

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, JULY 16, 2018

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Lois Frey, Diane Lehouillier, Jen Burton, Bill Loscomb, Meg Loscomb, Mike Dolan, Mark Woodward, Duncan Hastings, Allison Tafuri, Chris Ferguson, Akash Parikh, Howard Romero, Robin Story, GMATV staff

Note: All votes taken are unanimous unless otherwise noted.

Meeting videotaped by Green Mountain Access Television. GMATV info: <https://greenmountainaccess.tv/>; PO Box 581, Hyde Park, 05655; info@greenmountainaccess.tv or 802-851-1592

1. Call to Order

Eric called the meeting to order at 7:00.

2. Additions, Changes to Agenda

The board agreed to move discussion of the revolving loan fund up to accommodate a guest. Mike said he was not prepared to discuss reclassifying roads to it was agreed to strike that item from the agenda. Brian added proposals for cemetery maintenance and discussion about our facility use policy, as requested by Nat. Doug said he would like to revisit the derelict building ordinance. Nat added discussion of responsibility for expenses pertaining to the East Johnson sewer line.

Lois Frey said at the last meeting the board was talking about town property maintenance. She asked if the board is going to follow up on that. Eric said the board asked Brian Story to follow up with Brian Krause. He is not sure if more than that is needed. *(Bill Loscomb, Meg Loscomb and Mike Dolan arrived at 7:02.)*

3. Review and Approve Minutes of Meetings Past

Kyle moved to approve the minutes of July 6 (with the date corrected from July 20) and June 18, seconded by Nat. Nat suggested that in future minutes the presence of GMATV staff be noted. The board agreed to that and also discussed including information on how the meeting can be viewed on GMATV, similar to what the Hyde Park selectboard includes in their minutes. **The motion was passed with Doug and Mike abstaining.**

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

Brian said Rosemary is on vacation. A few first quarter payments have gone out. He has invoices for the month if the board has any questions. *(Diane Lehouillier arrived at 7:05.)*

5. Road Commissioner/Road Foreman Report and Action Items

Brian Krause said he doubled the number of sharrows on Railroad Street as the board had requested more. He will close the Powerhouse Bridge to redeck it on July 18 and 19. He put up signs to let people know ahead of time it will be closed.

Brian K. said the public works employees did not like working four 10 hour days and want to go back to their old schedule. Eric asked if there is any feedback about what they didn't like. Brian said it depends who you ask. He thinks they felt like they didn't have enough time to do things in the afternoons.

Brian K. said he would like to get a few more hours of part-time help from Alex Nadeau, who he has been bringing in to work on reclaiming the pit. In this year's budget there is about \$15K for Tatro. Using Alex saves money. He would like not to bring in Tatro until next year. He doesn't need an answer on this request now. He is going to take Brian Story to the pit to show him what is being done there. Any interested board members are invited to come as well.

Brian K. said he has to take another week off August 1 through August 8.

Brian S. said he will try to schedule the visit to the gravel pit for a time when board members are likely to be able to attend.

Eric suggested posting the Powerhouse Bridge closure on Front Porch Forum and advising emergency services. (*Mark Woodward arrived at 7:11.*)

Kyle said after Tuesday Night Live last week she noticed that on Railroad Street there are deep depressions in the road around the storm drains and bike riders leaving Tuesday Night Live had to ride in the middle of the road to avoid them. Cars were not being tolerant of people having to ride so far into the road to avoid the storm drains. Brian K. said his understanding is that that is a village issue.

6. Legion Field Facility Use Tuesday Night Live and Wood-Fired Oven Question

Brian S. said last week was the first Tuesday Night Live of the season. This is the first season Tuesday Night Live is operating with the wood fired oven constructed. The proposal for the oven was that it should be used at Tuesday Night Live only by a non-profit, provided that they were not competing with for-profit vendors. Lamoille Housing Partnership applied for a permit to use the oven during Tuesday Night Live. The Tuesday Night Live organizers felt use of oven during the event was negatively impacting other vendors, particularly because there was miscommunication about what would be prepared in the oven and it directly competed with one vendor present. The organizers are asking that use of the oven be suspended during Tuesday Night Live. The oven organizers would like to see continued use.

Eric asked for comments from those present. Tuesday Night Live manager Bill Loscomb said the organizers are asking that the oven not be in use because of the conflicts it poses for vendors and for the model they are using to run the event. (*Duncan Hastings arrived at 7:17.*) It doesn't matter whether it is being used by a non-profit or what they are baking. Use of the oven is overall in conflict with what the Tuesday Night Live organizers are doing. They are using Legion Field for an event and they ask that they have exclusive use of the field and stage.

Mike Dolan, another Tuesday Night Live organizer, said an organization that didn't help with funding for Tuesday Night Live took some of the funding. He is not sure why that happened. The use of the oven seems to be in complete conflict. The Tuesday Night Live organizers didn't hear anything about it. They have had vendors and sponsors speak to them unhappily about it.

Bill said there was a direct conflict. The group using the oven and a vendor were selling the exact same thing. There wasn't communication with the organizers about it. No matter what is cooked in the oven, because of how alluring it looks it will directly affect anyone else's marketing. The organizers need to make sure the vendors and sponsors are satisfied. This conflict was with someone who sponsors and pays the fee to vend. They packed up and left last Tuesday.

Meg Loscomb said the organizers were informed that day that the group using the oven would be there. It had never been communicated to them previously. Tuesday Night Live requires a lot of communication and planning on her part. She would prefer not to have to manage another component. Downtown Pizzeria arrived to sell garlic knots. They had been informed that the oven would sell chocolate chip cookies but they sold garlic knots. Downtown Pizzeria was frustrated.

Nat said Allison of Downtown Pizzeria didn't seem frustrated when he talked to her.

Diane Lehouillier said if the people using the oven talked to Downtown Pizzeria and didn't conflict with anything they were going to make, she doesn't see what the problem would be. Bill said the oven users would want to talk with Meg, who coordinates all vendors. Diane said if that communication happens ahead of time she doesn't see why the town would want to shut down oven use for the rest of the season.

Bill said his group is using the field for this event. It seems inappropriate to add another event. Anything going on at the oven will get more visibility than any of the vendors. The organizers have received countless requests from people who want tables for non-profits, politicians, henna tattoos, palm reading, etc. They want to pick and choose who gets tables. For their first year running the event they decided to say no to all those people. Lamoille Housing Partnership was one organization that asked if they could have a table and the organizers said no. Ending their process seems inappropriate.

Jen Burton said "ending running" is a strong statement. This came about because she knew the oven had to be used for a non-profit and she is on the Lamoille Housing Partnership board. (*Allison Tafuri, Chris Ferguson and Akash Parikh arrived at 7:24.*) She is not sure why this is being brought to the selectboard when the Tuesday Night Live organizers have not communicated with her yet. She followed the process set forth by the town. She didn't foresee it being a conflict because she was under the impression that the oven was placed where it is in part to be used during Tuesday Night Live. It was a surprise to her that the Tuesday Night Live organizers would feel surprised by its use. She sees Tuesday Night Live as a community event, not the Loscombs' event. (*Howard Romero arrived at 7:26.*) She sees the oven as a draw for the community, something positive, especially at a time when we are losing a lot in Johnson. There was a wonderful Seven Days article about the oven. It was featured on VPR and The Splendid Table, a syndicated show, will feature it. She feels it will draw people to Tuesday Night Live. She apologized for the knot confusion. She can make sure that never happens again. This use of the oven is for a non-profit very similar to the Historical Society. She doesn't see a huge difference between the two groups selling food.

Bill said he agrees that the oven is a wonderful addition to our community. He was not aware that the oven was built in that spot because it was going to be part of Tuesday Night Live. He doesn't consider Tuesday Night Live his event. He doesn't think anyone in the group does. They feel they are offering something to the community. It was not a personal decision to request that permits for oven use not be given during the event. They were objectively looking at how the event operates.

Eric said Tuesday Night Live operates under the town umbrella, as does the oven. He thought the selectboard was clear on how the oven would be used at Tuesday Night Live – by a non-profit, without competing with any vendor there. It sounds like that was not followed but he is not sure that is a reason to stop the oven from operating. How is this different from allowing the Historical Society to be there? Many support the Historical Society and not other vendors because it is a non-profit and a town entity.

Lois Frey said the Historical Society has been a part of the Tuesday Night Live evolution and the dollars they generate are the operating budget for the town's Historical Society. Without Tuesday Night Live sales the Historical Society would not have much of an operating budget. To her that puts them in a different place than other non-profits.

Jen said Lamoille Housing Partnership has housing in Johnson.

Bill said the Tuesday Night Live organizers have worked in partnership with the Historical Society. The Historical Society is not seen as a separate non-profit that attends the event but more a part of the event.

Kyle said she had checked past meeting minutes to see if her recollection was correct that it was intended for the oven to be used at Tuesday Night Live. She read some excerpts from the minutes that showed discussion about use of the oven at Tuesday Night Live.

Jen said she thinks the board always understood that the oven would be used during Tuesday Night Live. She thinks Cal Stanton was part of those conversations but maybe it was not communicated to all organizers of Tuesday Night Live. Maybe more communication needs to happen to see how all can make this work for everyone. She thinks there would be a big void if the oven were not fired up during Tuesday Night Live. She thinks there are ways to make its use not conflict with other vendors.

Bill said organizations that use the oven can use it at their own events. Why be part of an event that is already being put on? Lamoille Housing Partnership is having their own event. He wouldn't expect he could come and use the stage to raise money for Tuesday Night Live while the other group was using the oven.

Doug said he feels whatever is on the field needs to augment and assist Tuesday Night Live. He thinks Tuesday Night Live is one of the significant features in branding Johnson. Any use of the oven needs to contribute to the draw and that includes keeping vendors coming. He would suggest that the people involved try to figure out how to resolve the issue. The oven can't be operated to the detriment of important features of Tuesday Night Live.

Bill said the Tuesday Night Live operators wouldn't be here if they didn't feel there was a conflict with vendors.

Mark Woodward asked if Tuesday Night Live is a non-profit or a part of the town. Eric said it is run through the town. Mark suggested maybe a group using the oven should pay what vendors pay. Bill said that would not be fair. They would be paying the same fee but getting a more alluring spot. Jen said that is why it could only be used by a non-profit. Mark said one vendor could have a nicer wagon than another. Bill said it is unfair when someone can use a brick and mortar building vs. a food truck or tent.

Brian S. suggested perhaps a group using the oven could pay a premium fee. He doesn't know what a fair price would be.

Bill said currently vendors pay \$100 for the season. The group plans to change the fee in the future. The organizers monitor vendors to make sure nothing being sold by any two vendors is the same. One hundred percent of the money that comes in from vendors and sponsors goes into the operating budget for the event, so honoring the vendors is important.

Doug said he thinks the system with the vendors has worked well in past years. He is not persuaded by the wisdom of the board's non-profit policy. He thinks whatever is there has to contribute to the Tuesday Night Live experience, not just be there because it is funding something socially good. He thinks even if the group using the oven pays a fee they should pass through the Tuesday Night Live organizers' judgment. The organizers should be able to say yes or no.

Jen said she doesn't care how the oven is used. It could be Downtown Pizzeria using it to vend at Tuesday Night Live. She doesn't personally want to be there every Tuesday. But she wants the oven to be running during Tuesday Night Live. She thinks it attracts people and having it in use is a way of sharing how it can be used and informing the community that it is there to be used. She and Brian had talked about having use permits there so people know they could get a permit to use it. Her agenda for the oven is to have it used during Tuesday Night Live in some capacity.

Duncan Hastings said he agrees that Tuesday Night Live is a wonderful thing for the town and the oven is a wonderful asset. If there is some way to incorporate the oven into Tuesday Night Live, to him that is a win-win solution. He asked if the selectboard has created a Tuesday Night Live committee and imbued them with powers and duties, such as the power to manage vendors. He would suggest that if the board has not done that, they should. Eric agreed that the board should do that because Tuesday Night Live operates under the town umbrella. Duncan said if the committee talks to the selectboard maybe some issues could be worked out.

Chris Ferguson from Downtown Pizzeria said Downtown Pizzeria was very casual about vending at Tuesday Night Live. They didn't have knowledge about the oven. It sounds like there wasn't communication about its use. It sounds like Megan and Bill were frustrated that

a non-profit came in without communication. Who prioritizes use by non-profits each week at Tuesday Night Live? It sounds like there needs to be prioritization.

Bill said the current practice creates a situation where Tuesday Night Live has no say in any message sent out by its event. That is one reason they started saying no to people wanting information tables. Megan said it got to the point where they felt like they needed to draw the line and just have food and music. That is what people come for.

Mike Dolan asked if Tuesday Night Live could be a time for people to get instruction in how to get certified to use the oven. Chris Ferguson said that is a good idea. Jen said she thinks people are there for music.

Mark said he agrees with Duncan. He doesn't know who makes decisions about Tuesday Night Live.

Doug said now the policy says non-profits can use the oven but can't be in conflict with vendors, but there was a conflict. It seems to him that the policy could continue but there has to be coordination and the board needs to empower a committee to make decisions.

Mike said the oven is town property sitting on town property and it should be used.

The board agreed to leave the policy as is and just request coordination between non-profits using the oven and Tuesday Night Live organizers.

Brian Story suggested that he should check with Meg before signing off on a facility use permit to ensure that the user of the oven has coordinated with Tuesday Night Live. He said last year it had been discussed that we might have 2 or 3 recipes we could suggest to non-profits that it would be okay to serve at Tuesday Night Live.

Eric said the different parties should coordinate and work things out and come back to the board if needed. *(Bill and Meg Loscomb left at 7:52.)*

7. *New Restaurant in Johnson*

Allison Tafuri said she, Chris Ferguson and their partner Akash Parikh are buying the Landmark Tavern. They plan to have a limited service snack bar style restaurant serving wine and beer from 11:00 am to 9:00 pm, both indoors and outdoors. They are applying for a liquor license. They are also keeping Downtown Pizzeria.

Nat said the previous owners of the pizzeria had liquor license violations and we were getting noise complaints. The current owners run a great establishment. This is good news for Johnson.

Nat moved to approve the outside consumption permit for the Landmark Tavern, Kyle seconded and the motion was passed.

Nat moved to approve the liquor license application for the Landmark Tavern, Kyle seconded and the motion was passed.

Duncan said the prior owner of the Landmark Tavern had an informal arrangement for people to access the river from their property. He asked if the new owners think that will stay in place. Allison said yes. *(Allison Tafuri, Chris Ferguson and Akash Parikh left at 8:01.)*

8. Traffic Speeds on 100C

Howard Romero said as soon as 100C was opened up for traffic many people were speeding so the state put a speed feedback sign there. Since then, traffic speed has decreased. Howard asked the state what would be necessary to get a permanent speed feedback sign there. They said a traffic study would be needed. LCPC has money to do a traffic study but they need the selectboard to request it. The speed feedback sign that is there now will come down in a couple of weeks.

Mike moved to request that LCPC conduct a traffic study on 100C, seconded by Doug.

Nat asked how this impacts other traffic studies we have scheduled this summer through LCPC. Brian S. said it depends on how close to capacity they are. They have not been at capacity recently.

Duncan suggested that concurrently with the traffic study Brian S. might want to formally ask VTrans for a speed sign. The board agreed he should do so.

Nat told Howard that Roger Marcoux has suggested that people who observe speeders should call for directed patrols and that it is helpful to call in plate numbers of speeders even if you can only get a partial number.

The motion was passed. *(Jen Burton and Diane Lehouillier left at 8:08.)*

9. Planning Commission Report

Duncan said the opinion of the LCPC board chair was that the wording of the LCPC bylaws did not necessarily require annual reappointment of members. LCPC sent out one email to towns saying it was time to reappoint members and then sent another email to board members saying they did not need to be reappointed as the bylaws say they serve until the board decides to replace them. Duncan feels the bylaws and state statute are clear that representatives serve a term. The bylaws say commissioners serve a 1-year term. There is a sentence that says they may serve until replaced. At any time any town can choose to replace its representative for any reason at all. After discussion, the LCPC executive committee agreed with Duncan's position and they are sending out a new memo asking towns to reappoint their representatives.

Brian S. said the Johnson Planning Commission received the most recently updated draft of the enhanced energy plan for the town. The selectboard will probably see it at some point. *(Howard Romero left at 8:14.)*

10. Proposals for Cemetery Maintenance

Brian S. said another individual who does gravestone repairs wants to submit a bid. The board has to decide how much to spend. He wants to use some money for a survey and remapping of Evergreen Ledge Cemetery. He has gotten one estimate and wants to get another one. He believes we have \$7K for both the survey and gravestone repairs.

Duncan said he and his brother could submit a proposal to map Evergreen Ledge with survey precision but not by a licensed surveyor. The board agreed they are interested in proposals for mapping the cemetery.

Duncan said if the board decides mapping is too expensive, he knows there are people who would like to purchase plots and he feels there are places where that could happen safely with on-the-ground evaluation. At no charge he would be willing to assist with the process.

Brian said he thinks we can spend \$3K for stone restoration. The proposal he got for a survey and mapping was \$2500. He would like to reserve some funds for cost overruns for mapping. Eric said he thinks whatever is left over after mapping should be used for stone maintenance. Duncan recommended going with that mapping bid. He said that is a good price.

Duncan said he tried a product for cleaning gravestones that seemed to work pretty well. Using that product, he thinks he could clean more stones at less cost. Would the board entertain an alternate bid using that product? Cleaning using that product will take a couple of treatments. It is sprayed on and left and rain and snow clean the stone. He found one application did not do a good enough job. He thinks it would take 2 or 3 applications but would still be considerably cheaper than cleaning stones by hand. The board agreed they would be interested in a proposal for cleaning stones using that product.

Brian asked if the board wants to go with the \$2500 survey bid. Kyle asked if we know the person who submitted the bid. Brian said it is someone from Hyde Park who has worked with our office and with the community. There would be no electronic version of the map.

Doug moved to authorize Brian to accept the bid of \$2500 for a survey and mapping of Evergreen Ledge Cemetery, Mike seconded and the motion was passed.

Duncan said his offer to help locate plots that could be sold still holds.

11. Town Revolving Loan Fund Update

Duncan said phase one of his proposal included trying to meet with key people. He is still trying to meet with Ken Gibbons. He also developed a list of questions to ask the Vermont Community Development Program. The town has three options – return the money to the Vermont Community Development Program, turn the money over to a non-profit community development organization, or retain the funds and administer the revolving loan fund. He doesn't think the town will get a lot of bang for the buck by turning it over to a non-profit. It won't be targeted specifically to Johnson entities and people. It would get lent statewide. To him it makes little or no sense to turn it back to the state. His recommendation is that the town develop its own revolving loan fund. The board would need to establish and empower a revolving loan fund committee to review any applications and make recommendations to the board to approve or deny. He would recommend entering into a formal operating agreement with Lamoille Economic Development Corporation to act as first line administrator. Applications would go to John Mandeville first. Applications can come in incomplete and it can be hard to get people to submit a complete application. John would handle that. Once the application was complete he would convene the committee. John would participate in the

committee process but not be a voting member. Then a recommendation to the board would come from the committee.

Mike said using Lamoille Economic Development Corporation would be a bargain at \$1200 a year. Duncan agreed, especially since some of the loan fund (up to 20% of income in a given year) can be used for administrative expenses. He wants to get clarification on exactly what that means. The \$1200 would have to be negotiated with Lamoille Economic Development Corporation, but that is what they are charging Morrisville.

Eric asked what the next steps are. Duncan said he would like to go the Vermont Community Development Program and ask questions. He went over his questions. One thing he is not clear about is whether second generation loans are considered program or unrestricted income. There are more restrictions on program income regarding who the money can be loaned to and under what circumstances.

He also wants clarification on whether the 20% of income in a given year that may be set aside for administrative costs is 20% of the total amount in the fund or of the amount lent in a given year.

The closeout agreement says the town must loan out 25% of the balance over a 3 year. It is not clear to him whether the 3 year period is rolling or not. John Mandeville said Morrisville's revolving loan fund has had very little activity over the past few years. He is a little worried that we might have a hard time meeting that threshold, but their loan program is structured differently from ours. They are charging prime plus 3 for small loans and prime plus 1 for large loans. People can get similar or better terms from a bank. Duncan's recommendation is to make interest rates more attractive.

Nat said one of his concerns with doing it ourselves is the timeline we have. The clock could be ticking. Duncan said he would like to see if we could get a reset button or flexibility on the 25% rule. He hasn't seen that rule in federal guidance, only from the state. That is one thing he wants to ask Vermont Community Development about.

Eric said we would want to know if we could lend money to ourselves if we were running into time pressure. Duncan said he would assume a loan to ourselves is a loan from the fund. He would suggest putting language in our guidance document that makes it clear that we can loan to ourselves for public facilities and utilities.

Doug asked if working on the guidance document has to wait. Duncan said no. The board needs to decide if the town should handle its own loan fund. If so, he would suggest working on the guidance document ASAP. Eric said the board has made the decision to take on the loan fund. That is why Duncan was hired. Duncan said we can start working on a revised guidance document. Eric said he thinks that should be a priority.

Duncan said LEDC has their own revolving loan fund. It could be than an applicant would apply to both LEDC and us. Our funding could be bridge funding.

Mike said he likes the idea of LEDC administering the fund. Duncan said that would be his strong recommendation.

Doug moved to authorize Duncan to formally ask John Mandeville to provide a proposal to administer the town's revolving loan fund, Mike seconded and the motion was passed.

Duncan outlined some recommendations for modifications to the guidance document. He said board members can send him feedback by email after reading them.

Kyle said she and Brian have talked to Johnson Works members about being on the loan review committee. There is at least one person interested.

Duncan said he will communicate with John Mandeville and Vermont Community Development and will start work on guidance document updates. *(Duncan left at 8:55.)*

12. Review and Prioritize Planning Grant Opportunities

Brian S. said we have three projects that would be eligible for planning grants. One is updating the design plans for the light industrial park. One is Railroad Street redevelopment. That is mostly village led but we have gotten advice that due to our unified town/village plan our application would be better served if it came from the town. The current iteration of that plan went out for a USDA grant and did not get one, but there is a second round of awards and it looks promising that it may get funded without our involvement.

Eric said he wouldn't want to jeopardize plans for the Jewett property.

Brian said there is another possible source of funding for planning for the light industrial park. Economic Development Administration funds may be available for planning. The village has not asked us to apply for a planning grant then for Railroad Street redevelopment, but that is the recommendation from LCPC.

The other area where we could use a planning grant is the merger study. There is another possible source of funding for that.

Doug asked if we put the merger study in our budget. Eric said yes. Brian said the trustees would like to find grant money for it. And we might get more mileage out of it if we had grant funding.

Doug asked how prioritization of the projects affects the probability of getting grant funds. Brian said he thinks we have room for funding almost everything and we also have potential alternative funding sources for everything. The weakest possibility is Rural Development grant funds. The light industrial park has two pretty likely funding sources – an Economic Development Administration grant or a Municipal Planning Grant.

Mike said he doesn't think the merger study should be held up too long trying to get grants. Brian said he doesn't think the merger study aligns very well with the priorities of either grant possibility.

Brian said if we got every grant we applied for the best way to maximize what we get would be to get a Municipal Planning Grant for the Railroad Street project and a Rural Development grant for the merger study. But we are unlikely to win a Rural Development grant for any project. Our projects just don't line up well with their priorities. Do we want to apply for Municipal Planning Grant funds only for updating the light industrial park plans and save the EDA grant application for construction costs or do we want to use EDA funds for both planning and construction and save Municipal Planning Grant funds for Railroad Street?

Eric asked if we can apply for different grants concurrently. Brian said he believes we can. We will have an opportunity to choose whether to accept any grant funds.

Eric said he thinks the priority should be the Jewett property. We need to do a merger study but there was no timeline on it. It could be done another year. He also feels Railroad Street redevelopment could be done another year.

Nat said he has concerns about acting as a pass-through for funding for Railroad Street redevelopment. In the past when we acted as a pass-through there were arguments about who should be responsible for overruns. He would be cautious about entering into that.

Brian said the grant application that went out to USDA for Railroad Street redevelopment was for marketing to find tenants for identified Brownfields sites. He expects a new grant application would be similar. We would try to find developers interested in the old mill area or the Manchester property. He would expect Parker & Stearns to be included now even though it was not part of the original study.

Doug said it seems to him that marketing for any areas that actually have hazardous waste is premature. The Manchester property and Railroad Street itself are a different story. We promised voters we would be working on the light industrial park. He thinks we ought to go ahead with that and make that the highest priority.

Mike said the merger study is also a priority. He asked Eric if he doesn't think the voters who wanted to fund that would be put out if we don't have something done by the next town meeting. Eric said he wouldn't want to jeopardize any funds.

Mike said he thinks we should move forward with the merger study whether or not we have funding from any other source. Doug agreed.

Kyle asked, what about the pilot program with the state on the light industrial park? Brian said there hasn't been any major movement on that.

Brian said he will tell the village we are not interested in pursuing a grant application for the merger study. He will not submit anything for that. He will submit applications for the light industrial park project to two different sources – Municipal Planning Grant and EDA. We

will see which one we get approved for. If we get approved for both he will try to pivot the EDA funds into construction costs.

Brian said he will submit a letter to White and Burke about the Railroad Street area. They have a developers' conference in November and Brian would like to submit the Railroad Street project as a learning tool for a training session at the conference. Attendees will look at Railroad Street redevelopment as a case study and come up with ideas about how to move it forward. Seth Jensen and Lea Kilvadyova suggested this idea. Board members said they think that is a good idea.

13. GIS Internet Services Maintenance Agreement

Mike moved to approve entering into a renewed contract with the town's GIS internet services provider, Doug seconded and the motion was passed.

14. Ambulance Services Agreement

The board signed the ambulance services contract for the year.

15. Noise Waiver for Lamoille Housing Partnership

Lamoille Housing Partnership submitted a noise ordinance waiver request for their previously discussed event at Legion field. **Mike moved to approve the noise ordinance waiver request from Lamoille Housing Partnership with no conditions, Kyle seconded and the motion was passed.**

16. Welcome to Johnson Sign Replacement

The western Welcome to Johnson sign is missing. Brian has no cost estimate yet on a replacement. He will have information next time.

17. Light Industrial Park Update

Brian said he has concerns about the stormwater readiness of the existing plans for the light industrial park. The grade of the road is pretty steep. The plans need some updating. He has attended some meetings on economic Opportunity Zones where people can invest capital gains in community projects instead of paying capital gains taxes. We are in one of the few Opportunity Zones in Vermont.

18. Derelict Buildings Ordinance

Doug said he would like to get started again on the derelict buildings ordinance. He suggests we ask our current attorneys for their thoughts on the prior draft. Brian agreed. Brian mentioned that we might be passing form based code, which would give us a zoning framework for this – an entirely different track. Doug said he suspects we would need a building code rather than a zoning ordinance.

19. Facility Use Policy

Brian said we learned with the legalization celebration that we could be doing a better job of having a process of looping in emergency services for events. It seems like we should start to formalize under what circumstances we make sure groups holding events talk to the sheriff's department. He also thinks it would be worthwhile for him to have the ability to sign facility use agreements for low-impact activities such as birthday parties. Three birthday parties have been brought to the board this summer.

Eric said it was brought up tonight that the selectboard needs to sanction the group organizing Tuesday Night Live. They are under our umbrella and our insurance. We need some control. Brian said he will add that to our old business.

20. East Johnson Sewer Line

Nat said at the December 5, 2017 joint meeting with the trustees Walter Pomroy moved that the village assume all responsibility for maintenance and repair of the East Johnson sewer line as if the village owned it. That motion passed and we formed our budget around that decision. Nat wants to make sure we are not paying for electricity for the pump station or any other related expenses. He sees that last week the trustees were backtracking on that decision, but they made the decision and we made decisions accordingly. We should not pay money for that line. Mike agreed. Eric suggested that Brian present to Meredith the decision that was made and the fact that the selectboard budgeted accordingly. Brian said he will make Rosemary aware that our position is that we are not paying the electric bill on the East Johnson pump station. Mike said technically we should be getting a rebate from December.

Doug said he thinks we should ask our lawyer to prepare the papers to convey the East Johnson sewer line. Eric and Mike agreed.

21. Engine Brake Ordinance Request

Robin Story asked for a couple of minutes to address an agenda item that was covered before she arrived. Living on Route 15 on the edge of town, she is bothered by engine braking noise. She has talked to people on 100C who say it bothers them as well. Some towns have no engine braking by ordinance. The Vermont DMV guideline is that towns should not adopt such policies because it puts the town at risk if there is an accident because engine brakes were not used. She talked about this with Brian and he said she would have to ask the board to direct him to look into it. Her question is how real a threat there is from having an engine braking ordinance. How many other towns on arterial roads have such ordinances? Have any been sued? She feels perhaps the town should look into adopting a “no engine braking” policy. Could the board direct Brian to spend a couple of hours looking into engine braking ordinances and their impact on communities?

Eric said it was VLCT’s advice that towns not have engine braking ordinances because engine brakes are a legally recognized safety feature and if the town forbids using a safety device that would make the town liable for the results. If there was an accident someone could sue the town because we didn’t authorize them to use the brakes. Robin said she wonders if any towns have gotten lawsuits.

Eric said we could ask VLCT if they still have the same position. Doug said he thinks we should check with our insurer. Eric said our insurance is through VLCT. Mike said it wouldn’t hurt to call and see if their recommendation is still the same.

22. Welcome to Johnson Sign Replacement (continued)

Nat asked, the welcome sign is not insured? Brian said unsecured property in the open is not insured unless it is high enough value. We didn’t feel insurance was warranted for the sign as it was too easily damaged and too difficult to secure.

23. Executive Session to Review Employee Evaluation of Brian Krause

Doug moved to enter executive session under the provisions of Title 1, Section 313 to review the employee evaluation of Brian Krause, asking Brian Story and Brian Krause to remain. The motion was seconded and passed and the board entered executive session at 9:35. The board came out of executive session at 10:05.

24. Executive Session to Review Communications with Our Attorney Re: Fire Department Contract

Nat moved to enter executive session to discuss communications with the town's attorney regarding the fire department contract under the provisions of Title 1, Section 313(a), Kyle seconded, the motion was passed and the board entered executive session at 10:08. The board came out of executive session at 10:27.

Doug moved that Brian Story be instructed to write a letter to the village trustees that conveys the town's appreciation to the fire department for their assistance and requests more information regarding portions of the bill from the trustees, Mike seconded and the motion was passed.

25. Adjourn

The meeting was adjourned at 10:32.

Minutes submitted by Donna Griffiths

UNAPPROVED