see the possibility of a salary increase.

Eric said that is an item for discussion tonight. Historically with a favorable evaluation after 6 months the board has provided some increase.

Brian said if snow continues at the current rate the highway department will have less than 300 hours of overtime for the winter. He would like to take some of those extra hours and use them in summer to help get roads in better shape. There are a lot of erosion projects to be done to get in compliance with guidelines coming up for storm water. *(Lea arrived at 7:09.)*

Eric asked if overtime is less because Brian is managing it or because of the conditions this winter. Brian said it is mainly the winter conditions.

Doug said he would like to use the overtime in the summer. There is a lot to be done.

Brian agreed there is no shortage of work. The highway department could definitely use the hours.

Nat said there was discussion in the past about whether overtime could be used only in winter or throughout the year. It was decided it could be used throughout the year. Duncan agreed. He said Brian's job description says and the board expects that the foreman will manage hours to stay within the budget.

There was discussion about the fact that the hours must be used by the end of the budget year. Duncan said if it looks like we won't meet budget expectations then maybe we will not want to use all the overtime. Eric asked, knowing there is mud abatement work planned that can't be done until after July 1, are there things the crew could do to get ahead on other work in preparation for mud abatement? Brian said yes.

The board agreed the highway department should use some overtime in summer if it is left over after winter.

Kyle said the crosswalk project for the library is something she feels is really important to do. She is wondering if Brian anticipates it will get done in the near future. Brian said it is possible to do it soon if the board wants to go ahead with it. Eric said it will be coordinated with the village. He thinks it is a priority for the town and that the village is receptive. Brian asked if there is any action he needs to take to help the process. Duncan said he heard the village was more or less under the impression that the crosswalk should be a town expense. That could be discussed at a joint board meeting. Eric said he thinks we will have to wait until the next joint meeting to discuss next steps.

Doug asked, weren't we talking about how we would prefer a sidewalk? Eric said we talked about that. We probably should discuss that at a joint meeting.

Lea said the grant that could fund a sidewalk is available annually. It is just a question of priorities. She said the trustees were looking at needing to adopt a curb cut policy. She thinks that might be needed in relation to the crosswalk.

6. *Planning Commission Report*

David said he is planning to give the report at town meeting on form based code. The Planning Commission will have a table in the hallway at town meeting with information. He has asked some people to be there to man the table.

The Planning Commission decided to invite Charles Gallanter to have an interview as he was the only one who petitioned to join the Commission. Now David Grozinsky is resigning so there will be two spots to fill.

The town/village plan should come to the board shortly after the next Planning Commission meeting. It is pretty much done. They want to go over it as a package before they hand it off.

David and Lea said the Maplefields project got a stormwater discharge permit from the state. The Planning Commission hasn't yet seen anything relating to an Act 250 permit for that project. (*Rob Rodriguez arrived and David Butler left at 7:22.*)

7. *Recreation Committee Report*

Nat moved to appoint Lisa Crews and Rhoda Bis to the Recreation Committee, Doug seconded, and the motion was passed.

8. *Administrator's Report*

Doug moved to go into executive session to discuss employee evaluations, including Brian and Duncan, Kyle seconded, the motion was passed and the board entered executive session at 7:23. The board came out of executive session at 7:49.

Brian and Duncan met with Ned Houston of Houston Environmental Services about the gravel pit. He is going to put together a proposal for a reclamation plan. That assumes we don't want to go further with that gravel pit. There is a possibility of purchasing the rest of that property. There may be some additional gravel there. There were some core borings done. They don't look very promising to Duncan. If the board were going to consider continuing use of that gravel pit he would recommend doing additional test borings to get a sense of how much gravel is out there. He thinks what there is would be fairly expensive to extract as the site is steep and fairly heavily wooded. We would have to go through the Act 250 process. We would be subject to all permit requirements. If there isn't 25 or 30 years' worth of gravel there, in his opinion it is not even worth thinking about. The board will need to provide some guidance as to whether we should pursue it further, look at other areas in town, or just buy sand and gravel from local sources. Houston Environmental Services will develop a plan as if we were going to close the 5-acre site we have now. There will be a different process if we decide to continue on that site.

Doug said he wonders if we should communicate with the owner what we are thinking about and see if they have more information. Eric said that is probably right. We don't even know if there is interest in selling us the land.

Duncan said Ruggiano is preparing the finalized bid specs for the new Coddington Hollow culvert. Duncan is having him include an alternate. The basic bid would be complete installation including purchase and delivery of the culvert. The alternate would be to have the

contractor install the culvert but we would provide it. He wants to see if there are significant savings if we purchase the culvert.

Duncan had previously sent out an executive summary of the Environmental Compliance Services final report on soil contamination at the Talc Mill site. He thinks next steps are to submit the report to SMS for their review and comment and have ECS develop a Corrective Action Plan to submit to the state for review and approval. That plan, as we understand it now, would involve limited vacuum extraction to remove contaminants, abandoning the well down by the river, and continuing ground monitoring, probably for about a year. This needs to get trustee approval too. One hundred percent of costs are eligible for funding under the contamination cleanup fund. It won't cost us anything to implement the plan.

Doug moved to proceed in accordance with Duncan's recommendations to submit the Environmental Compliance Services final report on soil contamination at the Talc Mill site to the Sites Management Section of the Vermont Agency of Natural Resources and to have Environmental Compliance Services develop a Corrective Action Plan for submission to the state, Kyle seconded and the motion was passed. (Brian left at 8:03.)

9. *JES Performance as Related to Economic Development*

Doug said he read a well-written Front Porch Forum submission on this subject by Rob Rodriguez and also attended a school board meeting where the subject was testing. He has been interested for a while in the topic of the choices people make between towns and how they make them and how our elementary school plays into that. He thinks this ought to be just an introductory discussion and the selectboard and school board should have meetings to understand the actual performance of the school and how to address it. It is a problem if people perceive it as a failed school system.

Rob said he and his wife have two kids at JES and they have some issues with the school. They have talked to others with similar problems. He learned that the school is really not rated that well by the state, even compared to other Lamoille County schools. His wife brought up the point that if they were going to move here they would check school ratings and cross Johnson off their list. He wonders how many people realize the school is rated that badly. That is why he posted on Front Porch Forum. The issue doesn't just affect people with kids in school. It affects people who want to sell a house or own a business in town. He thinks it is a town issue. He went to the recent school board meeting. He thought the discussion was pretty good. He thinks a lot of the people there felt it was a community problem to solve. One issue the school brought up was that there are a lot of rentals here so people are moving in and out all the time. If we had fewer rentals and more homeowners that would help. He asked if there was some sort of town plan related to zoning, rentals, and low income housing and if the different boards could work together toward a common goal. Then he decided to come to this meeting.

Doug said he talked to Katie Orost and she said this is on the school board's agenda, too. He thinks the selectboard should ask the school board to participate in discussion on this. We should find out, not what test results are, but how the school is performing. It would be good to do some accurate branding.

Rob said the principal mentioned that testing isn't everything. He agrees. But on the other hand that is the first thing people see. He agrees we need some marketing campaign to show our strengths or we need to bring our testing up.

Lea said she read the minutes of the school board meeting and she thought that there were quite a few parents that expressed they were satisfied with the school. She is satisfied. She feels her children are doing well and prospering there. She does agree about part of discussion that occurred, about town wide issues related to economic development and demographics. In the past 5 years we have observed that the gap has increased between Johnson residents' incomes and incomes for the county as a whole. There has been a concern about the proportion of renters vs. owners. That gap hasn't closed either. There are some legitimate things about who lives in our community that affect JES test scores. The school is not necessarily at the core of it. There was a recent posting on Facebook about Johnson village being one of the 10 poorest places in Vermont. Johnson has a mosaic of good and bad things about it.

Doug asked if it is something we should leave alone or if people here could affect it. Lea said her sense is that we have some good vision and goals for what we might want to do on a town basis. If we can address those larger economic development and housing issues that might show up in other aspects of our community's life. She thinks it is great to have discussion between different boards. She is not sure where to go next with this. She thinks we have some good general ideas what might help our community overall.

Duncan said some statistics, like statistics about village income, can be leveraged positively to our advantage. We were able to get high percentage grant funding and negative interest loans because of those statistics. He thinks that places us somewhat advantageously with regard to CDBG funds.

Lea said she knows of people who moved to Johnson who say JES is much better than the schools their kids used to go to.

Duncan said if we have a community vision like increasing home ownership, there is a possibility that some of the negatives can be used to help us get funds to implement changes.

Eric said it seems to him that Railroad Street has been going downhill. There have been a lot of improvements downtown but nothing has happened on Railroad St. Maybe that is where our focus should be. One of the sheriff's deputies indicated to him that a lot of their business is on Railroad St. There are a lot of rental units there.

Lea said she thinks the housing situation has a tremendous impact. The town and village have done a lot for the public realm but they don't have so much reach into private properties. There are towns that have successful housing committees that try to reform whole neighborhoods.

Eric said all we can affect is public rights of way. But in the area of the Main St. project private homeowners seem to have cleaned up their properties. Maybe when your neighbor's

house looks good you fix yours up too. If we built a brand new street and put in new lighting, would that have an effect?

Doug said he thinks that is a good argument for a sidewalk to the library rather than a crosswalk. The beautification committee he started was trying to find a way of engaging private owners and encouraging them. He would like to understand if economics and turnover have a correlation to school performance. If that correlation exists he thinks we still have a story to tell about how, in spite of that, JES is terrific and if you move here your kid will prosper. We can tell about what our school system does that allows kids to prosper. He would like to engage the school in the process. If it is a community economic issue then they are taking the blame for testing results when they might actually be doing a great job.

Nat said the higher level idea is coordination between the town and school board and also other committees and commissions. Then we focused in on the issue of rental vs. ownership proportions. He thinks that is a key issue that Johnson needs to address. He suggests maybe moving toward a brainstorming session with the school board and the community to discuss issues affecting perception and performance of the school.

Duncan said he thinks Nat is on target. Johnson does not have capacity to deal with the housing situation, but there are organizations that do. The subsidized project on School Street is one example of what those organizations can do. We should coordinate with organizations like the one that put in that project. There are opportunities to address some of the issues. If we pick off a few at a time we will begin to build a sense of community and pride. If we can get people to come here in spite of test results they can be part of the solution. He has been saying that we should look at targeting housing issues. We could try to get a few key property owners involved in a managed situation. There is nothing wrong with low income housing. A lot depends on how it is managed and the perception that it is owner occupied. There are models to achieve that. He thinks it can be done. It will be incremental and will take a long time. But if we don't start we will never get there.

Kyle said there have been buildings on Railroad Street bought by people she went to school with when they were kids. She thinks they would be open to discussion on keeping their properties up and making their property values higher if they were engaged in the right way.

Duncan said it is a nationwide problem. He heard a study about the millennial generation found that the vast majority rent and do not own and many spend 50% or more of their income renting.

Doug said he thinks the rail trail will make living on Railroad Street more advantageous. Let's talk to the school board and see where this leads.

Nat said he would add that there are other areas, like Route 100C, that have some rough-looking houses.

Eric asked Lea to see if the Council for Rural Development would be willing to come back again to work with us, this time with more of a focus on one item.

Doug suggests we start by just asking the school board to come and have a discussion. He thinks from talking to Katie Orost that they would be willing to participate. And then we can decide where to go after that. Nat agreed. Eric said we were looking at a joint meeting with the trustees and Planning Commission. Maybe that could be with the school board as well.

10. Administrator's Report (continued)

Lea had previously sent out a map with potential solar installation sites. Nat said he has strong feelings about including Old Mill Park as a possible site. He feels that is not a good place for solar panels. It should be dedicated purely for recreation. He doesn't think solar panels and flying baseballs would be a good combination. He imagines there would be a need to cut trees at the top of the steep bank. He would be concerned about erosion. He would also be concerned about road access for repairs and service. There currently is not a road maintained through there.

Lea said she understands all his concerns about Old Mill Park. She is just interested in finding out which sites have potential. Consultants are very interested, on an informal basis, in coming to the sites or looking at a map and rendering an opinion. Without issuing an RFP or doing anything formal she is interested in determining whether there is potential at any of the sites. The main challenge is that all of the parcels she listed are within the river corridor. That might kill our idea right there. She would just like to get a consultant's opinion on whether Old Mill Park or the other sites are viable. Then we can look at other concerns about the sites.

Doug said he sees no reason not to check them all out. Are we going into this on a 50-50 basis with the village?

Duncan said the easiest way to do it would be if there were two separate arrays of 150 kW each. On a net metering basis, the village has the greatest electrical need. Probably we would have to prorate the amount of net metering between the town and village.

Doug asked, are we a 50 % owner? Duncan said the way it would more than likely work would be that one of these companies would come in and build the whole thing and give us what in essence would be a purchased power agreement. At some point in time we could end up owning the solar installations but typically it takes 11 years or so to get to that point, after all the tax credits are done. This would not exactly be an ownership situation. It would be more about assigning the interest of the net metering to the town and village meters.

Lea said she doesn't have a good idea about the financial structure. She thinks there are a lot of unknowns. She doesn't know what the village is thinking. She is looking at the conceptual level. It might not advance anywhere or maybe we would just do something on a smaller level like putting panels on the roof of the municipal building and the sewer plant.

Duncan asked, there was more actual usage than we could generate, right?

Lea said the town amount is about 10% of the total usage. That would play into how much the town would benefit. The town uses less electricity than the village.

Duncan said it's not really ownership. The company would develop it and they would enter into in essence a purchased power agreement with the town and village. The town share of that would be the town's load. Each meter would get so many kW hours per month from those arrays. Unless the town buys and develops it at the outset, which he doesn't think makes sense because developers can take advantage of tax incentives and we can't, then it would typically be 10 or 11 years that the company that put it in would own it and then they would turn it over to the town or village.

Eric asked if it is correct that what this would really give us is stability.

Duncan said our cost of electricity would be cheaper than everyone else's, which would benefit town and village taxpayers. There would be more benefit to the village. The village has a 15% cap on the number of net metering customers. By applying for this we would max that out and the rate payers would get the benefit of lower electrical rates because of it.

Nat said his reservation is that we are starting into a pretty substantial project taking a fair amount of staff time without having had higher level conversations about all the opportunities we need to be working on, evaluating the relative importance of each big project and taking time to figure out which should take priority. It feels a bit random which projects take priority and are green lighted. He would be curious to see what everyone would think would be the top 3 or 4 things to work on in the next year or two. It feels very random and unintentional that this is what we are spending time on. That is why he is very cautious. He feels the conversation we just had about housing could have a much bigger impact. But we haven't discussed it as a board.

Doug said he thinks the housing area is more significant. He is not sure we can affect it much but we should try. He thinks this is of great benefit to the village. He would rather that the village let village residents participate. The town's electric bill is only \$4K per year.

Duncan said he can try to fill the board in on what the benefits are and aren't. A simple way to do that would be to let Lea go on to the next step and get proposals with information on benefits and advantages. That is what these people do. Why not let her go to the next step and see what results? They may say there isn't real potential.

Eric said he thinks it would be short-sighted to not even look at it.

Nat said he agrees we should go on with the next stage, but he has a problem with how we are picking our priorities.

Doug said he thought the joint meeting might help set priorities, but now we might need more than one joint meeting since we identified an issue tonight that can be a subject for a whole meeting.

The board agreed Lea should go ahead to the next step. Lea said she will do that. She will not spend too much time on it.

Duncan said we can get town email accounts for \$7 per account if we stay with Comcast or for \$5 per account if we use Office 365 (plus the cost of IT support to migrate accounts.) He and Rosemary would prefer to stay with Comcast and not take a chance with migrating the emails. About 22 new accounts are needed. The cost from Comcast would be \$154/month or \$1848/year. The town needs 5 for the selectboard and one for Brian. The 9 Planning Commission members need accounts. The trustees need 5 plus one for the new manager and one for Steve Edgerly. So approximately half the total cost could be billed to the village.

Nat said he thinks from reading the trustee minutes that they already approved going ahead and doing this. Rosemary said they want townofjohnson.com addresses but they didn't pick a product for providing the email accounts. She assumes they are willing to pay for it. Duncan said he is not sure if they are willing to pay half the cost for the Planning Commission accounts.

Doug moved to approve purchase of new email accounts from Comcast with the understanding that the village will pick up half the cost of the Planning Commission accounts, Kyle seconded and the motion was passed.

Nat said he is hoping we can move forward with getting quotes on painting the mill house.

Duncan asked how much work the board wants him to get quotes on. The back side of the building and some of the trim are in rough shape. Do we want a quote to have a carpenter replace and repair siding and trim as needed before painting? Do we want to paint 3 sides and leave the back alone?

Eric said he thinks it would be wasted money to put paint over bad boards. He would fix it up first. The rest of the board agreed. Duncan said he thinks 2 separate quotes will be needed – one to get the building ready and one to paint it.

Duncan will work with the village on the Lamoille County Sheriff's Department Alarm Account Information Update.

Susan has been on vacation so the board did not get the last couple of sheriff's reports. She scans and sends them. He will ask her to send them out.

After the emergency board meeting, Duncan found an error in the budget. He talked to Eric about it. The error has to do with the Holcomb House principal payment. He has a line item that shows us paying 100% of the principal but in reality the Historical Society is paying \$26K of the principal. So the budget as written now raises \$26K more in taxes than is actually needed. Does the board want to leave it as it is or have Eric move a budget at town meeting that is \$26K less than what is printed?

Eric said he thinks the easiest thing would be for him to make a motion for \$26K less than what is printed and explain it. The rest of the board agreed.

Nat moved to accept David Grozinsky's resignation from the Planning Commission with regrets and thanks, Doug seconded and the motion was passed.

The LCSD Budget/Contract Review Committee is scheduled to meet March 10 at 12:00 in Hyde Park.

LCPC has requested that Lea serve on a committee to define "substantial regional impact" for review of projects by the Commission under Act 250.

Nat moved that Lea participate on the LCPC committee to define "substantial regional impact," Kyle seconded and the motion was passed.

NEMS asked for help with legislators regarding Medicaid reimbursement. They haven't drafted a template letter.

Eric said he asked Mike Paradis about transports. When we set up service from NEMS we had transport because it was a money maker. Mike Paradis indicated it still is a money maker but if Medicaid reimbursements continue to decline, at some point it wouldn't be. Service would cost us more if we didn't have transports. All the towns would pay a total of \$300K more and we would pay 40% of that.

Duncan said he gathered that NEMS was looking for a formal letter from the town to our local legislators and maybe informal lobbying on the part of individual board members.

Eric said he thinks it would be good if they drafted a letter and had us sign it. Duncan can ask them to do that. Nat said he would like to read it before having Eric sign it. Eric said we can get a letter and send it around and he can sign it if no concerns are expressed.

Duncan said he attended a meeting at NEMS to discuss how Morristown Rescue's issues are impacting NEMS's ability to serve. Hyde Park, Johnson, Stowe, and Morristown Rescue were there. Last year there were 116 mutual aid calls to NEMS for Morrisville and Elmore. Forty-seven of those were because Morristown didn't have anyone available to take the call. The others were truly mutual aid situations where their ambulance was out on a call. Morristown indicated their board had prepared a budget with \$185K more for emergency medical services. They said they were trying to address the problem and were going to do what they could to reduce or eliminate that disparity. NEMS was clear with the Morristown rep that it has a financial impact on us and we can't continue to respond to those calls without a financial contribution from Morristown. It also had an impact on Stowe. There was an incident in Hyde Park where NEMS was called out but they were on a call backing up Morristown and also doing a medical transport so the callers had to wait 45 minutes for a Cambridge ambulance. Mike Patch told Duncan about a similar case recently in Johnson where it took 47 minutes to get an ambulance because NEMS was on a call and a transport. A lot of people are under the mistaken impression that NEMS guarantees a 911 unit at all times. That is not strictly true. They guarantee 24 hour coverage with one 911 unit for the 5 towns plus the medical transport unit which can respond if it is not doing a transport. NEMS is the only provider in our district doing medical transports. Others are only doing 911 calls.

Most of the transports are medically necessary transports. They might get a 911 call and take the patient to Copley and then Copley may ask that they be transported to Burlington, so it then becomes a medical transport. At the meeting, Duncan said at some point in time maybe we all should talk about combining services into one ambulance service. That didn't go over well with the other towns.

Nat asked, NEMS can't charge Morristown for those 47 calls? Duncan said apparently not. The same thing happened a couple of years ago with Cambridge and they agreed to some compensation. What Morristown agreed to was to try to make sure it does not happen again. Duncan asked, what about the period between now and July 1 when the budget increases? He said NEMS will ask for compensation if it happens again.

The orders the board signed tonight included the option payment for the Jewett parcel. Board members said they are okay with that. Lea had submitted a written report on the status of the Jewett parcel.

Duncan said VTrans requested time at the March selectboard meeting to conduct an informational public hearing on the twin bridges replacements and a large culvert on 100C.

The Laraway Youth and Family Services VCDP application was reviewed. Lea went with Greg Stefanski and staff to present the application to the board. We don't know the results yet.

We have heard back from Desroches about accepting a lower amount of compensation for the change order requests. They do not agree and want to appeal. They did not follow the process outlined in the bid specs and VTrans documents. Lea will probably deny the most recent claim which will make them start the process over again. They supplied some additional information this time which VTrans will review. The VTrans engineer said that had he seen that additional documentation it might have changed his opinion on how much was reasonable for the change order. He is reviewing it and having Otter Creek and Jim Cota from District 8 review it. So the change order figure we think is reasonable may go higher. VTrans is indicating that if they agree the change order should be increased they would be willing to increase the grant amendment amount. But Duncan is not sure about that yet. If there is out of pocket expense he still believes the selectboard should ask the trustees to make the town whole.

Duncan hasn't had a chance to follow up with Travis Hill. Duncan spoke with Arjay about the skating rink. Arjay was going to try to find a different way in for the fire department so they didn't have to go over the water line. We will not plow as much of the parking area in the vicinity of the water line.

We will be applying for VLCT PACIF Equipment and Training Grants. Duncan is working with Brian on equipment and Brian is also looking at specific training.

Nat moved to enter executive session for employee evaluation, including Duncan, Nat seconded, the motion was passed and the board entered executive session at 9:31. The board came out of executive session at 9:46.

Doug moved to increase the Road Foreman salary by \$1500 annually, effective this pay period, Nat seconded and the motion was passed.

11. Adjourn

The meeting was adjourned at 9:49.

Minutes submitted by Donna Griffiths