

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, MARCH 7, 2016

Present:

Selectboard Members: Nat Kinney, Doug Molde, Eric Osgood, Mike Dunham

Others: Duncan Hastings (Manager), Charles Gallanter

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Eric called the meeting to order at 7:00.

Eric welcomed Mike Dunham. He encouraged him to take advantage of training that is available for selectboard members.

2. *Additions, Changes to Agenda*

Duncan added springtime posting of roads.

3. *Appointment of Officers, Etc.*

Mike moved to appoint Duncan as chair pro tem, Doug seconded and the motion was passed.

Duncan called for nominations for chair. Doug nominated Eric Osgood, seconded by Nat.

By consent, the board directed the clerk to cast one unanimous ballot for Eric Osgood as chair.

Eric took over as chair. He called for nominations for vice chair. Nat nominated Doug, seconded by Eric.

By consent, the board directed the clerk to cast one unanimous ballot for Doug Molde as vice chair.

The board reviewed a spreadsheet of proposed town officer appointments. Duncan recommended appointing Rose Warner as interim assessor, as the voters eliminated the office of Lister. He encouraged the board to leave the office of Agent to Convey Real Estate vacant as the agent has not been used for this purpose. Conveyance of real estate has been an act of the selectboard. The board agreed to leave this office vacant. The offices of Grand Juror and Agent to Prosecute and Defend Suits were also left vacant. It was agreed to appoint Duncan as the selectboard's representative to the Historical Society.

Mike moved and Doug seconded to make the following appointments:

Trustee of Public Money: Rosemary Audibert

Plot Cemetery Agent: David Marvin

Whiting Hill Cemetery Agent: Selectboard

Evergreen Ledge Cemetery Agent: Selectboard

Road Commissioner: Duncan Hastings

Road Foreman: Brian Krause
First Constable: Sharon Duffy
Second Constable: David Jones
Fence Viewers: Blaine Delisle, Margo Warden, Kathy Black
Official Weigher of Coal: Michael Patch
Tree Warden: Noel Dodge
Vermont Emergency Management: Chairman of Selectboard
Energy Coordinator: Howard Romero
Town Service Officer: Mike Dunham
Inspector of Lumber, Wood and Shingles: Richard Simays
Green Up Day Chairman: Jennifer Stefanski
Recreation Committee: Heather Rodriguez, Nat Kinney, Michele Boyden, Bobbie Moulton, Beth Foy, Lisa Crews, Rhoda Vis
Johnson Skate Park Committee: Casey Romero, Howard Romero, Greg Fatigate, Cornelius Murphy, Richard Bowen, Jon Girard
Conservation Commission: Lois Frey, Eric Nuse, Dean Locke, Laura Branca, Sue Lovering, Noel Dodge, Ann Marie Bahr, Louise von Weise
Tree Board: Sue Lovering, Court Perry, Noel Dodge, Dorcas Jones, Louise von Weise
Fire Warden: Gordon Smith
Town Historian: Linda Jones
Johnson Historical Society: Linda Jones, Dean West, Lois Frey, Tom Carney, Alice Whiting, Frank Dodge, Duncan Hastings, Jess West, Jane Marshall
Official Pound: Lamoille Kennels

There are three members of the Planning Commission whose terms are up. Charles Gallanter questioned whether the current members have been adequately vetted. He said Phil Wilson was recommended for appointment by Bob Selby alone, with no vote and no discussion by the Planning Commission.

Eric said the Planning Commission – and any other town commission, committee or board – interviews and vets candidates and then gives the selectboard the names of those they recommend for appointment.

Charles asked what the qualifications are to be on the Planning Commission. Eric said being a voter in the community. Charles pointed out that only half the members need to be residents. Eric agreed that is correct. He said he doesn't know of any other requirements.

Charles said he applied for a vacancy 5 months ago and just received an invitation last week to be vetted. He thinks the Planning Commission is dysfunctional. They are meeting tomorrow night and they posted their agenda today, less than the required 48 hours before a meeting. They also have the wrong meeting date on the agenda.

Mike asked Charles if he feels he has been slighted. Charles said yes. He is strongly opposed to the Planning Commission's zoning proposal and they know it. He knows we will get zoning eventually and he would like to attempt to work with them to make the code as good as it can be, from his perspective.

Mike asked if the selectboard has the ability to appoint Charles to the Planning Commission this evening. Eric said yes, but the precedent we have set, out of respect for the various commissions, committees, and boards, is to let them vet candidates and then submit their recommendations to the selectboard. He would be against handling this appointment differently. If we changed the process we have had in place for a number of years, that would be precedent setting. He would recommend that Charles go before the Planning Commission like other candidates.

The motion was passed.

Duncan said Rose Warner had asked if the change from Lister to Interim Town Assessor would involve an increase in pay. She is making between \$16 and \$17 per hour and she said she had heard other assessors are making \$20/hr. The board does not need to set her salary as part of appointing her. That can be negotiated later. It was agreed to invite her to come to the next meeting or send a proposal to the board.

Doug moved to appoint Rose Warner as Interim Town Assessor until July 1, 2016, Nat seconded and the motion was passed.

There are 5 openings on the Planning Commission. Three are held by people whose terms just expired: Phil Wilson, Paul Warden, and Brian Boyden.

Nat said he thinks in general it is a good idea to have each committee or commission do its own vetting and make recommendations. But it sounds like in this case there has not been great communication. It seems like there is something in our process we need to work on. Maybe we should require the Planning Commission to get back to the selectboard and the applicant within a certain period of time. He isn't interested in appointing anyone tonight who has not been vetted by the Planning Commission, but he thinks we need to look at the process.

Duncan said a couple of years ago he recommended that the board develop a formal written policy on interviewing and appointing candidates to the committees, commissions and boards. At the time he thinks the board did not find it necessary. He suggests it again. He thinks he had a pretty good draft he could bring to the board. Doug said in the past the board didn't want to have a procedure that made it difficult because we had a hard time getting people to serve.

Mike asked what the board can do to get Charles satisfaction this evening. Doug said he is not willing to go ahead without a recommendation from the Planning Commission. Eric said the Planning Commission will most likely have names to recommend at the next selectboard meeting.

Nat moved to reappoint Phil Wilson to a 3-year term, Paul Warden to a 2-year term, and Brian Boyden to a 3-year term on the Planning Commission, Doug seconded and the motion was passed.

4. Annual Adoption of Existing Policies

Duncan listed policies he suggests the board reaffirm. (*Charles Gallanter left.*) Doug asked about the reason for reaffirming the policies. Duncan said there is a school of thought that the acts of one selectboard are not binding on another board, so VLCT recommends having each new board reaffirm policies of the previous board to be on the safe side.

Doug moved to reaffirm the following policies: Computer and Email Use, Combined Personnel Policy, Drug & Alcohol Policy, Drug Free Workplace, Use of Personal Auto, Sexual Harassment, Inclusion of Appropriation Line Items in Budget, Class IV Highways, Highway and Bridge Codes and Standards, Delinquent Tax Collection, Engine Idling, Impoundment of Dogs, Right of Way Access Permit, Lockout Tagout, Placement of Signs on Municipal Building Property, Development Road Standards, Tax Stabilization, Placement of Signs within Town Highways. Mike seconded and the motion was passed.

5. Review of Meeting Schedule

Duncan said a fair number of meetings fall on legal holidays. He asked the board to think about, when a meeting falls on a holiday, having it the following night. Doug asked about the possibility of moving meetings to Tuesdays. Duncan said he thinks Donna Griffiths (not present in person at this meeting) has another minute taking commitment Tuesday nights. He suggested deferring a decision and checking with her. It was agreed to put the meeting schedule on the agenda for the next regular meeting.

Eric suggested that Duncan remind the Planning Commission about the requirements of open meeting law with regard to posting agendas.

6. Review Selectboard Priorities and Board Member Assignments

Eric said he thinks one of the most important priorities is getting ready for Duncan's departure from the Town Administrator position. The board needs to start having meetings to discuss the job description, timeline, and how many hours the position should be advertised for. Our thought has been to hire someone in time to have some crossover before Duncan leaves. Duncan is leaving September 1, which means we need to make an offer in July, which means interviewing in June. He thinks we need to start work on this next month.

The selectboard has been trying to schedule at least quarterly joint meetings with the trustees. The board also wanted a meeting with both the trustees and the Planning Commission. The first candidate the trustees offered the Village Manager position to had already accepted another job offer and the second declined their offer, so they are back to the drawing board and have to repost the position. They will be tied up with that for a while. The board had talked about a joint board meeting to look at the relationship between school performance and economic development in our community. The idea was to include the school board, the Planning Commission and the trustees. He thinks probably the selectboard will have to go ahead on that meeting without the trustees. They can be invited to attend if they want to. He told Gordy that he could contact him when he felt it was appropriate to have a joint meeting. He doesn't think he will hear from him for a while.

Doug asked if we can go ahead and meet with the Planning Commission to discuss priorities for next year without the trustees. Eric said he thinks we might need to go ahead without

them. Doug said he would like them involved, but he would rather have the meeting without them than not have it. Eric said the selectboard will run into the same problem because they will need to start having meetings about replacing the Town Administrator. Doug said he thinks that is a reason to have the meeting with the Planning Commission sooner rather than later.

Eric said at the last meeting he brought up his concerns about Railroad Street. An officer had casually remarked to Eric that he often went to Railroad Street so Eric asked Roger Marcoux to pull statistics about the frequency of calls on Railroad Street compared to the rest of the town. Eric and Roger were scheduled to meet Friday morning but Roger had to cancel because he is investigating an untimely death on Railroad Street.

Eric said he thinks we need to either go forward with the Jewett property or kill that idea. He thinks we are getting closer to having the numbers we need to make that call. The Planning Commission will be giving the selectboard form based code and the combined town/village plan. We will need to start work with a consultant on the gravel pit closure plan this summer. The Coddling Hollow culvert replacement will go forward this summer, though the board will probably not need to be very involved. The board will continue working with the trustees on the College Hill project. There could potentially be a joint board meeting, with perhaps not total agreement on how some of the project will be paid for. The highway salary scale is another item to be discussed.

Mike said when he hears the word “consultant” he thinks of money. Eric said we have no choice; we have to have a closure plan for the gravel pit.

Mike asked if there is any gravel on the Jewett property. Duncan said he doesn't think there is any commercially valuable gravel there.

Duncan said he talked with Greg Tatro last week. He is very familiar with our gravel pit. He doesn't think there is a lot of resource left there. He said he would want to get a good grid of test pits before doing anything further with the pit. His opinion was that it would probably cost a lot of money to get a little more gravel unless we find a huge reserve on the property.

Doug asked, so he doesn't think we should even test? Duncan said he didn't say that, but based on what testing he had done he doesn't think it is likely we will find much that is better than what he found. Most of what we took out of there was relatively poor. It was only when we got down below the level of the railroad track that we got to better material. Greg said we could do some borings but he wouldn't even consider buying it without doing a lot of grids and testing. He said the test results we do have aren't very promising.

Greg mentioned that he was going to meet with a property owner interested in selling him a pit and he said if he decides he isn't interested he will pass on the information. He didn't describe it as being in Johnson but he said it was close. It may be in Eden.

Doug asked if we can put out feelers about possible properties. Duncan said yes. If we are looking at buying some land we have to look at the purchase price, the amount of gravel and

the cost of extracting it, including the cost of Act 250 requirements. Another issue he sees with the current pit is that if we were to get an Act 250 permit he feels sure we would have to do expensive archaeological surveys before starting to dig. There would also be a lot of environmental permits required for that particular location because of the proximity to the river and the steepness of the slope. We would also have to consider the annual cost of extraction. He thinks if we are going to have gravel it doesn't make any sense not to crush it.

Eric said a pit in Eden would mean substantial trucking cost. And would we have to have a second loader? Duncan said he is not necessarily suggesting we buy a pit in Eden. He thinks we should buy processed gravel for a couple of years. Operating a pit means a lot of training, rules, and inspections. Our employees spend a month or so putting up sand and gravel. That is time not spent working on roads. That is a cost, too. We have Nadeau's within a 5 minute drive, with good processed gravel. He thinks if we start using processed gravel we will find our road surfaces last longer, requiring less grader time and less calcium chloride. The quality of our gravel is not good and it leads to potholes and washboarding. Nat said he understood that the Nadeau pit didn't have a long life left. Duncan said he thinks they have some additional potential reserves there but he doesn't know the longevity of that pit. It's a conversation worth having.

Doug said he thinks the ANR and town highways regs are going to be connected to the gravel question, because of surface and grading. He thinks we are going to look at mud abatement expansion. Duncan said he predicts we will be in the first tier of implementation of the ANR regs because of our proximity to the river. Doug said there will be no money from the state for Class IV roads and we have a lot of problems with runoff on Class IV roads. He thinks we may want to watch the opening of the rail trail and see what sort of impact that has.

Eric asked if they are looking to make any more connections on the rail trail in the next year or two. Doug said he thinks they know what they are going to do next, but they are not sure how they are going to fund it. He reminded the board that we were going to think about the roads near the entrance to Old Mill Park and how they don't work well.

Nat said the Rec Committee is interested in development of recreation facility features at Old Mill Park, such as a picnic area, to make it a welcoming magnet.

Doug said we can expect the Conservation Commission to report back after they use grant funds for the natural resources inventory.

Duncan said we will have an obligation to do some work on the Beard parcel. We will have to do mowing and trimming and we might want to consider what do there for off street parking.

Nat said there is money in the rec budget for a part time rec coordinator.

Doug said the ad hoc beautification committee's draft plan is going to be presented to Johnson Works. The committee was thinking about a mini-grant program that would allow

people on Main St. to apply for \$500 for beautification efforts. He envisions that the requests would be presented to the board and the board would decide whether to approve them.

Doug said the Paddlers' Trail will start moving forward again.

Eric said we should continue discussion with the trustees about a crosswalk and/or sidewalk to the library. Eric would rather see a sidewalk if the town is going to pay for it.

Eric said we also need to work on developing a revolving loan application process. Duncan said Lea submitted some guidelines. The board needs to formalize the process. He thinks the trustees agreed that a review board would be a good idea.

Doug said he thinks the selectboard ought to review the village charter and what it says about town vs. village obligations. Walter is saying the village wants us to take over storm drains but village responsibility for them is in the charter. He doesn't think any changes to responsibilities should be made without knowledge of what we are giving up and any changes should be made formally.

Duncan said the trustees are talking about redoing storm drains at the Clay Hill/School St. intersection. He told Brian he wouldn't have an issue with him and Troy working out a price to do the work using town and village forces. But the responsibility is the village's. If the town is going to contribute he would expect the village to reimburse the town. We give them 10% of the grand list for storm drains and sidewalks.

Doug said he thinks we ought to be thinking about changing the Clay Hill/School St. intersection. It is good to have good relations with the village and work cooperatively. We need to get to that point through negotiations. Eric said at this point the two boards are not moving closer together. Duncan said Eric reached out to the trustees to see if they were interested in thinking again about recombining the Village Manager and Town Administrator positions. He got a terse reply that they had already thought about and discussed it. Duncan said he feels it is time for the town and village to start seriously thinking about merging. Mike said there is a lot of redundancy. Duncan said he doesn't know of another situation where the town owns the village highways and the village is responsible for sidewalks and storm drains. In most of the places he knows about, the village is responsible for all the roads in the village. He has never seen a charter that splits it up the way ours does. Our way makes no sense.

Nat said another possible priority is patrol issues. He feels there is a bit too much of a gap between what we want and what we are getting. He would like to start a conversation with Wolcott and Hyde Park. He is on the LCSD Budget/Contract Review Committee.

7. *Springtime Posting of Roads*

Duncan had a list of roads suggested for posting. He said he added a few that had not been posted previously. His recommendation would be to formally post the roads by publication in the newspaper, on Front Porch Forum, and on the AOT posting location. People can apply

for special one-time permits to drive heavy vehicles on the posted roads. If we don't post the roads we can have little expectation of collecting any damages if roads are damaged.

Doug asked if people tend to abide by posting. Duncan said a certain group will call to ask about using a road and that is where Steve Smith would use his judgment. Steve didn't believe in posting paved roads, but damage on those roads can be more serious. Duncan included Hogback Road on his suggested list. It is in questionable shape now. A heavy truck could do a lot of damage in a hurry. Eric asked what Cambridge does on the other end of Hogback Road. Duncan said they post it.

Doug moved and Mike seconded to post the roads suggested by Duncan for overweight vehicles from March 10 to April 30, 2016 and the motion was passed.

Duncan said this week he noticed that loggers working on Basin Road are using the Class IV road as a landing and a skid road, blocking the road. He suggested sending Brian to tell them they can't block the road and to ask them to fill out an access permit. The board agreed that should be done.

8. ***Adjourn***

The meeting was adjourned at 8:52.

Minutes submitted by Donna Griffiths