

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, MAY 18, 2015

**Present:**

Selectboard Members: Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood, Howard Romero  
Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Smith, Jason Whitehill, Chris Perkins, David Butler, Mike Paradis, Scott Griswold, Margaret Halls

**Note: All votes taken are unanimous unless otherwise noted.**

**1. Call to Order**

Eric called the meeting to order at 6:58.

**2. Additions, Changes to Agenda**

Doug asked to add an item about getting together a Johnson beautification committee and one about getting help from the highway crew on a canoe access site. Eric said Donna had asked to add a request about the Class IV part of Prospect Rock Rd. Nat asked to add discussion of the missing village sign. Duncan said he had added several things to his report – a request for stone at the Journey’s End parking lot, signage related to the rail trail, and an email from the state about using the transfer station for debris in case of a disaster.

**3. Review and Approve Minutes of Meetings Past**

**Howard moved to approve the minutes of April 20 and April 27, 2015, Nat seconded, and the motion was passed.**

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

Rosemary said we are currently at almost 90% of budget spent. Revenue is at 104% of budget.

We got about \$15K from FEMA for Rocky Road. Does the board want to put it back in the emergency management fund? Eric said the money we took out should be reimbursed but we didn’t take any out for Rocky Road. Rosemary said there is only about \$2K left in that fund. Duncan said he would suggest putting the money from Rocky Road back into the emergency reserve fund because it will be beyond the end of the fiscal year before we see money for Coddling Hollow. The board agreed. (*David Butler arrived at 7:04.*)

We are at about 5% uncollected on taxes for this year, which is similar to other years. Delinquent taxes this year, including interest, total \$223K. Rosemary thinks there 187 parcels. The total is only a few hundred dollars less than last year.

**Howard moved to sign the Certificate of No Appeal or Tax Suit Pending for the 2014 Grand List, Nat seconded, and the motion was passed.**

**Nat moved to pay \$238 for the yearly Microsoft CAMA license and to authorize Eric to sign the license, Howard seconded, and the motion was passed.**

Rosemary said she contacted 2 banks – Union Bank and Community National – regarding the loan for the dump truck (\$99,300 for 5 years.) They both came in at 1.45%. She would be inclined to pick Union Bank because we have more money in that bank, but we have loans

with both banks so it doesn't matter. **Howard moved to accept Union Bank's offer to loan \$99,300 for 5 years at a rate of 1.45%, Doug seconded, and the motion was passed.**

It was agreed to set up a meeting with the BCA and the listers at 6:00 on the night of the June selectboard meeting to hear tax abatement requests.

**5. Road Commissioner/Road Foreman Report and Action Items**

Steve said his retirement date will be roughly August 1. Since the last meeting we have had 4 inches of snow and 1 inch of rain. A culvert washed out on a Class IV road and was replaced. Jason has all the equipment painted. Chris and Jason worked all day on Green Up Day and the day following picking up and hauling Green Up trash. The roads are firming up. The grader is going every day the weather permits.

The high wind last Tuesday blew over the salt shed. We need a new one that can hold at least 100 tons of salt. The one that blew down was 18 ft. long, 14 ft. wide and 18 ft. tall and it held 60 tons.

Eric asked if there are any new state or federal regs on how we have to construct the replacement shed. Duncan said he wouldn't recommend replacing it with same construction as what we had. With the new stormwater regs he doesn't know if there new requirements. We would have to make sure it doesn't drain into any waterway that drains into the Lamoille. It's fairly close to a ditch. We probably could relocate it somewhere on the existing pad. Steve said he thinks we should take it off the pad and build a pad with an asphalt base. Duncan said that is a good idea. We could use concrete blocks with a hoop structure on top and pave inside. We will have to look into potential cost. If we did a hoop type structure it could be added onto in the future. Duncan can have a proposal for the next meeting.

Nat asked if the salt shed was insured. Duncan said he notified our insurance company. He doesn't think that structure was on our list of structures but he doesn't think it has to be covered. However, there is a \$1000 deductible.

Steve said he wanted to bring up again the issue of Jason's hourly wage. He is doing exactly the same work as the other crew members for 50 cents less an hour. Steve read from the minutes of September 19, 2014:

*Nat moved to hire Jason Whitehill for the open highway department position based on his qualifications, interview, and application and to authorize Duncan to make him an offer of \$1 less than the standard wage for a 6 month probationary period, to be raised to the standard wage after 6 months dependent on satisfactory performance, Howard seconded, and the motion was passed.*

He said it seems black and white to him. The board agreed at that time to bring Jason up to the same wage as the other crew members. He thinks it is the right thing to do. Chris said Jason does everything the rest of the crew does.

Eric said the selectboard is very happy with Jason's work. He had a glowing review from Steve, who told the board Jason does as much as the other employees and even said he was a

future foreman. The board's decision about his wage did not reflect the job he is performing for the town. Jason is getting tied up with something the selectboard did a few years ago. At that time the highway department employees were moved from 45 hours a week to 40 hours a week but the board kept their salaries the same. The board indicated that over time the salaries would be worked back to be in line with the going rate. We want to be at or maybe a little above the average wage for the state. Duncan, Rosemary, and Steve are underpaid for the work they do. Our highway department is one of the highest paid in the state. Jason's wage is about \$1.50 more than the average, with less than a year's employment. When the selectboard first reduced the highway department's hours, the cost of living was increasing by about 5% a year. At that rate, skipping a couple of pay raises could have put the employees back in line with the going rate. But in recent years the cost of living has increased just 1 or 2%. There is no way to get back to an average wage without cutting wages. It is not fair to all the other town employees who are paid at or below the fair market wage for their jobs to give highway department employees the highest wages in the state. The town has a responsibility as an employer but also as stewards of the public's money. He doesn't think the taxpayers would appreciate knowing the board is not working toward getting employees at the going rate. If Jason had been given the same wage as the others, there would have been the same problem with his wage as with the wages of the employees who were already working here at the time hours were cut. That was part of the discussion the board had when Jason's evaluation was discussed. Eric was personally a little disappointed that Jason had been here about 7-8 months and had not taken any training classes. That is his responsibility, but Chris and Steve should be coaching him about classes he could take. Steve said they have done that, but there have not been any appropriate classes for Jason to take. Eric said the main reason for Jason's wage is that the board has gotten into this place we have to get out of. We can't continue at this rate.

Steve said he feels it isn't right to pay Jason less than the others. Doug said he disagrees. It is perfectly reasonable given the history. He also thinks it is reasonable because employees are rewarded for longevity. Steve said he has been here 30 years and he hasn't gotten any reward for longevity.

Jason said when he signed the papers to start this job he was told that in 6 months if he did a good job he would be brought up to the same wage as the other highway department employees. He has done a good job. He has a lot of mechanical experience. This winter when there were equipment breakdowns he did a lot of work so we wouldn't have to send vehicles to Clark's. He feels he is worth \$20/hr. Steve said he is.

Howard said he would suggest bringing Jason up to \$20/hr, but the road crew should understand that they won't get any raises until their wages are level with the rest of the state. At the current rate of inflation that may be a while. Chris said Jason needs to be brought up to the same wage as the others, as he was told would happen. Howard said he agrees that is what was in the minutes. Duncan said he was careful when talking to Jason to make it clear that at the end of 6 months there would be no guarantee of any wage increase.

Nat said he agrees with Howard. The minutes being what they are, that would be the thing to do. He is used to the idea that as you work longer and gain experience and knowledge you

work up the pay ladder. He is interested that Chris wants the rate to be flat across the board. Steve said that is the way it has always been. Chris said that is the way he and the other employees were hired – they were started at a dollar less and then brought up to the standard wage. Nat asked if Chris feels someone who is more senior and has gained a lot of experience should be making more. Chris said he used to feel that when he worked for Pike, but he doesn't feel that is the case now. Whoever is doing the job should be paid the same. Steve said Jason is very capable. He saved us money this winter because he saved us from having to take vehicles to Clark's.

Eric said when Jason was hired, the selectboard didn't give his wage a lot of thought. The motion reflected what we have always done and the board didn't give thought to where we are in comparison to the state.

Steve said the employees are very appreciative of the salaries. Jason said he has noticed Johnson is one of the best towns as far as how equipment is taken care of. We keep our equipment looking nice. He is very happy to work here. We have pride in our equipment.

Eric said the board has heard the case for increasing Jason's salary and he thinks they will take that into consideration. Raises will be discussed next month and the board will discuss possibly adjusting his wage at that time. Howard said pay for all positions will be discussed next month, when the board has budget figures available.

Jason asked if any pay change will be retroactive. Howard said he doesn't know. Doug said the board will discuss it. He won't commit now.

Donna Griffiths said there is a large rock exposed in the middle of the Class IV section of Prospect Rock Rd. that is making it difficult for people to get to the Long Trail parking area. Although this is a Class IV road, work on this particular road benefits not just those who own property on it but potentially everyone in town, as well as those from neighboring towns. She feels it would be a good thing for the town to fix that spot to improve access.

Duncan said the policy on Class IV roads says the board will review needs and approve work based on the road foreman's recommendations and on availability of money. Steve recently fixed a problem on Basin Rd. where there was a safety concern before it came to the board, but the policy says issues should be brought to the board. Work on Class IV roads is not strictly limited to culverts and bridges. *(Margaret Halls arrived at 7:36.)*

Chris was familiar with the rock and he discussed it. Steve and Chris said they could take a backhoe up there and deal with it. Duncan said it should be done after other priority work is done. Eric said the road crew should take a look at it and go from there.

Duncan said the Youth Conservation Corps will be working on the Journey's End trail. Lois Frey sent an email requesting a pickup-sized load of cobblestone. It sounds like it would be used for bank stabilization. Steve said we have some 5-inch stone we can provide. Duncan said they will probably need more than a pickup-sized load. The board agreed Steve can work with Lois to see what is needed and then provide it.

Duncan said we will probably need to provide some type of signage for the rail trail by Parker and Stearns. There was a grant opportunity to put sidewalk past Parker and Stearns to get traffic from the rail trail to the village. The trustees were less than enthusiastic about that, but agreed something should be done to delineate a trail, like painting lines across the parking lot or using “share the road” symbols for bikes. We will want to figure out some signage to direct people.

New letters and construction estimates have been prepared by Ruggiano Engineering and submitted to the state and FEMA. Ruggiano did a side-by-side comparison with FEMA’s estimate. They changed language referring to the structure as a bridge and called it an open bottom box culvert instead.

Doug said there may be a portage trail for the Lamoille Paddlers’ Trail through the Manchester property if they give permission. It might need some backhoe-type work, but it is still in the planning stage. He is hoping the town can provide some labor if it is needed.

Duncan said he put in a Better Backroads Grant application for a section of Foote Brook Rd. He doesn’t know if we will get it or not.

Doug asked if Lea had a grant application ready for the sidewalk providing rail trail access. Duncan said she had two potential grant sources and wanted to see if the trustees wanted her to pursue grants. She thinks she could have used the Northern Borders grant to provide the matching funds for the bike and pedestrian grant. Three of the trustees (David, Gordy, and Bob) were against applying and two (Scott and Walter) thought it was a good idea. (*Steve, Jason and Chris left.*)

**6. Recreation Committee**

Nat said the Recreation Committee’s fun run will be on Monday.

**7. Planning Commission Report**

David Butler shared a map from LCPC showing the statewide river corridor. The legislature has tasked ANR with developing rules and regulations for these streams to prevent erosion affecting Lake Champlain. There are a lot of places where town roads are within the flood plain as shown on the map. Eric said not just roads but also ditches will be a problem.

David said replacing any sort of private crossing structure will be cost prohibitive. Duncan said he is right. Stream alteration regs were readjusted a couple of years ago. For example, any crossing is supposed to have a minimum footing width of one and a half to two times the normal bank width.

David said we have time now to adjust things on this map. If the selectboard, road crew, or Planning Commission see anything wrong we can bring it to their attention and have it changed. David pointed out one road shown on the map that he doesn’t believe actually exists in that location. He said he will leave this map with the selectboard. Any errors should be brought to LCPC’s attention before long to be corrected. We can let them know if we object to any of the buffers or corridors.

Doug said he thinks we should ask them to define stream corridors by contour. They are doing it based on width regardless of contour.

David said he has to ask them about the procedure to get it changed. Duncan said we can ask them and many other communities will probably ask the same thing. But ANR has no money set aside to do mapping.

Duncan said 2 of the layers on the map are from FEMA and won't be changed. But the statewide hatching areas are areas we could ask them to look at. For instance, there is an area of Clark Ave. that is hatchmarked but not FEMA-related. If someone has an Act 250 application for property within the hatched area, Act 250 will look at that.

Doug asked if we can circulate something to other towns and try to get them involved. Is VLCT studying it?

Duncan said the rules and regulations relating to highway practices don't have a lot to do with that map. It is more to do with issuing a general permit. We are ahead of the game because we have done an erosion hazard assessment. Towns need to do that and then come up with a plan to address areas of potential high erosion. The map has ramifications for future development.

David said when the map is adopted it is gospel whether it is right or wrong. It will be presented to ANR by LCPC and then adopted by ANR. Duncan said any ability to influence the process is probably through LCPC.

Eric said he thinks the state hashmarks should not extend higher than the 500 year flood mark. Doug said he wonders if we should contact Morrisville and Hyde Park and ask them to look at the maps. Eric asked Duncan if he can email the town administrators for those towns. He said he could. Eric said Cambridge is probably more affected than Hyde Park or Morrisville. Doug said he is afraid looking at this is too much work for some towns to take on.

David said the Planning Commission should have something concrete on form based code soon. There are quite a few places where the steering committee couldn't come to consensus and the Planning Commission will have to come to consensus on those subjects. We are running out of money but Paul Dreher said he won't leave us high and dry. The Planning Commission is close to presenting something to the selectboard and beginning public informational meetings.

David said it has come up 3 or 4 times in work on the joint village and town plan that people are pointing out redundancies between town and village. For instance, why are there separate town and village crews working on the streets? Why don't they both work together under one manager? Eric said the village charter calls for the village to maintain sidewalks. Doug said they also do storm drains. Eric said town and village have combined resources where they have been able to. David said there may be places in the new plan that encourage that. *(David left at 8:04.)*

**8. Margaret Halls to Discuss Late Tax Payment**

Margaret Halls said she was told to come to this meeting. Not everyone had seen the letter she had sent, so Duncan distributed copies. She said that due to a family trauma she left town before tax time and forgot about paying her taxes. This is the first time in 60 years she has been late with taxes. She doesn't know what the punishment is for people who are late.

Eric said there are penalties. He asked if she has paid her taxes now. She said yes. Rosemary said she doesn't believe Margaret paid any penalties.

Eric said in the past we have never waived the penalties. A lot of people are late, but the precedent has been set of never waiving them. (*Scott Griswold and Mike Paradis arrived at 8:09.*) Rosemary said the penalty is \$68. Margaret said she thinks that is very generous. Doug explained that the board is not forgiving any of the penalties, but \$68 is all she owes. She can pay at the office tomorrow. She thanked the board and left at 8:10.

**9. NEMS Contract Renewal**

Mike Paradis said the contract NEMS is asking the board to approve has the same numbers he and Scott discussed when they were here in the fall. There are two changes. Payments are going from quarterly to monthly, as discussed, and there is a change in the 5 year term.

Mike said since January 1, NEMS has received mutual aid 7 times and given it 56 times. They had a brief contract with Morrisville to provide paid service. Now Morrisville has a new director and they seem to be doing well. Their issue is that they are a volunteer service and volunteer services are difficult to maintain. Between Johnson and the Newport division NEMS has about 4000 calls a year. To be financially viable, Scott thinks they should have 5-6000 calls and Mike thinks they should have 6-7000 calls. They are not where they want to be in order to stabilize costs to taxpayers. They have been asked to work with towns on regionalization, which they feel should be done but is not really their area to cover. They feel the selectboards of all the towns should do the study. Ron in Hyde Park is very interested.

Scott said he lobbied hard to try to get their Medicaid payments up this year. At least he got the state to say there is a problem and they will do a study which is due back before the next session. They are 42% underpaid compared to other providers.

Doug asked who might be interested in regionalization of ambulance service. Mike said he thinks we should look at it countywide. Stowe will probably remain a separate entity. He thinks Cambridge and Morristown should be included. Scott said his only caution is that as we get fewer services responding we have less backup. If there is only one ambulance service, how many ambulance crews do we want to pay for to have for backup? Mike said that would be part of the study.

Eric said the mutual aid imbalance concerns him. We have 5 poor towns supporting richer towns with their ambulance service.

Doug asked if Morristown is committed to its volunteer service. Mike said they are restructuring and they have some paid members. As of today they are bearing their own

weight. They are paying more per capita for volunteer service than the 5 towns using NEMS are paying for paramedic service.

Duncan said if we still had the NEMS advisory committee, that would be great for meeting with other towns about regionalization. Mike said he suggests inviting selectboards, administrators, and town clerks of the 5 towns to a barbecue at the NEMS facility in Johnson to decide if regionalization is worth pursuing. Board members said they would be interested.

Duncan said it would be helpful for him to have information about times when Morristown responded because NEMS was out on a call. A lot of people mistakenly believe that NEMS is supposed to have a dedicated ambulance here for 911 calls 24-7. Mike said NEMS has a 911 crew here 24 hours a day. In the evening, they do only emergency transports, not other transports like from the hospital to nursing home. During the day there is a transport crew that does scheduled transports. There is always a 911 emergency transport crew available. If they are out on call NEMS takes advantage of mutual aid or if they know the transport crew will be out for an extended time they bring a crew down from Newport. NEMS asks other services to let them know if they don't have service. That has worked sometimes, but not always.

Eric said he wonders how receptive other towns would be to paying compensation for the lopsided mutual aid. Mike said NEMS used to charge \$750 for a 12 hour shift but that came to an end. They think mutual aid is disproportionate and they will continue to keep track. Duncan asked if a majority of the 56 calls were east of us. Mike and Scott said yes, by far. But last year there were more calls going west.

**Doug moved to authorize Eric to sign the ambulance service agreement as presented, Howard seconded, and the motion was passed.**

Duncan said he thinks we should recognize and thank Scott for all the work he does on behalf of the Lamoille group. *(Mike and Scott left at 8:33.)*

#### **10. Manager's Report and Action Items**

Duncan said Lea has reviewed the LCPC Contract Plan Update and she feels it covers what was included in the Municipal Planning Grant. LCPC has been doing the work already.

**Howard moved to authorize Eric to sign the LCPC Contract Plan Update, Nat seconded, and the motion was passed.**

Because it was time-sensitive, Duncan submitted an application for a Better Backroads Grant before the meeting. He had a visit from Dan Clayton at the bottom of Foote Brook Rd. about his drainage issues. Duncan feels he has legitimate issues and concerns. He has done quite a lot on his own to help reduce the impacts to the road shoulder and his adjoining property. Duncan feels we have responsibility for some of the issues. He applied for a Better Backroads Grant to help deal with the issues. Water comes off the road and hits the shoulder below Clayton's driveway and runs down the side of road and takes out the road shoulder. Duncan proposes building a natural stone sump and diverting the road into the existing culvert and putting in a stone lined ditch at the same elevation as the road shoulder. If we get a grant it's an 80-20 grant. We can get a maximum of \$10K.



**Doug moved to retroactively approve the Better Backroads Grant application submitted by Duncan, Howard seconded, and the motion was passed.**

Duncan said at some point the selectboard will probably have to meet with the trustees and figure out what to do about rail trail signage and access to downtown. There was a real opportunity, but the trustees were not interested. Something clearly needs to be done. The trustees' concerns included adding more sidewalk to an already extensive sidewalk system and costs of maintenance and impacts to Parker and Stearns. The opportunity to apply for the grants is probably gone for this year. The trustees said we can look at it in another year. Doug asked if the trustees were willing to mark a sidewalk right of way on Parker and Stearns' property. Duncan said yes, he thinks so, but some trustees didn't want to impact their operations at all. Parker and Stearns uses the town highway as part of their business. The town and the people have the right to use the right of way. Something needs to be done to provide a safe way to get people off the rail trail.

Doug said maybe we could be responsible for striping our road with "share the road" symbols or sidewalk stripes. Duncan said he thinks the village would be receptive. The question is who does it and under what design criteria. It is the town's road. Howard said he doesn't see why it needs to be discussed with the trustees.

Nat said he agrees with the safety concerns. He thinks we should engage Parker and Stearns and see how they feel. Duncan said if the trustees had authorized Lea to go ahead with the grant application he thinks we could have designed a sidewalk in a way that would have enhanced their business and not impeded it. Howard said he will talk to Chan at Parker and Stearns.

Doug asked about the width of the road. He said he personally does not feel comfortable riding next to parked cars after being hit by a car door. Eric said he thinks the parking is in our right of way. Duncan said the office is in our right of way. He thinks there is minimal room. Kyle said she thinks there is enough for a bike lane at least Duncan said he thinks someone above his pay grade probably needs to look at it and compare to what the standards are. We may not be able to meet the VTrans standard. But we will have bikers on Railroad St. no matter what.

Lea will look into signage and wayfinding signs on Route 15. There is another possibility he thinks Lea has dropped. There was interest on the part of the library in bringing the sidewalk in front of Bob Hoag's down to the library. But Lea didn't want to go back to the trustees with that one.

Travis Hill asked to postpone a decision on his issue until next month, pending a decision by PACIF on whether to reopen his claim. Doug said he would like for us to think of this not just as a decision but as a process. Based on the letter from Travis Hill's lawyer he thinks there is a lot to be said. Duncan said Travis' attorney has serious misconceptions about who does what in the village and town.

Linda Kramer and a group of LSC students have prepared a brochure for a Julian Scott walking tour of the town of Johnson.

The trustees voted to authorize Duncan to advertise the roofing job and bring back quotes for board approval. **Doug moved and Kyle seconded to authorize Duncan to advertise the roofing job and bring back quotes for board approval.** Duncan said he also asked Steve Pitkin to put together a proposal for construction services to oversee the job. Does the board want to put that out for bid as well? The trustees were content just to get a proposal from Steve. Board members said we should just wait to see what the trustees approve. **The motion was passed.**

The trustees appointed David and Gordy to the manager search committee. Eric said the first meeting of the committee is this Wednesday.

Doug asked when the manager's job and functions will be defined. He thought decisions on what the town and village needed would be made by the boards, not the search committee. Eric said the committee will dig into it first. Duncan said he has written down everything he did for a couple of different days. It might be surprising to see. Would that be useful to the committee? Eric said yes. Doug said he would be interested to see whether the skills and level of expertise the trustees are after would fit our needs. Eric said based on what he is hearing from the trustees he is not sure the trustees and the selectboard are looking for the same things.

Duncan said LRSWMD signed the application for transfer station renewal. There is also a note that any outside waste containers provided by the town or village will need to have a separate recycling bin attached by July 1.

Duncan got an email from ANR regarding use of the transfer station as a location for debris in a declared disaster. Duncan's only concern is that there would be a huge amount of debris that wouldn't necessarily be moved to the landfill, such as construction debris or trees. Would we be expected to take all that and deal with it? Eric said the letter does say "temporary debris storage." Doug said there is no indication when the temporary status would end. Duncan said his concern is that we would be expected to host that debris forever. There is no action needed. He just wanted to see if the board had the same concern. Board members said they do.

The board received a request for a noise waiver for Field Days taking place July 24-26, 2015 from 8:30 am to midnight and ending at 8:00 pm on Sunday. **Howard moved to approve the noise ordinance waiver for Lamoille County Field Days with the same conditions as in the past, seconded by Doug.** Duncan said he thinks in the past we have required that they provide security. He can go back and review past conditions. **The motion was passed.**

Eric said the Hoedown organizers got no negative feedback about their event. Howard said Roger Marcoux told him it went great. Eric said there were some vandalism issues. He is not sure if they were connected to the Hoedown. A "Ban GMOs" message was painted on private property.

Duncan emailed SD Ireland about our paving concerns.

The trustees and the selectboard both previously approved language for a policy on placement of signs on the municipal building property, but Duncan never brought back a formal policy. The trustees approved the policy at their last meeting. Duncan distributed the language that was approved:

*It shall be the policy of the Town of Johnson Selectboard and the Village of Johnson Trustees that no signs be allowed for outside display on the town/village owned property located at 293 Lower Main St. West, except for municipal purposes, including municipally sponsored entities, organizations and events.*

Howard said the wording at the end is confusing. Doug suggested different wording but it was pointed out that the trustees have already approved the policy with this wording and this board previously approved the wording. **Doug moved to approve the Town and Village Policy for Placement of Signs on Municipal Building Property, Howard seconded, and the motion was passed.**

Two Holcomb House tenants are asking to renew their lease, which ends at the end of May. **Howard moved to authorize Duncan to execute a lease with Richard Delancey and Shelby Rivers for 188 Lower Main East, seconded by Nat.** Duncan said they are current on rent. Rosemary said they pay a day or two late at most. It used to be worse. **The motion was passed.**

Nat asked, is there not a lease for the other apartment? Duncan said he doesn't think so. Eric said there probably should be one. Duncan agreed. He can double check whether there is a lease and if not he can bring a draft to the next meeting. Howard said he doesn't know that this needs the board's approval. Nat said he doesn't want to lock Donnie into something he doesn't want to be locked into. Duncan asked if the board wants him to give Donnie a copy of a lease based on the existing lease and tell him the board will be acting on it. Howard said yes. Doug asked if we would have some different terms for Donnie, for instance regarding a security deposit. Duncan said as far as he knows Donnie has never had a security deposit. Doug said he thinks Donnie's lease should mirror the other one but not ask for a security deposit. The board agreed to waive the security deposit. Duncan said he will give a copy of the lease to Donnie.

The Local Emergency Operations Plan needed to be filed before the board meeting so Duncan discussed it with Eric, did the updates, and submitted it. Now it needs board approval. **Howard moved and Kyle seconded to approve the Local Emergency Operations Plan and authorize Eric to sign it, and the motion was passed.**

Duncan prepared and submitted a parade permit application on behalf of the American Legion for the Memorial Day parade. The route will be different this year, making less use of Route 15 but spending longer on town roads. Duncan described the route. They will end at Lamaille View Cemetery. **Doug moved to grant permission for the American Legion**

**Memorial Day parade to use town highways as described by Duncan, Nat seconded, and the motion was passed.**

The board has received a request from Mitchell Tillotson for a Municipal Fireworks Display Permit. Last year the board discussed drafting a policy regarding fireworks permits, but it was never done. There are two types of fireworks displays – Class B (professional) and Class C. It is the Class C that have given us issues. We discussed having the permittee provide proof of insurance or even certificates of insurance naming the town as an additional insured but this was never finalized. The permit review process puts the town in a serious liability situation. We are supposed to check that the permittee has the proper clearances so fireworks won't come down on a neighbor's property. Duncan drafted a new permit application package that requires applicants to come up with a plan showing they can comply with the minimum setbacks and safety requirements, a map showing the setback clear zone area, a plan to keep spectators out of the clear zone and proof of insurance. They would also need to prove that they notified their neighbors in writing. And applications would need to be submitted in a timeframe matching up with selectboard meetings. Applicants would need to notify their neighbors 30 days before a board meeting and submit an application 20 days before the meeting.

Mitchell Tillotson's application is on the old form. He has received permits in the past. Doug questioned whether the fireworks display could remain on his own property. Howard asked if the display has to be on the applicant's own property or could be on someone else's property with permission of the landowner. Duncan said it could be on someone else's property and that would require permission.

Duncan suggested we could include conditions similar to those on the proposed new application form. Doug said on a legal basis if we approve this and allow someone to set off fireworks on their land and they burn their house down, we are buying their house. Duncan said some towns are simply not allowing consumer exhibitions. So people are probably doing it without permits. Eric said then it's at their own risk. The town wouldn't be held liable. Duncan said that is true. If the town requires a certificate of insurance naming the town as an additional insured then that protects us, doesn't it? Doug said he thinks getting that insurance would be hard. Duncan said he was told it would not be a big deal to get it. Permits require the fire chief to sign off. He is supposed to make a site visit. Arjay has made it clear he is not qualified to know if a planned fireworks display is safe. But at least if we require people to make a map and write a plan he has something to evaluate. Doug said he would prefer not to let anyone have fireworks displays. Nat and Kyle agreed. Howard asked if they are referring to amateur displays and would still allow professional displays. They said yes.

Duncan said he doesn't think we can have a policy that we just aren't going to allow fireworks displays. He thinks we would have to take applications and have criteria such as requiring a qualified person on site that essentially no one would meet. Doug said he doesn't feel that is a good way to deal with people. Eric said he thinks the application could be so difficult that many people will decide not to apply. Duncan said Morrisville charges a fee. That discourages people.

Duncan said he thinks it would be unfair to make Tillotson give us a new application. But we could condition his permit like the proposed new application. Eric said we could also send him the new application and tell him that going forward this will be required.

**Howard moved to issue a Municipal Fireworks Display Permit to Mitchell Tillotson with the conditions found in the new application packet and with signatures of the fire chief and the Lamoille County Sheriff's Department required, seconded by Doug. The motion was passed with Nat opposed.**

**Howard moved to approve the proposed new application for Municipal Fireworks Display Permits, Nat seconded, and the motion was passed with Doug opposed.**

Duncan filed the Annual Financial Plan for Town Highways, which is required by VTrans.

Dennis and Sandra Bender at 110 Whiteface Mountain Drive have submitted an application for CPG for Net Metered Power System.

Duncan gave the board Delta Dental enrollment packets. Rosemary said there was a rate decrease.

Lillian Byrne is concerned about A. Johnson lumber company trees encroaching near plots at Evergreen Ledge Cemetery. Duncan thinks the trees she is concerned about are mostly on A. Johnson's land. There is one in the cemetery she would like us to cut down. In addition, she has turned in her records and no longer wishes to manage the cemetery.

Eric asked if the Historical Society would be willing to take over management of the cemetery. Duncan said he doesn't know. Doug said he had spoken to Lillian. She and her husband maintained the cemetery for 25 years, then for 21 years or so the town has been mowing the grass but according to her not doing any other maintenance. It doesn't appear that there are large trees causing problems, maybe branches. The cemetery is a neglected part of our community that we should take a look at. The board agreed.

Eric asked if some group like prisoners could come in and do a cleanup. Duncan said maybe. Nat said he has had good experiences with JSC volunteers. They have a really active volunteer program. Duncan said Laraway is always looking for community service projects also. Nat suggested the Boy Scouts might help. Eric said we can get workers. The question is who will manage the work. He suggested asking the Historical Society. Duncan said a couple of years ago we had the highway crew go into Whiting Hill Cemetery and do a lot of trimming. We could probably ask the highway crew to do that for Evergreen Ledge. Doug said he thinks it might be useful to ask A. Johnson if we could trim on their property within 5 feet or so of the cemetery. They probably wouldn't care. We need to define the job and find someone to manage it. Duncan said he can check with the Historical Society.

Duncan said the Sheriff's Department agreement the board needs to approve is the same as last year for dispatch and regular service. **Doug moved to approve the Lamoille County Sheriff's Department Agreement, Howard seconded, and the motion was passed.**

Duncan said there has been zero interest in our ads for lister. He believes the legislature allowed towns to appoint an assessor rather than a lister but he has to verify that. We may be forced into hiring an assessor if we get no response.

The tractor and backhoe were sold as per bids, bringing in \$8,500.

Peter Moynihan agreed not to come to tonight's meeting after Duncan talked to him and said the Recreation Committee has talked about removing the scoreboard signs from Legion Field. Nat said everyone agrees they need to come down. It is just a matter of time and volunteer hours.

Duncan attended the VTCMA 2015 Spring Conference. It was a very good one.

Duncan said he and Eric had discussed with Lea the possibility of her becoming more involved with meeting with the Jewetts to try to settle the sale price issues. Duncan thinks it is a great idea. Eric agreed. Duncan said he had a phone call today from John Mandeville of LEDC. They recently sold their incubator building in the Morristown Industrial Park and the corporation is looking at how to reinvest that money in Lamoille County. Our project came up high on the list. Duncan is scheduled to meet with the LEDC board at their July meeting. He plans to bring Lea and our engineering and market studies.

We have not done anything further with Vermont Alert.

Duncan has drafted an easement that Glen and Renate Callahan are willing to sign for Journey's End access. They would have the right to revoke the easement, but they were agreeable to making the right of revocation exclusive to them so that the easement would become permanent upon sale of their property if they had not revoked it.

We still need to adopt a Local Emergency Operations Plan which is different from the one referred to earlier. It is more detailed. That is still on Duncan's to-do list.

Lea has reviewed the Flood Hazard Ordinances and forwarded them to the board at least twice. Doug asked if we will have a special meeting to discuss them. Duncan said we probably will need to. They tie into the issues David Butler was talking about.

Duncan said the Welcome to Johnson sign at the west end of the village fell over because its points of attachment were rotten. It is at the village garage. He hopes someone can do something with it to give it more life. There is currently no one on the village crew who has the ability. Howard said he will look at it if he gets some time.

Doug said he thinks a Johnson beautification committee should be organized. It could encourage people to paint buildings, etc. or maybe publicize those who have made building improvements. He would like to get authorization to start this committee. He and Kyle (if she is willing) would be on it, along with some citizens.

Duncan asked if anyone is doing anything with the flowers this year. Rosemary said she doesn't know. Duncan said there is the garden at the Cold Spring, too. Doug said what the committee will do depends on what people's ideas are and what they can find volunteers for. Duncan said improvements by people of limited means might qualify for low or zero interest loans from the village CIG fund.

The board agreed a beautification committee sounds good. Kyle said she is willing to be involved.

Nat asked how we will deal with replacing Steve Smith. Eric said that may tie into the manager search committee's work. He suggested letting the committee talk about it Wednesday night and then the board can discuss it further after seeing whether the town and village crews are going to remain separate or not.

***11. Adjourn***

The meeting was adjourned at 10:00.

*Minutes submitted by Donna Griffiths*