

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, JANUARY 13, 2014

**Present:**

Trustees: Gordon Smith, George Pearlman, Ellis O'Hear, Walter Pomroy, Chris Parker

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Towne, Tom Elwood

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

**1. Call to Order**

George called the meeting to order at 4:08.

**2. Review and Approve Minutes**

**Walter moved and Chris seconded to approve the minutes of December 9, 2013.** Tom noted an inaccuracy in the discussion about phosphorus numbers. He said the minutes should be changed to say that the state wants to change the limit from 0.8 to 0.2. We are already at 0.2. **The motion to approve the minutes as amended was passed.**

**Walter moved and Chris seconded to approve the minutes of December 16, 2014 and the motion was passed.**

**3. Treasurer's Report & Review and Approve Bills and Warrants**

Rosemary asked if we were expecting \$52K of grant money. (*Gordy arrived at 4:15.*) Steve said he thinks that is money held in escrow for future work, probably from Comcast.

**Walter moved to place a lien on Gary and Stacy Merchant's property for outstanding water and sewer bills and to authorize Gordy to sign the lien, Chris seconded, and the motion was passed.**

**4. Wastewater Treatment Facility & Water System Operator's Report**

Tom said we are at 9% water loss. We had several water leaks recently. One on Railroad St. was over 300,000 gallons. The water did not go into the sewer. Tom thinks it went into the ground from an open cut in the basement.

We are keeping an eye on the river near the Pearl St. bridge for ice jams. If an ice jam took out the sewer pipe that goes under the bridge, it would be difficult and expensive to replace. There is an old plan addressing what would happen if we lost that pipe. Tom, Steve, and Duncan are in the process of updating it.

Tom said the floodgates were set over the weekend, just in case. Commercial grade heaters were recently bought to keep the meters and pumps warm at Katy-Win booster pump buildings. The heaters we had been using weren't lasting.

Duncan said Larry Klingensmith is the owner of the property on Railroad St. that had the large water leak. He lives out of state and hasn't submitted an application for adjustment of his bill yet, but it is anticipated. The building wasn't occupied much over the last 3 months, so those months' bills were not typical. Susan calculated an average of \$25.91 using more typical numbers. The water doesn't appear to have gone down the sewer, so we could use the highest bill from the past 12 months, which is the August bill.

**Walter moved to approve an adjustment to Larry Klingensmith's water and sewer bill, subject to receipt of an application, with the water bill adjusted to 3 times the average figure of \$25.91 and the sewer bill adjusted to \$45.97 (equal to the highest bill from 2013), Chris seconded, and the motion was passed. (Tom left at 4:44.)**

**5. *Public Works Superintendent Report***

There will be a safety meeting on Wednesday on OSHA "A" safety operating procedures.

At 12:30 a.m. on Jan. 6, there was a substation outage. We lost a leg of the 3 phase from GMP, which created a single phase effect on the entire village system. The driveway to the substation was icy and it was challenging to get equipment down there. Testing eventually showed that one leg from GMP was down. Then we dropped off from that source and swapped to the B-22 feed from Morrisville. GMP Rutland Dispatch gave Steve incorrect information while he was trying to determine the cause of the problem. GMP is investigating why that happened.

During the brownout, the municipal office/fire station generator did not come on. Apparently it was not programmed when it was put in. Steve has someone coming to program it so it will function correctly in the future.

Steve said he doesn't think the under voltage situation had any long-term effects on the electrical systems in anyone's home. Duncan said the school and Sterling Market had some problems.

Walter said the moral is that one of our contingency plans – the generator – failed. Are there items like the generator that are so critical that we may need to do more checking of all possibilities? Are there areas where we need to take extra steps to plan for contingencies? Steve said the electrician who is coming will check the other generators.

The rail trail building work is completed except for the water service tie-in, which will be completed next spring. Steve hopes to have time in February to meet with George Lague. During the ice storm, Tim and Steve went to Hardwick, then the crew worked with VEC. The crew all worked extremely hard and Steve is proud of them. Chris said he heard that a couple of local businesses benefitted from feeding VEC crew members. Steve said maybe we should talk to restaurants about setting up charge accounts and maybe opening early to serve breakfast to contractors in situations like this.

George asked if we will have financial responsibility for anyone who lost their controllers due to the power fluctuation. Duncan said no. He is providing a letter to the school for their insurance company and he told Sterling Market he could do the same for them. If we get a claim, he will submit it to our insurance company and they will decide whether to pay it.

**6. *Manager's Report***

Duncan expressed his thanks to Steve and his crew for their work in the ice storm. He said he didn't want to send our crew too far away so they decided to concentrate first on putting Johnson customers back on line for VEC. Then after that they went to some other areas.

Duncan asked if the trustees want the village crew to work on a skating rink this year. George said he thinks the rec committee should decide if they want it and pay for it. Gordy said he doesn't think we need a liner. In the past the fire department always flooded the field for free. The board agreed to ask the fire department to prepare the rink. Steve said he will contact Arjay.

Duncan said he didn't put any ads in the paper, but Bruce White has made an offer of \$600 for the compressor and generator. Duncan has checked with village employees to see if anyone is interested in the items and they are not. The board agreed to sell the compressor and generator to Bruce White.

The fire service contract has been sent to the 3 selectboards. The college wants to increase its contribution by \$250 this year and then by another \$250 the next year instead of increasing by \$500 all at once.

Duncan sent a letter to Mark Cattelona and Rick Jewett about the camp on village property and has heard nothing back. The board had previously decided to have the camp removed as per the letter that had been sent out earlier in that case. This was the last opportunity for them.

Duncan posted the notice about the Long Trail easement as per statute. He has had no inquiries yet. The board cannot act on this until next month as the notice has not yet been posted for 30 days.

Duncan asked for permission to go the APPA Legislative Rally March 10-12, paid for by VPPSA. Board members agreed he could go.

There were two bids for the Vactor trailer being purchased by Richmond, Waterbury, Johnson, and Morrisville. The low bidder was rejected for not meeting the specifications and threatened a bid challenge. In the end it was officially determined that the bid did not meet specifications and could be rejected. The trailer will probably be ready in spring or early summer. Walter asked if we can rent it out. Steve and Duncan said we are not allowed to lease it at all. George asked if we can use it on private property. Steve and Duncan said no.

Chris had asked to have Pearl St. drainage added to the agenda. Steve described a possible solution to the problem involving putting in a drop invert. He will get a price estimate together. He guesses the cost will be \$5-6K.

Duncan said he got a letter from Otter Creek confirming in writing that the Main St. crosswalks are a deviation from the original design. The subcontractor said the original design would not work and recommended something different. Gail did a field approval of the suggested change. According to the way the contract is written, she should have done a revised drawing of what she accepted in the field and submitted it to everyone for signatures. She didn't do that and L&D and Otter Creek didn't follow up to ensure that she did. Does the board want Duncan to pursue this with L&D and tell them they should be part of the financial solution? Board members said yes, Duncan should pursue this with L&D and with

Otter Creek as well. Duncan reminded the board that the curb payment issue is still there as well. Is the board willing to pay Stitzel Paige and Fletcher to have them write letters concerning this issue? Walter said it will cost us money to fix the problems and we need to get money. The board agreed that Duncan should contact Stitzel Paige and Fletcher. Duncan said we probably will have to come up with some design alternative to satisfy VTrans. We can try to get Otter Creek or L&D to help with that.

As per board approval last month, VPPSA has sent out the first of two Power Supply Agreements for the Mass Solar project and Duncan has signed and returned it. Walter asked what VPPSA is doing in terms of the legislature and net metering. Duncan said he advocated strongly for VPPSA to submit its own proposal rather than reacting to legislative proposals. VPPSA has a draft proposal being worked on with the legislative committee. It would set up more of a statewide program for net metering, similar to what they are doing with the standard offer program. It would average out the retail residential rate for every utility and develop a blended rate that would be given to every solar customer. The cap would go away but they would look at a statewide cap.

Duncan has an 85-page report on the former Cyprus Industrial Minerals site but he hasn't had time to read it yet. We've met our deductible, so whatever action is proposed probably won't cost us money.

Duncan has had no time to work on ordinance revisions.

Regarding the Morrisville Water & Light transmission purchase, applications for CPG and Section 108 approval have been filed. We got a letter from the DPS in support of our application with a recommendation that it should be approved without a hearing. But Duncan would not be surprised if the board required a hearing anyway.

There has been no further action on the lawn sign policy.

There is nothing new on the Wescom septic system failure.

The school has the memorandum of understanding regarding the School St. project and the board will review it at its next meeting.

Steve said someone he knows is in a work share program where the state has offered to pay his salary to work for the Town or Village of Johnson. There would be no commitment on our part. The individual has good clerical skills and a business degree. He has said he would do anything, including shoveling sidewalks. The board agreed this is worth looking into.

Duncan distributed the agenda for the joint meeting to follow this one. He reviewed the recommended reallocation of time for joint town/village employees. He said the town is happy with the idea to share use of the Kubota tractor. Steve said use of the backhoe is coming out pretty close to the 80-20 split. Duncan said the town will buy a mower to be used with the Kubota tractor. He suggests a rental rate be set up for the tractor so the town can reimburse the village for using it. Steve said then we would be responsible for any repairs or

maintenance to the tractor. Duncan said we should set up a plan to handle repairs and maintenance for the tractor and for the backhoe. Either the rental rate needs to be high enough to cover repairs and maintenance or we need a different arrangement to deal with damage. A subframe will need to be put on the tractor to attach the mower. Once the subframe is on, there are other pieces of equipment available that could be attached to it.

Gordy brought up form-based zoning. He said he wonders if we should authorize Lea to go after grant funding again and put off exploration of zoning for a year. Duncan said right now the selectboard is talking about including \$15K in the town budget to pay for what the grant was going to cover – the cost of a consultant to explore form-based zoning. The selectboard wants to find out if the trustees are conceptually on board with going through with that process. Walter said if it goes to the voters and the voters approve it, he will go along with it. Gordy said he had heard from a couple of people who hope the Planning Commission will consider other consultants, not just the one who came to Johnson to give the talk.

7. *Adjourn*

**Ellis moved to adjourn at 6:12, Chris seconded, and the motion was passed.**

*Minutes submitted by Donna Griffiths*