

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, MAY 6, 2019

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Rosemary Audibert, Brian Krause, Jason Whitehill, Ryan Stygles, Damien Digregorio, Raymond Gilcris, Katie Orost, Mark Nielsen, David Whitcomb, Allen Audette, Jr., Lois Frey, Scott Meyer

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 6:00.

2. Additions, Changes to Agenda

It was agreed to add an item related to the broken washing machine at the Holcomb House apartment and an informational item about a fun ride to promote the rail trail.

3. Review and Approve Minutes of Meetings Past

It was agreed to postpone approval of the April 8 minutes until Nat arrived, as he had requested some changes. **Mike moved to approve the minutes of April 15, 2019, Doug seconded and the motion was passed.**

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

Rosemary gave the board two sets of orders to approve. She asked who will attend the tax sale on May 15 at 10:00 am. Eric said he probably can attend.

5. Meet with School Board Representatives to Discuss Selectboard Recommendations to Fill Vacancy

Eric said there are 4 candidates for the school board vacancy. Probably any of them would be well-qualified. Statute calls for the selectboard to make a recommendation to the school board. He noted for the record that school board member Katie Orost is involved with one of the candidates.

Katie said Eve Gagne has a poor attendance record and said she would not be able to attend meetings other than committee meetings because of her work schedule. She thinks all three of the other candidates would be fine. Lauren Philie came to the last school board meeting. She used to be on the Johnson Elementary board. Mark Nielsen said Eve Gagne was not at board meetings most of the time this past year. He personally would not appoint her again.

Lois Frey said she looked at attendance records and Lauren has the best record. When she was on the elementary board she missed 3 meetings, one of which was an extra meeting not on the regular night. Eve Gagne never went to school board meetings. Hillary Emick seems like she has a lot to offer but she was on the Conservation Commission with a poor attendance record. Lois feels Lauren would be the best candidate.

Mike said he worked with Lauren on some child issues and found her very professional. Kyle said Lauren is her first choice. Hillary's resume looks good but her lack of attendance is concerning.

Doug asked Allen Audette if he has previously been involved with schools. Allen said no. Doug asked what his interest is. Allen said he put 3 kids through Lamoille Union and now he is engaged to Katie and they will have 3 more attending. He has seen how involved Katie is and he is willing to contribute his time. He is retired.

Nat arrived and Eric reviewed what had been discussed so far regarding the candidates.

Eric said it was interesting to see 2 former school board members apply. He feels their previous experience gives them a leg up. Katie said she disagrees. A fresh sight is sometimes good. She said the only thing that concerns her about Lauren is her comment about coming in with an agenda. Eric said he thought Lauren was the strongest candidate.

Doug said he wonders about having 2 representatives from the same household. Katie said Cambridge has had Bill and Jan Sander for a long time so it is not out of the norm. Doug asked if there any effect to that. Do they vote together? Do they disagree? Katie said they serve on different committees or sometimes the same committee. She doesn't see them voting together. She assumes she and Allen will have their own opinions.

Mike moved to recommend that the LNMUUSD board appoint Lauren Philie, Kyle seconded and the motion was passed.

6. *Review and Approve Minutes of Meetings Past (continued)*

Nat had circulated changes he recommended to the April 1 and April 8 minutes. Mike said the changes just clarified and filled in a few gaps; others agreed. Nat said he based the changes on the video recording not just his memory. **Mike moved to approve the minutes of April 1 and April 8, 2019 with the changes proposed by Nat, Nat seconded and the motion was passed.**

7. *Activities at Old Mill Park*

Brian S. said on June 15 and 16 the Friends of the Lamoille Valley Rail Trail are having a fun ride for the length of the rail trail to raise funds for completing the trail. Scott Meyer, as a member of Friends of the Lamoille Valley Rail Trail and a village resident wants to help organize something in Johnson at Old Mill Park to highlight our connection to the rail trail. It is proposed to be run under the auspices of Johnson Recreation but mostly staffed by Scott and his volunteers. We don't usually make the Rec Committee fill out facility use forms for their activities so this item is just to inform the board. They plan to have a rest station and fun activities connected to cycling and the rail trail.

Nat said he talked to Scott on the phone about this; it sounds like a great thing. Kyle said the mural Jen Burton is painting with beautification funds should be done by then.

Brian S. said the Rec Committee will need to vote to sponsor this. Nat said they unanimously agreed about it by email and they are scheduled to discuss it this coming Monday.

Kyle asked if Scott will be coming to another Johnson Works meeting. He said he can. Kyle said she could put him on the agenda for the meeting next Tuesday and he agreed.

Doug asked what activities Scott is planning. Scott said he is planning a slow bike race. The course is about 100 feet long and the last finisher wins. The Boy Scouts seem willing to run a hydration table. Maybe there will be brochures on the table. Volunteers are needed to do sweep or first aid.

8. Recess

The meeting was recessed from 6:24 until 6:54.

9. Meeting with Public Works Department to Discuss On-Call Pay Policy

Eric thanked the public works employees for coming. He said there is no question about their loyalty and commitment. He sees them working on Christmas and New Year's Day. The sacrifices they make are noticed. The board has a responsibility to be stewards of the people's money. Voters expect us to watch how we spend it. When we go before voters at town meeting they go through our budget carefully. Comments come up that we should not be giving anyone any raises because no one in the public is getting raises. We have to balance that side with the other side, that we are employers. We try to make sure we pay at or above the average salary and benefits for all employees. We do employee surveys every few years to make sure we are competitive for salaries. He thinks the board appreciates that there should be a call-in stipend because public works employees sacrifice almost every weekend through the winter, but there is not agreement on what the amount should be so the board felt it would be best to discuss it face to face. The employees' job is to convince the board why on-call pay above and beyond the prevailing rate should be provided.

Jason Whitehill said people on the outside are getting raises. At a class employees just attended they heard that people with CDL's are in such demand they are going to see their pay go up by \$4-5 an hour. He likes his job and doesn't plan on leaving. Along with the proposed on-call pay employees are willing to have the minimum call-in time reduced. In the past if they came in early they still stayed until the end of the day. Now the town is trying to save overtime so they go home early and have to sit and wait. Sometimes it makes them look stupid because buses are getting stuck and people wonder why they are not out. That is why on-call pay is being brought up. They didn't use to have to go home and just sit at the house. Now they may have to go home at 10:30 but they can't do anything because they never know when they will be called in. Another employee said a lot of times if they get called in it might be too late. By the time they get the trucks out the evening rush is already over but they are there to do the plowing anyway.

Eric said the board recognizes that six months out of year employees sacrifice weekends every week and should be compensated,

Doug asked what happens the rest of the year. Brian K. said once in a while a tree comes down in the middle of the night and the sheriff's department will call. Another employee said from May 1 to November 1 Brian calls in whoever he can get hold of. There is no one person on call. If a bad storm comes through they all know they probably will get called for something – a tree down or a washout.

Brian S. said winter is when there is the need for call-in pay. During the rest of the year things sometimes happen but often just a couple of people are called out and it is not as common. Employees have been pretty willing to work with us. It is not just weekends that

are a problem for employees in winter. This year we have been more aggressive about people going home after working 8 hours and then they often get called back. So they work 8 hours, go home and 2 or 3 hours later they are back out again. When they are home not working they are not really able to take advantage of anything.

Jason said other places give on-call pay ranging from \$300 down to \$75, depending on the on-call responsibilities.

Mike said when he worked at Morrisville Water & Light there would normally just be two people on call. Highway crew members said they all need to be on call, or all but one person, because the work takes all of them. And they can't say no to being called in.

Jason said currently if they are called in just to sand, the town loses money because they are paid for a minimum of 4 hours of time when they are called in and sanding only takes an hour and a half. That is why along with on-call pay they proposed getting rid of the minimum call-in pay during the winter and reducing the minimum time from 4 hours to 2 hours in the summer.

Mike said the board wants to compensate employees but he doesn't think the board wants to pay \$200. He thinks we can negotiate. He asked if the employees had done the math on how many call-outs they typically have. Jason said the last two years they have used all their overtime and then some, and that was with going home as often as they could.

Doug asked what the cost to the town would be of having more employees so overtime and on-call pay wouldn't be needed. Ryan Stygles said he would have to go somewhere else if he were not getting any overtime. Damien Digregorio said if the town had to get more equipment we would have to build another shop to have room for it. He can't afford to lose overtime.

Jason said a lot of towns have newer trucks than ours that are rusted or smashed. You get what you pay for. Eric said the board has always noted, for years before any of the current employees were hired, that the Johnson highway department has done a spectacular job of maintaining equipment. Our used vehicles are sought.

Mike asked what deal the highway employees had in mind. Damien said the deal they had in mind was their last proposal. They don't have another one. Jason said there is not a lot of wiggle room in their proposal.

Doug asked about applicable regulations. Brian said Fair Labor Standards say if we place restrictions on employees' freedom of movement they have to be compensated for being on call. With no restrictions we don't have to pay. We have benefitted from having employees who have been willing to come in whenever they were called with no additional compensation. We can't realistically expect employees to show up at a moment's notice all winter long. It is not fair for us to continue to expect that of people.

Doug asked for clarification about the change the board had made regarding people going home after coming in early. Was it that we didn't want people coming in and staying without jobs to do, or is there always something to do? Brian S. said there is always something to do. The board decided to enforce going home after 8 hours. That had been the policy for a long time but it had not been as aggressively followed as it is now that money has gotten tighter. We have given Brian K. direction to send the employees home after 8 hours to keep overtime down. That means employees are getting called in more often and having to wait by the phone more often.

Jason said now that employees are going home after 8 hours they sometimes have to get up at 2:30 am for straight time. Who wants to get up at 2:30 am for straight time? Ray said you get tired of getting up 2:30 in the morning for straight pay.

Nat asked about the most recent salary survey. Brian said we used the 2017 salary survey when we wrote the new pay scale. The survey doesn't cover on-call or overtime pay. We informally asked some towns about their on-call pay. The answers were all over the map. It is hard to compare unless you compare the whole package, including healthcare.

Mike asked if employees want on-call pay all year. Jason said they want it from November 1 to May 1.

Jason said Ray has taken the biggest pay hit since he was hired. When he was hired, 300 hours of overtime were factored in; then later it was cut back to 250 hours.

Jason said under the highway employees' proposal in summer there would be a 2-hour minimum for call-ins and there would be none in winter.

Doug asked what the value is of the time in the summer that we would be writing off. What would employees be doing in that time? Brian K. said in the summer 95% of the time the person called in gets the loader and pushes the fallen tree out of the way and then the crew takes care of it when there are more people working. Mike explained that the employees don't come in and stay for the whole 4 hours. They come in and do the job and then go home. Almost every company has a minimum call-out time. That way people will be around to be called in because it is a good deal for them.

Kyle asked how often employees are called out in summer. Brian K. said different years vary. He would say it averages a dozen times.

Jason said he thinks if we got rid of the minimum winter call-in time and cut down the hours for summer call-ins, adding call-in pay would be close to a wash. Nat said he is doing rough calculations and having a hard time seeing that it would be a wash. Doug said Jason should run the numbers and look at them. Nat said 24 call-ins would be about \$3000. Mike said \$5K apiece is \$20K. With the savings backed off from that, it might turn out to be close.

Doug asked, how about the emerald ash borer? Will we have more ash trees down? Highway employees said they are working on a proactive plan. Ray said some big trees may be on

private property where we can't touch them but they will end up on the road. Brian K. said there will be a big change a few years after the ash borer gets here. We need to figure out what we will do.

Doug said the highway crew job has to pay enough for employees to find it worth doing compared to other places they could work. Ray said starting pay for CDL drivers is \$20/hr. Nat said that point is well taken. We need to be competitive to keep good employees like those we have.

Eric asked about employees' thoughts after one winter with a fifth employee. The board was hoping a fifth employee would help them have more time off and help with overtime. Brian K. said he thinks in a normal year they could have kept overtime under 250 hours. Jason said we have saved on having a part-time employee come in. He used to come in after every storm.

Jason mentioned that it may seem that employees are not washing trucks, but they are trying not to wash off the protective undercoating. They are washing other parts of the trucks.

Damien said there is extra hassle with working in the winter because employees sometimes have to deal with people who are angry about snow being put on their lawns. He said more people are hiring now at good rates and prices are going up at stores.

Eric said the board will look at the numbers and talk it over. Mike said if it is halfway close he will support it.

Jason mentioned that the town highway crew was recently told by the village crew that they couldn't use the tractor because they don't take care of it. Jason spent a lot of time taking care of issues on that tractor and they do take good care of it. And now the village is no longer picking up trash at Old Mill Park; the town is. Brian S. asked for clarification about what had been said regarding the tractor. Jason said town employees were told they couldn't touch it until after the two boards met to talk about it. Eric asked Brian S. to talk about that with Meredith. Mike asked if the tractor is owned by the village. Other said yes, but the town bought the mower. Brian K. said the village wants to get a smaller tractor and we want a bigger one so we will get our own tractor. Ray said village employees sometimes use the backhoe in the middle of winter and don't wash it. Doug suggested that Brian K. pass on a list of issues with village cooperation to Brian S. (*Highway employees left at 7:45.*)

10. Holcomb House Washing Machine

Brian S. said the washing machine at the Holcomb House broke. There had been some discussion about whether to replace it but rental housing code says we can't remove an appliance in the middle of the lease. We could offer to compensate the tenants for the remainder of the lease to go to the laundromat and then stop providing a washer with the new lease. We would not save an appreciable amount of money by doing that.

Mike said the washer is upstairs so there is potential for leaks. He doesn't think it is our responsibility to provide a washer and dryer. He suggested that we give the tenants a discount on rent until their lease is up and then consider raising the rent.

Brian said we could get a pretty cheap new washer for a few hundred dollars. He thinks we would want to replace both the washer and the dryer.

Eric asked, we would need to compensate them for about 3 months? Brian said that is right. The board agreed to offer a \$50 per person reduction in monthly rent for the remainder of the lease period rather than putting in a new washer and dryer.

Brian S. said we would not be saving a lot of money by going this route but we would be relieving ourselves of the hassle of repairs and the risk of flooding. Kyle asked if we have ever had flooding from the washer. Brian said no. Mike said he is just thinking about getting rid of things that could cause problems. Brian S. said the recent leak was not from a fixture; it was just a line that cracked. But the more hookups we have the more easily that could happen again. We would reduce the risk by getting rid of the washer.

Mike moved to offer to reduce rent for the Holcomb House apartment by \$50 per person a month in lieu of replacing the washer, Doug seconded and the motion was passed with Nat opposed.

Brian S. said the tenants need to agree to this. We can't amend the lease unless they agree.

11. Executive Session to Discuss Personnel Issue

Mike moved to enter executive session to discuss a personnel issue as allowed by 1 V.S.A. § 313(a)(4), Nat seconded, the motion was passed and the board entered executive session at 7:54. The board came out of executive session at 8:50.

12. Adjourn

The meeting was adjourned at 8:52.

Minutes submitted by Donna Griffiths