

JOHNSON VILLAGE TRUSTEE BOARD/TOWN SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
WEDNESDAY, AUGUST 12, 2015

**Present:**

Trustees: Gordon Smith, Walter Pomroy, Bob Sweetser, Scott Meyer, David Goddette

Selectboard: Eric Osgood, Howard Romero, Kyle Nuse, Doug Molde

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk)

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

**1. Call to Order**

Gordy and Eric called the meeting to order at 7:01.

**2. Changes, Additions to Proposed Agenda**

Duncan had one addition to the trustee board agenda – review and act on interim manager contract. He had one addition for the joint part of the meeting – informing the boards of the School St./College Hill project bid results.

**3. Review and Act on Roof Replacement Bids**

Duncan showed the board the bid results. Willie Thomas was the low bidder, but he did not fully and properly fill out the bid. Steve Pitkin also talked to him and felt he had a poor understanding of the bid spec. Steve Pitkin's recommendation is to go with the second lowest bidder, Clemons Construction. Duncan agrees with that. **Howard moved to hire Clemons Construction to do the roofing work on the municipal building, seconded by Doug, and the motion was passed. Walter moved to hire Clemons Construction to do the roofing work on the municipal building, seconded by David, and the motion was passed**

**4. Review and Act on Proposals for Office Renovations**

Duncan said he had hoped to have bids but he was only able to obtain one, from Dana McKnight. His bid is \$7,891, which does not include running phone and internet lines. **Doug moved to hire Dana McKnight (Carpentry Unlimited) to do office renovations for the amount of his bid, Howard seconded, and the motion was passed. Walter moved to hire Dana McKnight (Carpentry Unlimited) to do office renovations for the amount of his bid, Bob seconded, and the motion was passed.**

**5. Security Measures at Town/Village Public Works Complex**

Eric said he noticed we are no longer locking the gate. There have been vandalism issues in the past. Should we have the employees lock the gate? Gordy said he was against locking it. David said he just wants to make sure fire department trucks all have a key. Other board members were either in favor of locking the gate or didn't care. It was agreed that employees should be told to start locking the gate once everyone who needs a key has one.

**6. Final Payout Considerations of Current Manager**

Duncan explained that instead of having separate sick, vacation, and personal leave employees have Combined Time Off (CTO.) It accrues weekly at a rate dependent on years of service. He is at the maximum rate. At the end of the year you can have in your CTO bank a maximum of one and a half times your annual accrual amount. The total amount he can have in the bank at the end of the year is 444 hours. At the end of the year if he had more than that it would be rolled into the sick leave bank, except that there is a maximum amount you can have in the sick leave bank and his is full. So any excess hours at the end of the year are rolled into his catastrophic sick leave bank. He has 1452 hours in the catastrophic sick leave bank. Those are hours accrued because he

did not take the CTO due to him over the 14 years he has been here. It was time he could have taken off and now will lose. He is okay with that but brings it up to show that the town and village had the value of his time actually working those hours versus paying him for taking time off.

The sick leave bank can have a maximum of 480 hours. Upon retirement you are paid 25% of what you have in your bank. That will be 120 hours for him. As of his last paycheck, he has 94 hours more than the maximum amount he can have in his CTO bank at the end of the year. He doesn't want to lose those hours. The personnel policy says that on termination the employee is entitled to payment of any accrued CTO up to the maximum as defined in the policy. He is asking the board to pay him for all the hours he will have accrued as of August 30. If the board does not do that, he will use up all the extra hours before his retirement date.

Walter asked what we have historically done in this situation. Rosemary said we haven't had this situation before. No one else has been over their maximum amount when they left in the middle of the year.

Scott calculated that the total amount of CTO Duncan would be paid for if the board agrees to his request would be around 670 hours, which is equivalent to about \$20,800. Walter pointed out that 564 of those hours are not in dispute.

Eric said Duncan could choose to extend his retirement date by a month and just not show up during that time. Duncan said other employees have done that – set a retirement date that would allow them to burn up hours and then not show up for the last part of their work time.

Eric said there is about a year of time off Duncan didn't take. Bob said he hopes we straighten this out so in the future people will take the time off. It is good for their health. David said as a taxpayer and a ratepayer he is concerned about having to pay this much at once. We need to discuss that. This is an example of what can happen if someone doesn't take the time provided. Scott said it is easy to say people should take a vacation but nowadays for a public servant it is nearly impossible. Doug said we are really talking about a \$3700 deal. David is reacting to the total number, including the part that isn't in dispute. David said we may need to review our policy so situations like this don't happen in the future.

Howard asked where the money will come from in the budget. Walter said it should be split between the village and town according to the normal 60-40 split.

Walter suggested another option – when Duncan comes back, he starts with 100 hours in his bank. Eric said the problem with that is that 60 of the hours would be village hours. And Duncan will be getting paid less when he is just working for the town.

Duncan said when he announced his retirement he could have started taking that time off. It would have meant he wouldn't have been here for 3 weeks. He didn't feel that would be good for the town and village.

Eric said Rosemary and Duncan work way more than they should. In some ways the boards demand the work they provide. There is no one else who can do the work they do.

**Walter moved to pay Duncan for the full amount of hours in his CTO bank on his retirement date, seconded by Bob.** He clarified that by the full amount he means the 444 he could have at the end of the year plus approximately 100 hours more. **The motion was passed with Gordy voting no because he feels it conflicts with the personnel policy. Doug moved to pay Duncan for the full amount of hours in his CTO bank on his retirement date, seconded by Howard and the motion was passed.**

**7. *School St./College Hill Bids***

Duncan said we got 4 bids. The lowest base bid was \$168,749. The alternate bid for storm drain work was \$112,854. The apparent low bidder was Desroches. Otter Creek has not gone through all the bids to make sure there are no math errors. Assuming there are no problems, the trustees will be asked to authorize a contract within the next week or two. We are looking at an early September start time.

**8. *Selectboard or Trustee Issues/Concerns***

Gordy thanked Duncan for all his years of service and for being there for him and Eric. Eric echoed that.

Gordy gave the selectboard an update on the village's situation. Tonight the trustees will vote on a contract with an interim manager. Duncan and the interim manager candidate already know each other and have a good working relationship.

David said the cutoff date to receive applications for the permanent village manager position is August 15. Gordy said about 15 applications have been received so far.

**9. *Adjourn - Selectboard***

The selectboard adjourned at 7:52.

**10. *Review and Act on Interim Manager Contract - Trustees***

**David moved to go into executive session to discuss a personnel contract with Duncan and Rosemary invited to remain, Walter seconded, the motion was passed and the board entered executive session at 7:53. The board came out of executive session at 8:09.**

**Walter moved that the Village of Johnson engage Sanford I. Miller to provide the village with interim manager services, Scott seconded, and the motion was passed.**

**Walter moved to authorize Gordy to sign the agreement between the Village of Johnson and Sanford I. Miller as presented with "per Vermont labor statute" added to the third paragraph from the bottom of page 2, Bob seconded and the motion was passed with David and Scott opposed.**

Gordy asked how we should introduce Sandy to employees. It was agreed that Gordy and Walter would come in to do that. Rosemary recommended bringing in all staff from the office and from outside to meet him. Gordy asked her or Duncan to set a time for this.

**11. *Adjourn - Trustees***

**Walter moved and David seconded to adjourn at 8:15 and the motion was passed.**